

Hej Jonas,

Jag skickade ett mail till Hans för en stund enligt det han och jag kom överens om senast. Tänkte att du också kanske är intresserad, så här är en kopia.

Bästa

Vidarebefordrat brev:

Från: [REDACTED]

Ämne: Utlovat material

Datum: 14 maj 2020 11:01:36 CEST

Till: [hans.melander@polisen.se](mailto:hans.melander@polisen.se)

Kopia: [krister.petersson@aklagare.se](mailto:krister.petersson@aklagare.se)

Hej,

Jag lovade att skicka par rader om det jag arbetar på nu och som kan vara relevant för mordet på Olof Palme. Jag håller det kort för att spara din (och min) tid. Om ni vill så kommer jag gärna och håller ett litet föredrag för er grupp om detta.

- Camarateattacken. Den 4 december 1980 omkom Portugals premiärminister Sá Carneiro och försvarsminister Amaro da Costa när en Cessna kraschade i Lissabon. Första utredningen sade att det var en olycka, men tio parlamentariska kommissioner senare har man tekniska bevis (bl a sprängämnen) och erkännanden att det var ett attentat. Det troliga motivet var att ministrarna stoppat vapenleveranser till Iran, vilka släpptes veckan därpå. De portugiser som erkänt inblandning har pekat ut sydafrikaner och amerikaner med namn som organiserat attentatet. Se bifogad slutrapport för den tionde kommissionen på portugisiska och googleöversättning till engelska. Min uppfattning är att det hänger ihop med det som kallas Iran-Contraaffären och som pågick 1980-1987 och där Sydafrika spelade en viktig roll. Påminner om att Olof Palme också stoppade leveranser till Iran under 1985.

Länk till : [https://en.wikipedia.org/wiki/1980\\_Camarate\\_air\\_crash](https://en.wikipedia.org/wiki/1980_Camarate_air_crash)

- Lockerbiebombningen. Scottish Criminal Cases Review Commission (SCCRC) beslutade den 11 mars i år att familjen till den ende dömda libyern al-Megrahi har rätt till en ny rättegång som kommer äga rum inom ett år. Därmed är det enligt många experter sannolikt att motivet till händelsen var Irans hämnd för det av USA nedskjutna IR655, vilket betraktades som lösningen under det första året efter dådet. Se SCCRCs pressrelease bifogad. Min ingång är Olof Palmes nära medarbetare Bernt Carlssons död i katastrofen. Carlsson arbetade som diplomat i Södra Afrika, Iran och Nicaragua och kom med på Pan Am 103 efter ett snabbt påkommet möte med ett sydafrikanskt bolag i London, vilket antingen är en otrolig slump eller ett sätt att bli av med ett problem för någon som visste att katastrofen skulle ske. Länk till SCCRC press release: <https://irp->

[cdn.multiscreensite.com/8f56052e/files/uploaded/11%20March%202020%20-%20SCCRC%20News%20Release%20-%20Application%20on%20behalf%20of%20Mr%20Abdelbaset%20Ali%20Mohamed%20Al%20Megrahi\\_dgMrLN20RqqEoEwzK4eV.pdf](https://cdn.multiscreensite.com/8f56052e/files/uploaded/11%20March%202020%20-%20SCCRC%20News%20Release%20-%20Application%20on%20behalf%20of%20Mr%20Abdelbaset%20Ali%20Mohamed%20Al%20Megrahi_dgMrLN20RqqEoEwzK4eV.pdf)

Jag vill också passa på att nämna ett par saker eftersom det närmar sig er presentation av lösningen:

- Era företrädare inom polisen och Säpo utredde noga under hela 1987 ett samarbete mellan Sydafrikansk säkerhetstjänst och svenskar, se ett av många exempel i bifogad artikel från Göteborgstidningen den 28 maj 1987. Eventuellt kan Skandiamannen varit en av svenskarna. [REDACTED] är ytterligare en möjlighet). Först när den nye spaningsledare kom i början av 1988 lades detta spår åt sidan och allt fokuserades på en ensam gärningsman. [REDACTED] var fortfarande av intresse under de första månaderna 1988).

- Sydafrika använde sig ofta av högerextremister för att genomföra mord alternativt bara befinna sig i närheten, se mail med länk till artikel som [REDACTED] skickade till mig och som jag tolkar som ett sätt att peka i rätt riktning när det gäller mordet på Olof Palme. Tillvägagångssättet skulle kunna vara relevant även för Skandiamannens roll.  
Länk: <https://www.zammagazine.com/chronicle/chronicle-11/202-essay-chris-hani-murder-revisited>

- Vapenhandeln från 1980 med Iran och Nicaragua och en rad andra länder var extremt viktig för att avsluta Kalla kriget. Sydafrikas roll var extremt viktig i handeln och för att hemlighålla den när det höll på att avslöjas långt tidigare än publiceringen av Iran-Contra i november 1986. Den bästa sammanställningen av skeendet med tidslinjer, kartor och fotnoter finns i boken Apartheid Guns And Money av Henne Van Vuure, se bifogad pdf.

Skulle det vara intressant att jag kom till er och höll föredrag om något av detta?

Bästa hälsningar

[REDACTED]





- Du vidareb...
  - Du vidareb...
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- <https://www...>
- Sent from s...

## Chris Hani murder revisited - ZAM

[craigmichael@gmail.com](mailto:craigmichael@gmail.com) <[williamson.craigmichael@gmail.com](mailto:williamson.craigmichael@gmail.com)>

fredag 8 april 2016 15:49

Stockfassa: Nick Schindle

- här meddelandet 2016-08-25 13:47.
- här meddelandet 2016-04-08 15:54.
- här meddelandet 2016-04-08 16:42.
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<https://www.chronicle/chronicle-11/202-essay-chris-hani-murder-revisited>

10 smartphone.



# SÄPO PEKAR UT SYDAFRIKA

STOCKHOLM (GT)

• Olof Palmes mördare: en specialgrupp ur det sydafrikanska poliskommandot.

• Dess medhjälpare: ett antal svenska högerextremister — kända för sitt Palme-hat.

Det är spaningsledningens nya teori. En teori som den arbetat med i flera veckor.

— Vi ser tydliga kopplingar mellan de här grupperna och mordet, säger en centralt placerad SÄPO-källa till GT.

Flera specialenheter inom säkerhetspolisen, rikskriminalen och stockholmspolisens våldsbrottsavdelning nu inblandade med ett kändigt en svensk extremistgrupp, som redan tidigare varit föremål för ett visst intresse för Palme-spanarna. Det handlar om extremister med anknytning både till Europeiska Arbetarpartiet (EAP) Nordiska Rikspartiet (NRP) och Cona, en grupp svenska högerextremister.

— Extremismen är så liten att alla känner alla och de samarbetar när tillfälle bjuder, säger GT:s SÄPO-källa.

## Walkie-talkie

Flera av dessa personer observerades natten den 28 februari 1966 i kvarteren runt mordplatsen i hörnet Sveavägen—Tunsvägen.



Jonathan Feick

• Dessa personer, som enligt många vittnes var utrustade med walkie-talkies, ska enligt helt nya uppgifter ha varit medhjälpare åt en tre man stark mördargrupp från det sydafrikanska poliskommandot.

Dessa uppgifter kommer från en informant som varit i kontakt med Svenska Dagbladet, som sedan överlämnat materialet till polisen.

## Flera år

Enligt informanten, som har goda kontakter i Sydafrika, har mordet planerats under flera år. Orsaken: Olof Palme var en person som det vita Sydafrika fruktade. Han var en av de drivande krafterna i Västvärlden bakom motståndet mot apartheid. Han var det både genom sitt inflytande i Socialdemokraterna och i flera andra partier.

• I Sydafrika finns det också en redan för att Palme en gång skulle kunna bli FN:s generalsekreterare.

## Planerades

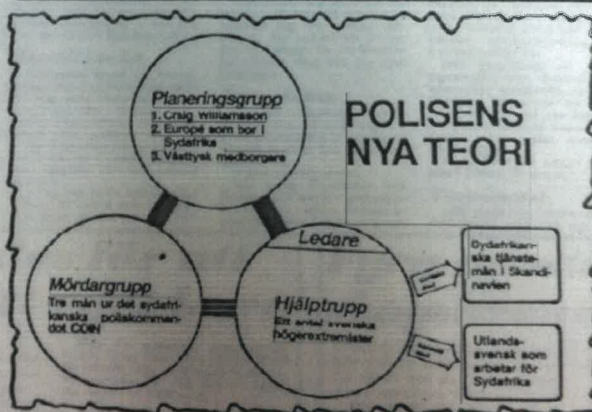
Enligt informanten planerades mordet av tre män: den tidigare sydafrikanska ledaren Craig Williamson, en europe som nu-



De mystiska män, som enligt många vittnen, sågs i närheten av Olof Palmes under mordnatten, ska enligt de nya uppgifterna ha varit medhjälpare åt en manstark mördargrupp från ett sydafrikanskt poliskommando.

Foto: BERT CLAESSEN

## ”Samarbetade med svensk extremhöger”



Så här planerades och genomfördes mordet på Olof Palme — enligt uppgifter från en sydafrikansk informant. Det här är uppgifter som nu den svenska spaningsledningen arbetar intensivt med.

Illustration: JAN BERTOFF

bara bor i Sydafrika och en västligt man som sälls i fångelse för så kallade "uppdrag" som han har haft för sydafrikanska intressen.

Craig Williamson arbetade i Genève för IUEF (International University Exchange Fund) — en organisation som förmedlade

pengar till sluttänkande och motståndarna i Sydafrika. Williamson skulle senare även bredda tillförlitlighet ANC men det

helt hot ett brött skott 1966 då han avledades som sydafrikansk spion.

## Gömt sig

Självaste mordet ska ha utförts av tre män ur det sydafrikanska poliskommandot COIN. De ska ha gömt sig i Sverige i flera veckor i en husbil.

— Det är uppgifter som går att redovisa genom flera källor på plats, säger GT:s mycket välinformerade poliskälla.

— För första gången på mycket länge finns det en dämpad optimism här i polisväsen.

Spaningsledningen menar att det finns vissa samband mellan sydafrikanska intressen och den svenska högerextremistiska grupperingen.

## EAP-möten

Flera personer i gruppen är mycket goda vänner med en utländsk svensk som länge arbetat för Sydafrika — en person som varit en intensiv Palme-motståndare.

Ledaren för högergruppen har också flera gånger haft kontakt med sydafrikanska tjänstemän i Stockholm.

Det framgår klart av vittnesmål som lämnats av intresserade vittnen.

## Förnekare

Men Sydafrika förnekar inblandning i mordet på Olof Palme. Det säger den sydafrikanska legationen i Stockholm i en uttalande på onsdagen och tillbakavisar uppgifter om att mordet utfördes av en grupp ur det sydafrikanska poliskommandot. Legationen säger att uppgifter är grundlösa och skändliga.





## NEWS RELEASE

11 MARCH 2020

### Application on behalf of Mr Abdelbaset Ali Mohamed Al Megrahi

The Scottish Criminal Cases Review Commission (the Commission) has today again referred the case of the late Abdelbaset Ali Mohamed Al Megrahi to the High Court of Justiciary for determination.

As a result of the Commission's decision, Mr Megrahi's family is now entitled to instruct an appeal against his conviction on 31 January 2001 for the murders of the 243 passengers and the 16 crew on board Pan Am Flight 103 (PA 103) from London to New York, and 11 residents of Lockerbie, on 21 December 1988.

The Commission has sent a statement of reasons for its decision to the High Court. It has sent a copy of the document to Messrs Aamer Anwar & Co (whom the Megrahi family have instructed), the Lord Advocate and the Crown Agent.

The Commission is not, by law, permitted to provide members of the public with copies of its statement of reasons. However, given the continuing worldwide interest in this case, which sits uniquely within the criminal justice system in Scotland, the Commission has decided to provide a fuller news release than normal by setting out a summary of the case history and providing brief details of the application made to it, the trial court's findings and the Commission's conclusions.

Announcing the decision today, the Chairman of the Commission, Bill Matthews, said:

*'We recognise that the Commission plays an important role in the Scottish criminal justice system and has extensive statutory powers to enable it to carry out its duties. This is the second time that the Commission has carried out what I believe has been a rigorous and independent review of this particular conviction, and we note that since our last review further information has become available, including within the public domain, which the Commission has now been able to consider and assess.'*

*As the Chair of the SCCRC in 2007 said when the case was originally referred, our function is not to decide upon the guilt or innocence of an applicant. Our function is to examine the grounds of review identified and to decide whether any of the grounds meet the statutory test for a potential miscarriage.'*

*I am pleased therefore that we are now able to issue a detailed statement of reasons which addresses all of the issues raised. I am satisfied that the matter is now returning to the appropriate forum – the appeal court – to consider fully all of the issues raised in our statement of reasons.'*

Gerard Sinclair, the Chief Executive of the Commission, said today:

*'When we referred this case in 2007 I never expected that, over 10 years later, we would be asked not only to revisit our original decision, applying the law as currently stated, but also consider a whole new set of materials which had become available in the intervening years. I'm pleased to report that, after another lengthy investigation and review, we are now in a position to issue our decision in this unique case.'*

*It seems important to note that, this month, an entirely new Board of the Commission from that which considered the matter in 2007 has again decided to refer this case. The 419-page decision issued today, with voluminous appendices, is a testament to the hard work and diligence of our investigating team over the last 3 years, involving us in novel and challenging court procedures along the way, and I pay tribute to them.*

*The Commission's involvement in the case is, once again, at an end. It is now a matter for those representing the Crown and the defence to decide how to proceed at any future appeal. Thereafter, it will be for the appeal court to decide whether there has been a miscarriage of justice in this case.'*

**This news release is for information purposes only. Its content should not be treated as forming part of the Commission's decision to refer Mr Megrahi's case to the High Court.**

**Please note: the Commission will make no further comment on this case.**

## **Case History**

On 31 January 2001 Mr Megrahi was convicted of the murders of the 243 passengers and the 16 crew on board PA 103 from London to New York, and 11 residents of Lockerbie, on 21 December 1988.

Mr Megrahi appealed his conviction. On 14 March 2002 the High Court refused his appeal.

In September 2003 Mr Megrahi asked the Commission to review his conviction. On 28 June 2007 the Commission referred his case to the High Court for determination. On 17 August 2009 Mr Megrahi abandoned his appeal. On 20 August 2009 the Scottish Ministers approved his release on compassionate grounds and he was released from prison. He returned to Libya, where he died on 20 May 2012.

In July 2017 Aamer Anwar & Co, instructed by Mr Megrahi's widow and his family, asked the Commission to review Mr Megrahi's conviction. On 27 April 2018 the Commission accepted that application for a full review. Today the case has been referred back to the High Court.

## The Application

The applicants asked the Commission to find that its original reference grounds in 2007 remain 'valid and compelling' reasons for the Commission to refer the case again to the High Court.

The applicants raised two new matters, and asked the Commission to review the two grounds argued at the abandoned appeal, on which the High Court did not deliver its opinion: insufficient evidence and unreasonable verdict.

The Commission considered that the points raised formed the following six broad grounds of review:

**Ground 1: Insufficient Evidence**

**Ground 2: Unreasonable Verdict**

**Ground 3: Fresh Evidence: The Christmas Lights**

**Ground 4: Non-disclosure**

**Ground 5: Timer Fragment PT/35(b)**

**Ground 6: The Suitcase Ingestion**

The Commission now believes that a miscarriage of justice may have occurred in Mr Megrahi's case by reason of '**Ground 2: Unreasonable Verdict**' and '**Ground 4: Non-disclosure**'.

The Commission does not believe that any of the other four grounds may have led to a miscarriage of justice.

A brief summary of the reasons why the Commission reached this view in respect of these six grounds is included below.

## The Trial Court's Findings

The Commission has, for clarity's sake, set out here a brief summary of the trial court's findings.

- The bomb that destroyed PA 103 had been contained in a Toshiba RT-SF16 Bombeat radio-cassette player which had been in a brown hardshell Samsonite suitcase of the 26-inch Silhouette 4000 range (the bomb suitcase).
- The scientific evidence identified 12 items of clothing and an umbrella that had been in the bomb suitcase.
- The items in the bomb suitcase had been, with one exception, the items that Anthony Gauci, the owner of a shop in Sliema, Malta, described that he sold before Christmas 1988 to a Libyan man.
- Mr Megrahi was identified as the purchaser of the items in the bomb suitcase (based upon Mr Gauci's evidence that the purchaser of the items closely resembled Mr Megrahi and evidence that Mr Gauci sold the items on 7 December 1988, a date on which Mr Megrahi was in Malta, staying in a hotel close to Mary's House).



- Mr Megrahi was a member of the Libyan intelligence service (JSO), occupying posts of fairly high rank, one of which was head of airline security; he was also involved in military procurement.
- The timer used to trigger the bomb was an MST-13 timer that a Swiss firm, MEBO, produced; MEBO had supplied a substantial quantity of such timers to Libya.
- Mr Megrahi had an association with one of the partners in MEBO, Edwin Bollier, and with various members of the JSO and Libyan military who purchased MST-13 timers from Mr Bollier; and he had, along with another man, formed a company that leased premises from MEBO and intended to do business with MEBO.
- On 21 December 1988 the bomb suitcase was carried on Air Malta Flight KM 180 from Luqa Airport to Frankfurt (KM 180), was transferred to Pan Am Flight 103A from Frankfurt to Heathrow (PA 103A), a feeder flight for PA 103, and was carried to Heathrow, where it was transferred to PA 103; there was a plain inference from the documentary record that an unidentified and unaccompanied bag travelled on KM 180 and was loaded at Frankfurt on to PA 103A.
- On 20 December 1988 Mr Megrahi flew into Malta, travelling on a passport in a false name; he stayed overnight in a hotel in Sliema, registering there under a false name; on the morning of 21 December 1988 he was at Luqa Airport when the baggage for KM 180 was being checked in, immediately before flying to Libya.

## **Ground 1: Insufficient Evidence**

At any trial, before the case may proceed for determination by the fact-finder, normally the jury, the court must be satisfied that there is a sufficiency of evidence which, if believed, would entitle the jury to return a guilty verdict. The Commission remains of the view, based upon the evidence that the trial court accepted in this case, that there was sufficient evidence in law to convict Mr Megrahi. The wholly circumstantial case against Mr Megrahi, as accepted, supported the conclusion that Mr Megrahi was guilty of the murders for which he was charged.

## **Ground 2: Unreasonable Verdict**

A person may appeal his conviction based on 'the jury's having returned a verdict which no reasonable jury, properly directed, could have returned'. In the unique circumstances of this case, a panel of three judges sat in place of the jury

The Commission's analysis under this ground of review required the Commission to revisit the view it took in 2007 about the trial court's conclusion that Mr Megrahi was the purchaser of the items that were inside the bomb suitcase.

There was a framework of evidence pointing to Mr Megrahi's guilt. One piece of that framework

was Mr Gauci's evidence about the date of purchase of items bought from his shop (items that were inside the bomb suitcase) and other evidence about the date of purchase. On the basis of that evidence, the trial court concluded that the date of purchase was 7 December 1988. That conclusion, taken with Mr Gauci's evidence that Mr Megrahi closely resembled the purchaser, enabled the trial court to infer that Mr Megrahi was the purchaser. The Commission believes that no reasonable trial court could have accepted that Mr Megrahi was identified as the purchaser.

Because the court's specific conclusion that he was the purchaser was integral to the court's ultimate conclusion that he was guilty of the murders libelled, the Commission believes that, notwithstanding that the remaining chapters of evidence pointed to the involvement of operators of the Libyan state in the execution of the crime, a miscarriage of justice may have occurred because no reasonable trial court, **relying on the evidence led at trial**, could have held the case against Mr Megrahi was proved beyond reasonable doubt.

### **Ground 3: Fresh Evidence: The Christmas Lights**

A person may appeal his conviction based on 'the existence and significance of evidence which was not heard at the original proceedings'. The fresh evidence concerning the Christmas lights in Sliema, Malta, consisted of confirmation that the lights were illuminated on 6 December 1988.

The Commission decided that the fresh evidence in question is not likely to have assisted Mr Megrahi's cause. Notably, Mr Megrahi chose not to lead it in connection with his appeal in 2002.

### **Ground 4: Non-disclosure**

In any trial, the Crown must disclose to the defence information which might materially weaken the Crown case or which might materially strengthen the defence case. A failure to do so is a breach of process, but the significance and consequences of such a breach must be assessed.

In other words, taking into account of all the circumstances of the trial, was there a 'real possibility' that the jury would have arrived at a different verdict if the undisclosed information had been before it?

The Commission considers that the Crown ought to have disclosed to the defence a statement and a police report concerning Mr Gauci's possession of photographs of Mr Megrahi before the identification parade, because that information might have materially weakened the Crown's reliance on Mr Gauci's I.D. parade and dock resemblance identifications of Mr Megrahi as the purchaser.

While the foregoing information relates only to one aspect of the overall circumstantial case against Mr Megrahi – the Crown's contention that Mr Megrahi was the purchaser – the court's finding that he was the purchaser was integral to its ultimate conclusion that he was guilty of the murders libelled. The Commission considers that the Crown's failure to disclose the information in question deprived Mr Megrahi a real chance of an acquittal.

The Commission also considers that the Crown's failure to disclose the information about the reward money to be paid to Mr Gauci under a scheme administered by the US Department of State bolsters its conclusion that Mr Megrahi was denied a fair trial.

### **Ground 5: Timer Fragment PT/35(b)**

The applicants' submissions under this overall ground were three-fold and were as follows:

- (1) The Crown failed to disclose to the defence information about the difference in metallurgy between the timer fragment PT/35(b), recovered during the ground search, and the 'control' circuit boards (fragment PT/35(b) being, the trial court concluded, part of the MEBO-produced MST-13 timer used to trigger the bomb);
- (2) There is fresh evidence about the difference in metallurgy between PT/35(b) and the control circuit boards which casts serious doubt on the trial court's conclusion that PT/35(b) was part of the MEBO-produced MST-13 timer; and
- (3) If there has not been a miscarriage of justice by reason of undisclosed information or fresh evidence relating to the metallurgy issue, the defence team's decision not to investigate it amounted to a failure to present Mr Megrahi's defence.

The Commission decided that the Crown did not fail to disclose the information in question to the defence. It decided also that the applicants have not provided a reasonable explanation as to why the fresh evidence concerning the metallurgy issue was not led at the trial. In other words, it did not believe that submissions (1) and (2) are arguable.

As regards submission (3), the conduct of an accused's defence may be said to amount to a miscarriage of justice only where it has deprived him of a fair trial; a fair trial is denied to an accused where his defence was not presented to the court because counsel either disregarded his instructions or conducted the defence in a way in which no competent counsel could reasonably have conducted it.

The Commission decided that the decision by the defence team to proceed without investigating the metallurgy issue did not mean that Mr Megrahi's defence was not presented to the court.

In any event, the Commission was not persuaded that the evidence obtained post-trial about the metallurgy of the control circuit boards called into question the trial court's conclusion that PT/35(b) was part of the MEBO-produced MST-13 timer used to trigger the bomb.

### **Ground 6: The Suitcase Ingestion**

The submissions in this regard arose from a theory derived from the work of the organisation 'Justice for Megrahi'. The issue was covered extensively in the report that 'Operation Sandwood' produced (Operation Sandwood being the investigation that Police Scotland initiated in 2014 following allegations that Justice for Megrahi made about criminality on the



part of officials involved in the Lockerbie enquiry).

The theory purported to show conclusively that the suitcase containing the bomb that destroyed PA 103 had entered the airline luggage chain at Heathrow Airport. In other words, it purported to show that the bomb had not entered airline luggage in Malta. If accepted, this would fatally undermine the Crown case.

Having excluded various other possibilities, the Commission considered that the submissions could be relevant only as a claim of defective representation. As the Commission understood them, the applicants were arguing that the failure of the defence to demonstrate that the bomb was ingested in Heathrow amounted to a failure to present the defence.

The Commission concentrated on what it considered to be the most important aspect of the submissions. The theory lacked certain important information, which the Sandwood report had highlighted. In light of this, it was not arguable that the Justice for Megrahi theory could show conclusively that the bomb had entered the airline luggage in Heathrow.

The Commission was satisfied that the defence team had good tactical reasons for approaching this part of the evidence in the way in which it did. It was not thus arguable that counsel had failed to present Mr Megrahi's defence.

## **Interests of Justice**

The test that the Commission must apply in the exercise of its primary statutory function is in two parts.

The first part of the test, as applied above, is whether or not the Commission believes that a miscarriage of justice may have occurred. But before it may refer a case to the High Court, the Commission must also believe that it is in the interests of justice to do so.

In this case the Commission identified during the review two issues of particular relevance to the interests of justice test.

The first major issue addressed by the Commission at the outset was whether to accept the application for review at all, given Mr Megrahi's decision in 2009 to abandon his appeal.

Part of the submissions in support of the request to the Commission to accept a further application from the family was an allegation that there had been an effort on the part of the Scottish Government to induce Mr Megrahi to drop his appeal in exchange for his return to Libya. After fully investigating the matter the Commission did not accept this allegation, concluding that throughout the process the message from the Scottish Government had been both consistent and uncompromising in its outward-facing neutrality.

It did, however, accept that Mr Megrahi genuinely believed that his chances of being returned to Libya rested upon him dropping his appeal. Mr Megrahi's source of information for this belief was a member of the Libyan Government under Colonel Muammar Gaddafi. The Commission

addressed whether or not it was reasonable for Mr Megrahi to rely upon this information. It accepted that Mr Megrahi had little option but to do so. Accordingly, the Commission concluded that the abandonment of the appeal ought not to be taken as a justifiable reason not to accept the case for further review.

The second major issue was to decide whether, having concluded that there may have been a miscarriage of justice, it would be in 'the interests of substantive justice' to refer the case again to the High Court.

To put the point in its sharpest terms, whether Mr Megrahi did or did not buy the items that were in the bomb suitcase would hardly matter if there was now a '**compelling and unanswerable case**' indicating that he is guilty of the crime.

Material the Commission obtained during its 2003–07 review reinforced the case against Mr Megrahi; other aspects yielded, potentially, further criminative circumstances on Mr Megrahi's part; while aspects of Mr Megrahi's accounts were unconvincing or implausible, displaying substantial and inherent contradictions.

The Commission, as part of the current review, obtained new information which, *if believed*, points at Libya, and Mr Megrahi as an operative in 1988 for that state, as being the culprits in the bombing of PA 103. The Commission considered, however, that the foregoing material did not entitle the Commission to establish a *compelling and unanswerable case* indicating that Mr Megrahi is guilty. As matters presently stand, the Commission was unable either to assess the nature or the circumstances under which this information was obtained or to form any conclusion about the credibility or reliability of the information. It may be that, if such matters are able to be properly considered in the future in a court of law, appropriate conclusions could be drawn about this new information.

Accordingly, and for these reasons, the Commission believes that it is in the interests of substantive justice to refer this case to the High Court.

## Note for Editors

The Commission was established on 1 April 1999 as an independent body to review alleged miscarriages of justice in convictions in Scotland or in sentences imposed in such convictions.

The Commission may, under s194A–T of the Criminal Procedure (Scotland) Act 1995, refer a case to the High Court if it believes that a miscarriage of justice may have occurred and that it is in the interests of justice that a reference should be made. After the Commission makes a reference to the High Court the case will proceed as a normal appeal.

The Commission operates with a Board of eight Members (one of whom is the Chairperson), a Chief Executive, a Director of Corporate Services, a Head of Casework, two Senior Legal Officers, three Legal Officers and administrative support staff.

For any further general information about the Commission, please contact:

Mr Chris Reddick, Director of Corporate Services,

SCCRC, 4<sup>th</sup> Floor, Portland House, 17 Renfield Street, Glasgow

Tel: 0141 270 7030

Email: [creddick@sccrc.org.uk](mailto:creddick@sccrc.org.uk)

Alternatively, please visit the Commission's website, at [www.sccrc.co.uk](http://www.sccrc.co.uk)



**X PARLIAMENTARY COMMITTEE OF INVESTIGATION ON THE CARARATE TRAGEDY**

# **FINAL REPORT**

**Rapporteur: Pedro do Ó Ramos (PSD)**

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**1. Introduction**

The Journal of the Assembly of the Republic no. 134, I series, of 07/14/2012, published the approval of the Project of Resolution no. 411 / XII (1st) - Constitution of the X Parliamentary Commission of Inquiry into the Tragedy of Camarate (PSD and CDS-PP), presented by MPs from PSD and CDS-PP, pursuant to paragraph 5 of 166 and article 178 of the Constitution of the Portuguese Republic and paragraph a) of paragraph 1 of article 2 of Law no. 5/93, of March 1, as amended by Law no. 126/97, of December 10, and amended and republished by Law No. 15/2007, of April 3.

Then, the Assembly of the Republic, by Resolution No. 91/2012, published in the Diário da 142, series I, of July 24, 2012, decided to constitute the aforementioned Parliamentary Committee of Inquiry.

The Madam President of the Assembly of the Republic, through order no. 50 / XII, dated 12.19.2012, published in the Diário da Assembleia da República no. 2, II series E, of 12.21.2012, fixed the number of members of the Committee of Inquiry, whose composition was established in the following terms:

<b>Parliamentary Groups</b>	<b>Staff</b>	<b>Substitutes</b>
PSD	7	2
PS	5	2
CDS	2	1
PCP	2	1
BE	1	1

They were then appointed by the respective Parliamentary Groups to be part of the Committee on Survey the following Members:

**PSD Parliamentary Group**

**Effective Members**

José Manuel Marques de Matos Rosa  
 Miguel da Silva Santos  
 Duarte Rogério Matos Ventura Pacheco  
 Andreia Carina Machado da Silva Neto  
 Clara Gonçalves Marques Mendes  
 Pedro do Ó Ramos  
 Ana Sofia Bettencourt

**Substitute Members**

Luís Campos Ferreira  
 Ulisses Pereira

**PS Parliamentary Group****Effective Members**

António Braga

Fernando Almeida

Inês de Sousa

Isabel Oneto

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João Paulo Pedrosa

**Substitute Members**

António Ramos Preto  
 Pedro Delgado Alves

**Parliamentary Group of the CDS-PP****Effective Members**

José Ribeiro e Castro  
 Raúl de Almeida

**Deputy Deputy**

João Gonçalves Pereira

**PCP Parliamentary Group****Effective Members**

Jorge Machado  
 Miguel Tiago

**Deputy Deputy**

Rita Rato

**BE Parliamentary Group****Deputy**

Ana Drago

**Deputy Deputy**

Helena Pinto

The following deputies were substituted:

- Luís Campos Ferreira (PSD), by Pedro Lynce.
- Ana Drago (BE), by Joana Mortágua

On the 10th day of January 2013 at 12.00 pm, the Commission was empowered, as in the respective attendance record sheet, the Bureau having been elected, which now has the following constitution:

<b>President</b>	<b>José Manuel Marques de Matos Rosa</b>	<b>PSD</b>
<b>Vice president</b>	<b>António Braga</b>	<b>PS</b>
<b>Vice president</b>	<b>Raúl de Almeida</b>	<b>CDS-PP</b>

Once the work started, the Commission adopted its internal regulations, published in the Diário da Assembleia of the Republic No. 92, II Series - B, of 02/02/2013.

Within the scope of article 1 of the Regulation, the X Parliamentary Commission of Inquiry into the Camarate defined as an object "to continue the thorough investigation of the causes and circumstances in that on December 4, 1980, the death of Prime Minister Francisco Sá Carneiro, of the

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Defense Minister Adelino Amaro da Costa and his companions, pursuant to the Resolution of the Assembly of the Republic no. 91/2012, of 24 July, published in the Diário da República no. 142 Series I, 07/24/2012 "

By Resolution of the Assembly of the Republic No. 110/2013, published in the Diário da República, Series I, of 19.07.2013, it was decided to extend the Commission's operating deadline for another 90 days, suspending it between July 24, 2013 and October 1, 2013.

The term was subsequently interrupted, by the Resolution of the Assembly of the Republic no. 153/2013, published in the Diário da República I series, dated 12.17.2013, having resumed its operation on April 8, 2015.

In carrying out its work, and within the scope of the Parliamentary Inquiry, the Commission held meetings at which the following interviewees were heard:

#### Year 2013

	NAME	DATE
<b>Dr. Júlio Castro Caldas</b>	Minister of National Defense of the XIV Government Constitutional	02-05-2013
<b>Dr. Nuno Melo</b>	President of the VIII Parliamentary Committee of Camarate Tragedy Survey	2/14/2013
<b>Prof. Doctor Freitas do Amaral</b>	Minister for Foreign Affairs of the VI Government Constitutional	19-02-2013

<b>Dr. António Lino Gonçalves Coelho, Chief Finance Inspector</b>		27-02-2013
<b>Dra. Maria da Conceição Ferreira Rodrigues,</b>	Finance Inspector	
<b>Dr. Belmiro Augusto Morais</b>	Chief Finance Inspector	2/28/2013
<b>Dra. Maria da Conceição Ferreira Rodrigues</b>	Finance Inspector	
<b>Dr. João Gomes</b>	Former Director, in 1980, of the newspaper "Portugal Hoje"	March 14, 2013
<b>Miguel Reis</b>	ex-journalist from "Portugal Hoje"	4/16/2015
<b>Frederico Duarte de Carvalho</b>	journalist	March 20, 2013
<b>Dr.ª Isabel Duarte</b>	widow of Celestino Amaral, journalist, in 1980, of "Portugal Hoje" newspaper	24-04-2013
<b>Fernando Farinha Simões</b>		07-05-2013
<b>Carlos Miranda</b>		05-05-2013
<b>Vitor Pereira</b>	former Judicial Police Inspector	05/14/2013
<b>José António dos Esteves</b>		05/16/2013
		5/21/2013
<b>Lieutenant- Colonel António Lencastre Bernardo</b>	former Military Deputy Director-General of Police Judiciary	05/28/2013
<b>Elza Simões</b>	Fernando Farinha Simões's wife	06-06-2013
<b>Dr. Acácio José Azevedo de Brito</b>	Witness	06-06-2013
<b>Lieutenant Colonel Lencastre Bernardo</b>	former Military Deputy Director-General of Police Judiciary	07-06-2013
<b>José Esteves</b>		
<b>Commander António Manuel Paula Living Penaguião</b>		25-06-2013

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<b>José Esteves</b>		25-06-2013
<b>Carlos Miranda Gonçalves</b>		
<b>José da Cruz Marques Monteiro</b>	Former Judicial Police Inspector	06/28/2013
<b>Rui Ochoa,</b>	journalist at Jornal de Notícias	07/16/2013
<b>Fernando Farinha Simões</b>		7/17/2013
<b>Commander Carlos Alberto d'Orey Juzarte Rolo</b>	former administrator of the Explosives factory in Trafaria, between 1978 and 1986	7/18/2013
<b>Hernâni Santos</b>	journalist and former Information Director of RTP 2	19-07-2013
<b>Pedro Amaral</b>	Former Judicial Police Inspector	7/24/2013
<b>Prof. Dr. Rui Carp</b>	Deputy State Secretary for Budget VI Constitutional Government (1980-1981)	10-10-2013
<b>Commander Guilherme Almor de Alpoim Calvão</b>	of former Director of Explosivos da Trafaria	10/17/2013
<b>Pedro Varanda de Castro</b>	journalist	10/22/2013
<b>Dr. Laureano dos Santos</b>	former Coordinator of the Multidisciplinary Experts	10/24/2013
<b>Dr. Fernando Lobo do Vale,</b>		
<b>Dr.ª Conceição Rodrigues</b>	Experts from the General Inspection of Finance	10/30/2013
<b>Dr.ª Ana Filipa Gonçalves</b>		
<b>Diana Andringa</b>	RTP journalist between 1978 and 1998	01-11-2013

## FINAL REPORT

<b>Professor Duarte Nuno Vieira</b>	National Institute of Forensic Medicine and Sciences	11/05/2013
<b>Prof. Rosa Gouveia</b>	Forensics, IP	
<b>Dr. Joaquim Vieira</b>	journalist	06-11-2013
<b>General Loureiro dos Santos,</b>	Minister of National Defense of the IV Government	07-11-2013
	Constitutional	
<b>Isabel Mesquita Velga de Macedo,</b>	Secretary of Mr. Dr. Francisco Sá Carneiro, in	11/14/2013
	1980,	
<b>General José Lemos Ferreira</b>	Chief of the General Staff of the Forces	
	Armed Forces (CEMGFA) between March 1, 1984 and 8	11/20/2013
	March 1989	
<b>Dr. Ribeiro Afonso</b>	former Deputy Attorney General of the	
	General of the Republic (retired)	
<b>Dr. João Dias Borges</b>	former Deputy Attorney General of the	11/28/2013
	General of the Republic (retired)	

## April 2015

	NAME	DATE
<b>Dr. Fernando Lobo do Vale</b>		
<b>Dr.ª Conceição Rodrigues</b>	Experts from the General Inspection of Finance	07-04-2015
<b>Dr.ª Ana Filipa Gonçalves</b>		
<b>Dr. Joaquim Gonçalves</b>		
<b>Paulo Condesso Franco,</b>		
<b>Herculano Lourenço Morgado</b>	EX- Judiciary Police Inspectors	07-04-2015
<b>Mário Jorge Coimbra Mendes</b>		
<b>Eduardo Dias da Costa</b>		
<b>Simões Flour</b>		
<b>José Esteves</b>		
<b>Carlos Miranda</b>		08-04-2015
<b>Colonel António Delfim Simões Oliveira</b>	Report of the examination of the wreckage of CESNA 421-	
<b>March</b>	THE	

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<b>Prof. Eng.º Henrique Botelho de Miranda</b>	Annex 21 of the Report of the examination of the wreckage of the	
<b>Prof. Eng. José Cavaleiro</b>	CESNA 421-A	
<b>Colonel João Santos Fernandes</b>	Heard at your request	
<b>Chief Inspector Francisco José Guerreiro</b>	Former Judicial Police Inspectors	04-04-2015
<b>da Silva</b>		
<b>Inspector Samuel Antunes Teixeira</b>		
<b>António Conceição Moura</b>	Chief Inspector	
<b>Mário Inácio Costa</b>	Commissioner	10-04-2015
<b>Dra. Inês Serra Lopes</b>	Journalist	
<b>Conceição Monteiro</b>	Former Secretary of Prime Minister Francisco Sá	
	Aries	
<b>Dr. João Múrias</b>		
<b>Dr. José Manuel Anes</b>		
<b>Colonel António Delfim de Oliveira</b>	Report of the examination of the wreckage of CESNA 421-	4/14/2015
<b>March</b>	THE	
<b>Commander Georgino Silva</b>	Aviator pilot	
<b>Jim Hunt</b>	Possible involvement of Frank Sturgis	
<b>Alan Weberman</b>	Lawyer	4/15/2015

Colonel António Gaspar Correia		
Vasco Robert Montez		4/16/2015
Prof. Diogo Freitas do Amaral		
Lieutenant Colonel José Bernardo do Canto e Castro	Member of the Revolution Council	21-04-2015
Arminda Albuquerque	Widow of Pilot Mário Albuquerque	
Filipa de Melo and Castro Lavanchy	Secretary of the Minister of National Defense Adelino Amaro da Costa	4/23/2015
Paulo Bernardino,	Former Judicial Police Inspector	06/23/2015

Following requests made and at the initiative of the Commission, within the scope of the Inquiry Parliamentary Committee, carried out the following

No.	Office Addressee	Subject matter	Response sent to XCPITC	Dispatch of President	OBS
53/2015	Dra. Inês Serra Lopes	Collaboration request in order to authorize, for written, TVI to make it available it to the Commission.	Send copy of letter sent to RTP to be granted authorization for lifting the professional secrecy	TC knowledge to Messrs. Members	Sent for know me nto Messrs. Members in 4-6-2015
57/2015	Dr. Duarte Figueiredo	Addition to letter no. 27 / XCPITC / 2015, notification under paragraph 3 of article 13 of Law no. 5/93, of March 1, with the changes introduced by Laws No. 126/97, of 10 December, and 15/2007, of April 3 to attend in the Assembly of the Republic, at 4:00 pm on the 9th of April 2015 in order to be heard in statements at	Returned letter by unknown at address	-	hearing fulfilled the 18-6-2015 (at sequence contact telephone)

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that Survey  
Parliamentary.

Addition to letter no.  
16 / XCPITC / 2015,  
notification under paragraph  
3 of article 13 of Law no.  
5/93, of March 1, with the  
changes introduced  
by Laws No. 126/97, of 10  
December, and 15/2007, of  
April 3 to attend  
in the Assembly of the Republic,  
at 7 pm on the 7th of  
April 2015 in order to be  
heard in statements at

56/2015

Nuno Moreira

Sent certificate  
doctor a  
Confirm  
inability to  
move to  
XCPITC

TC  
knowledge  
to Messrs.  
Members

Sent  
for  
know me  
nto  
Messrs.  
Members  
on 8-4-  
2015



that Survey  
Parliamentary.

Addition to letter no.

12 / XCPITC / 2014, in the sense  
photocopy must be provided  
of "letter 319, of 28Nov80,  
of S / G of MNE and docs  
attachments "as referred to  
within the framework of the  
correspondence sheet no  
542, entry No. 678,  
2Dez80, as well as copies  
of all the mentioned trades  
in sheets in  
correspondence 542/543 and  
552/553, the subject of which refers  
the embargo and / or the  
arms exports to the  
Iran and Iraq (whose  
photocopies are attached).

Addition to letter no.

11 / XCPITC / 2014, in the sense  
photocopy must be provided  
of "letter 319, of 28Nov80,  
of S / G of MNE and docs  
attachments "as referred to  
within the framework of the  
correspondence sheet no  
542, entry No. 678, 2Dez80  
, as well as copies of  
all offices referred to in  
matching sheets  
542/543 and 552/553, whose  
subject refer to the embargo  
and / or arms exports  
for Iran and Iraq  
(whose photocopies if  
attached).

Addendum to Official Nr.

10 / XCPITC / 2014 and  
44 / XCPITC / 2015, in the sense  
information is provided

about any eventual  
general trade embargo,  
and specifically of  
military material, to and from  
Iraq during the  
1980, namely dates  
start and survey,  
as well as information on  
to determine the date of  
embargo lifting  
of arms to Iran, in the same

date.

Addition to letter no.  
9 / XCPITC / 2014, in the sense  
information is provided  
about any eventual  
general trade embargo,  
and specifically of  
military material, to and from  
Iraq during the  
1980, namely dates  
start and survey,  
as well as information on  
to determine the date of  
embargo lifting  
of arms to Iran, in the same  
date.

52/2015 MDN

Addendum to No.  
05 / XCPITC / 2014, in the sense  
whether the due diligences  
priorities taken I end up in  
sense of locating the  
checked documentation  
in points b) and c) of the letter  
No. 154 / XCPITC / 2014, of 4  
November 2013.

referent (The) to  
lifting of the embargo  
arms sales to Iran,  
decided in January 1981  
and (b) correspondence  
mentioned in the Audit to  
Accounts of the Office of the  
CEMGFA, at the period  
understood between the years  
from 1974 to 1981, with the  
entry number 677 and  
678, of December 2 and 9,  
1980 (page 218), and 42, of  
January 22, 1981  
(page 223), as well as the  
correspondence  
involving MDN,  
CEMGFA / DNA and MNE / SG  
on material trade  
military with Iran - gave  
result and what was that

answer of  
MENE de 16 6  
2015: reports that  
to requests  
referred have already been  
answered  
through the craft  
154 / XCPITC / 2013  
and 05/2014 of  
XCPITC: "Despite  
of all the  
efforts  
developed,  
it was not possible  
get elements  
referring at  
points b) and c) of  
of. 154:  
Survey of  
embargo in  
arms sale  
to Iran, decided  
in January  
1981;  
Correspondence  
mentioned in  
Audit at  
Accounts of  
Cabinet of  
CEMGFA, at the

51/2015 MENE

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result

period  
understood  
between the years of  
1974 to 1981, with  
the number of  
entry 677 and  
678, of 2 and 9 of

December in  
1980 (page  
218), and 42 out of 22  
January  
1981 (page  
223), as well as  
The  
correspondence  
involving MDN,  
CEMGFA / DNA and  
MNE / SG on  
trade in  
military supplies  
with Iran (in  
attachment)"

50/2015	Ministry of economy	Addition to letter no. 152 / XCPITC / 2013, in which required that it be provided indication, by the entities airport airports Portela, relating to all the movements (landings and take-offs), on the night of 4 December 1980, between 18.00 and 24.00 hours.	ME's response: on 5/19/2015: informs that, TC wake up cm to Messrs. conformation already Coordinator sent, no s of Groups exist the Parlamentare records s requested.	Sent for know me nto Messrs. Members on 29-5- 2015
49/2015	MENE	Addition to letter no. 85 / XCPITC / 2013, in which required the good offices of Your Excellency towards to make a request to the Embassy of States United States of America with a view obtaining information logging and Oliver's departures from Portugal North during the year 1980.		
48/2015	MENE	Addendum to Official Nr. 170 / XCPITC / 2013, 171 / XCPITC / 2013 and 172 / XCPITC / 2013. THE Commission requested The obtaining collaboration of the embassies of the states United States of America, the United Kingdom and the Federal Republic from Germany towards carry out the investigation facts and situations		

		52 / XCPITC / 2013, in which asked the Government to conducting a survey about the disappearance of documents, dated 1980, related to the export of material war for Iran and the Iraq			
47/2015	MENE				
46/2015	PAIR	Request for extension of term and suspension of work	-	-	-
		Request for copy of preliminary report from General direction	gives		
		Civil Aeronautics on the causes of plane crash that on the night of 4 December in 1980			Delivered copy of Report to Messrs. Coordinator ores
45/2015	Minister of Presidency and of Affairs Parliamentarians	carrying the Prime Minister Francisco Sá Carneiro, the Minister of National Defense, Adelino Amaro da Costa, and companions, presented at the meeting of Council of Ministers of 11 December 1980. Request to send this Commission, with the possible urgency, photocopy of "letter 319, of 28 November 1980 from S / G of the MNE and attached docs ". as referred to in constant leaf frame letter No. 542, entry nº 678, 21Dec80 (photocopy attached).	Report Submission on 5-5-2015	-	
44/2015	MENE				
		Request for response to question "Do you remember the name of the vessel whose operation next to the Alcântara, at times of 1980, reported in his testimony to the Commission? What was this called ship? Remember some other detail about that vessel and your crew?".	Did not raise the f. 43/2015 gives XCPITC that by be leaving the Country. say no remember the name from the ship.	-	-
43/2015	Dr. João Murias				
42/2015	PAIR	Send copy of Deliberation CAE approved by X	-	-	-



		Parliamentary Committee of Survey at the meeting that took place on April 15th 2015, sent to the Ministry of Foreign Affairs Foreigners Sending the CAE Resolution approved by the X Commission Parliamentary Inquiry in the meeting that took place the day April 15, 2015, sent to the Ministry of Business Foreigners. Request to TVI, with urgency, sending the images, recorded in documentation cassette delivered by Dr. João Miguel Múrias Bessone Mauritti, in 1995, about how to processed the event Camarate, meetings preparatory, the authors morals and materials, the sketches of the plane and all the lists delivered, among others documents as well as statements per si produced in the same occasion.			
41/2015	MENE				
40/2015	TVI			Response to Of. 40 / XCPITC / 2015. Informa what unknown The delivery in documentation and images by Mr. John Miguel Murias Bessone Mauritti. RTP Summons secrecy professional journalists involved	Was given know me rt to RTP gives authorization the of get up nto secrecy professional l out of 3 journalists involved
39/2015	Colonel Anthony Gaspar belt	Call for hearing on 9-4-2015	-		Comparec me in the day and hour indicated
38/2015	General direction Reinsertion and Services Prisoners	Request for photocopy of identification card Central Intelligence Agency (CIA), of which he mentioned holder as well as the photocopy of the dedication handwritten by the Lord Henry Kissinger in the book that, in due time, you offered.		Response to craft 38 / XCPITC / 2015. Informs that the inmate Fernando Simões Flour informed no disport From documents requests but what will get them to Cooking, soon you get them. At certificate appears on the Following declaration of said inmate: "to the Assembly and the Commission. The book from Kissinger I will photocopy The page gives dedication, and	

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				as soon as possible, I'll make it to X Commission. Fernando Farinha Simões "
		Request that, through gives collaboration gives Embassy of States United States of America ordered, with urgency, the reliability of copy of a letter, dated September 27, 2013, deriving gives Central Intelligence Agency (CIA), addressed to Mr Alan Weherman in response to a letter of 4 July 2013. containing information about Mr. Fernando Flour Simões e José António Esteves.		
37/2015	MENE			
36/2015	Prof. Doctor Diogo Freitas do Amaral	Call for hearing on 16-4-2015	-	Comparec er in the day and hour indicated
35/2015	Carlos Manuel Miranda Goncalves	Call for hearing on 8-4-2015	-	Comparec er in the day and hour indicated
34/2015	Prof. Doctor Diogo Freitas do Amaral	Call for hearing on 14-4-2015	Responded, for email, requesting the postponement of hearing for the day 16-4-2015	Hearing changed for the day 16-4-2015
33/2015	Dr. João Murias	Call for hearing on 14-4-2015	-	Comparec me in the day and hour indicated
2015/2015	Dr. José Manuel Eanes	Call for hearing on 14-4-2015	-	Comparec me in the day and hour indicated
2015/2015	Commander Georgino Silva	Call for hearing on 14-4-2015	-	Comparec me in the day and hour indicated
2015/2015	Conception Monteiro	Call for hearing on 10-4-2015	-	Comparec me in the day and hour indicated
29/2015	Dr. João Murias	Call for hearing on 14-4-2015	-	Comparec me in the day and hour indicated
28/2015	Dra. Inês Serra Lopes	Call for hearing on 9-4-2015	-	passed on for day 10, the

Page 15

								requested from deponent No attend u on the day and hour indicated. Hearing rescheduled a for 18- 6-2015
27/2015	Dr. Duarte Figueiredo	Call for hearing on 9-4-2015	-	-				Comparec me in the day and hour indicated
26/2015	Agent Francisco José Warrior of Silva	Call for hearing on 9-4-2015	-	-				Comparec me in the day and hour indicated
25/2015	Agent Anthony Conception Moura	Call for hearing on 9-4-2015	-	-				Comparec me in the day and hour indicated
24/2015	Agent Samuel Antunes Teixeira	Call for hearing on 9-4-2015	-	-				Comparec me in the day and hour indicated
23/2015	Colonel John Saints Fernandes	Call for hearing on 8-4-2015	-	-				Comparec me in the day and hour indicated
2015/2015	Prof. Eng. José Gentleman	Call for hearing on 8-4-2015	-	-				Comparec me in the day and hour indicated
21/2015	Prof. Henrique Botelho de Miranda	Call for hearing on 8-4-2015	-	-				Comparec me in the day and hour indicated
20/2015	Colonel Oliveira March	Call for hearing on 8-4-2015	Send updated	contact			-	Comparec me in the day and hour indicated
19/2015	Managing Director Reinsertion and Services Prisoners	Carlos Call Manuel T. Miranda Gonçalves for hearing in day 8-4-2015	Informa Carlos Manuel T. Miranda Goncalves finds regime freedom conditional	what if in in			-	Sent of. 35/2015 a summon up for dia8- 4-2015
18/2015	José Esteves	Call for hearing on 8-4-2015	-	-				Comparec me in the day and hour indicated
17/2015	Managing Director Reinsertion and Services	Fernando's call Simões flour for hearing on 8-4-2015						Comparec me in the day and hour

	Prisoners					indicated
16/2015	Nuno Moreira	Call for hearing on 7-4-2015		He reported, for phone that	-	Sent the. to inform
						15
				was unable to move.		what, timely mind, will send attestation doctor
2015/2015	Inspector Eduardo Dias da Costa	Call for hearing on 7-4-2015		Sent the. to give contact updated	-	Comparec me in the day and hour indicated
14/2015	Inspeto Mário Coimbra Mendes	Call for hearing on 7-4-2015	-		-	Comparec me in the day and hour indicated
13/2015	Inspector Herculanum Morgado	Call for hearing on 7-4-2015	-		-	Comparec me in the day and hour indicated
12/2015	Inspector Countess Franco	Call for hearing on 7-4-2015	-		-	Comparec me in the day and hour indicated
11/2015	Dr. Joaquim Goncalves	Call for hearing on 7-4-2015	-		-	Comparec me in the day and hour indicated
10/2015	IGF	Hearing scheduling of Inspectors for the 7th 4-2015, following the presentation of the report Final on FDMU: - Dr. Fernando Lobo do Vale (Team Leader) - Dra. Conceição Rodrigues - Ana Filipa Gonçalves Restart information	-		-	Comparec were in day and hour indicated
09/2015	PAIR	XCPITC activity on 7-4-2015	-		-	-
08/2015	Witness # 2	Information that will be scheduled, in due course, hearing before XCPITC	-		-	No answered at address indicated Hearing fulfilled per
07/2015	Major Canto and Castro	Information that will be scheduled, in due course, hearing before XCPITC		Inform that it is available to responded to XCPITC	-	videoconfe reference in day 21-4-2015
				Inform that the		



06/2015	PGR	Contact request for Dr. Joaquim Gonçalves, Ministry Magistrate Public.	Attorney Joaquim Gonçalves is in situation in and provides contact updated	-	Comparec ment. hearing checked for dia7- 4-2015
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## Page 17

05/2015	Service of Registration Contributors	Contact request for - Maria Cecília Quintanilha, company secretary Trafaria explosives in 1980; - Dr. Joaquim Gonçalves, Ministry Magistrate Public.	Informa what Maria Cecília Quintanilha passed away on 7-1- 2007	-	-
04/2015	Institute of Safety Social	Contact request for - Maria Cecília Quintanilha, company secretary Trafaria explosives in 1980; - Dr. Joaquim Gonçalves, Ministry Magistrate Public.	Contactless	-	Deceased
03/2015	Institute of Records and Notary	Contact request for - Maria Cecília Quintanilha, company secretary Trafaria explosives in 1980; - Dr. Joaquim Gonçalves, Ministry Magistrate Public.	Informs that no has elements about requested	-	-
02/2015	RTP	Reinforcement of the shipping order following images Judgment of the STJ	Sent 1 DVD with images not displayed from tragedy in Camarate	-	Viewed by Messrs. Members on 3-12- 2014
19/2014	Secretary of the Council of state	Solicitation forwarding Written questions to Dr. Francisco Pinto Balsemão	in in Informs that the EC deliberated authorize O testimony by written	-	Testimonial the received at XCPITC
18/2014	Secretary of the Council of state	Solicitation forwarding Written questions to the Prof, Marcelo Rebelo de Sousa	in in Informs that the EC deliberated authorize O testimony by written	-	Testimonial the received at XCPITC
17/2014	Secretary of the Council of state	Solicitation forwarding Written questions to the General António Ramalho Eanes	in in Informs that the EC deliberated authorize O testimony by written	-	Testimonial the received at XCPITC
16/2014	Dr. Francisco Chick	Question list submission	-	-	Answered on 13-1-

	Balsemão	in writing			2015
<b>15/2014</b>	Prof. Marcelo Rebellion of Sousa	Question list submission in writing	-	-	Answered on 7-1- 2015
<b>14/2014</b>	General Ramalho Eanes	Question list submission in writing	-	-	Answered on 23-01- 2015
<b>13/2014</b>	RTP	Request to send images following Judgment of the STJ	Sent 1 DVD with images not displayed from tragedy in	-	Viewed by Messrs. Members on 3-12-
					17
			Camarate		2014
<b>12/2014</b>	MNE	Request to send to Photocopy commission of "letter 319, of 28Nov80, of MNE S / G and attached docs ", request to send to			
<b>11/2014</b>	MDN	Photocopy commission of "letter 319, of 28Nov80, of MNE S / G and attached docs ",			
<b>10/2014</b>	MNE	Information Request on possible embargo of arms to Iran and Iraq			
<b>9/2014</b>	MDN	Information Request on possible embargo of arms to Iran and Iraq			
<b>8/2014</b>	PJ	Requesting the names of Direction elements that organism Police in 1980 and 1981, with specification of the respective positions "	Send names of directors, according requested	-	Sent to Messrs. Congressperson on 03-12- 2015
<b>7/2014</b>	M. Defense National	Copy of. n. 3 sent to MNE	-	-	Filed
<b>6/2014</b>	M. Subjects Parliamentarians	Copy of. n. 3 sent to MNE	-	-	Filed
		Insist with the MNE on to determine whether the diligences that then transcribe, gave result and what was that result:	Answered on answer of MENE from 16-6- 2015: reports that the request referred have already been answered: namely		
		"In response to the request this Parliamentary Group in the sense of obtaining information on O	to craft 154 / XCPITC / 2013 and 05/2014 of XCPITC: Despite of all the efforts developed, it was not possible	TC To Messrs. Coordinator s of Groups Parliamentare s, which should	Copy of craft delivered in hand to Messrs.

5/2014

MNE

and mail order related, refers to in GMENE 006123, of 2013-11-22 (which we attach along with on / craft original), that "as for requests in the subparagraphs b) and c), that have already been promoted priority steps in the sense of locating the documentation marked on Your office, in order to satisfy orders on it constant ".

get elements referring at *have in attention o* points b) and c) of *referred to in* of. 154: *2nd paragraph* Survey of *of the present* embargo in *craft.* arms sale to Iran, decided in January 1981; Correspondence mentioned in Audit at Accounts of Cabinet of CEMGFA, at the period

Members Coordinator pray in the day 8 of January 2015

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## Page 19

understood between the years of 1974 to 1981, with the number of entry 677 and 678, of 2 and 9 of December in 1980 (page 218), and 42 out of 22 January 1981 (page 223), as well as The correspondence involving MDN, CEMGFA / DNA and MNE / SG on trade in military supplies with Iran (in attachment);

4/2014

Council of state

Hearing Dr. Francisco Pinto Balsemão.

Authorization of testimony by written

Addition to the official letter 179 / XCPITC / 2013, of 6 January 2014 that forwarded the Minutes of the meetings no. 16 and 31, of May 7 and 17 of July, 2013, respectively, in which reproduced are statements by the deponent Fernando Farinha Simões before the X Commission of

3/2014

MNE

		Parliamentary inquiry Camarate Tragedy;			
		we break down the pages containing the imputations related to citizens or agents of State entities United States of America, the United Kingdom and the Federal Republic from Germany			
2/2014	PAIR	Request for access to confidential documents	-	-	-
			The process was sent by TRL to the STJ on 24-4- 2014		Sent to Messrs. Members Coordinator
182/2013	Court of Relation of Lisbon - 3rd Section	Lifting the secret professional and delivery of images requested, brought by RTP - Rádio e Televisión de Portugal, SA	STJ: Sending of Summary decision without lifting / Breach of confidentiality (RTP images)	-	ores in 22-10- 2014

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**Page 20**

					According with information O telephone of the Chief of the Team IGF; the report will stay ready on end of month of March of 2014
181/2013	Dr. Fernando Wolf Of The Valley, Head of Team of IGF experts	Sending the Opinion of Commission Constitutional 36/81 and Res. 274/81 and DL 548/80	-	-	
180/2013 RTP		Sending a copy of the Judgment of the Court of Appeal of Lisbon	RTP reports that filed an appeal for the STJ	TC 1. to Messrs. Coordinator s of Groups Parlamentare s 2. Request the RTP as images, attach to request the Judgment of the TRL.	2 - the Judgment of the TRL was sent to RTP by Services of AR (Division of support at Commissions )
179/2013	Ministry of Business Foreigners	Deponent statements (US Embassies, United Kingdom	MNE requests shipping in an formulation of	TC to Messrs. Coordinator s of Groups	Sent to Messrs. Coordinator



## FINAL REPORT

	(Boss of Cabinet)	United Kingdom and Germany)	issues that the XCPITC intends see clarified	Parlamentare s	ores in 21-03-2014
			TRL reports that was issued		
			Judgment for RTP deliver at		
			images of plane crash on 4-12-1980	TC to Messrs. Coordinator s of Groups	Sent to Messrs. Coordinator
178/2013	Court of Relation of Lisbon	Application for lifting secret professional (RTP - Images)	On 03/18/2014 the TRL reports that was admitted resource brought by RTP	Parlamentare s	ores in 21-03-2014
177/2013	PAR	Letter to SEXA PAR requesting suspension of work of the Commission.			
176/2013	PAR	Request for identification of "Witness n°2 " deponent at the VIII Commission Parliamentary Inquiry Camarate tragedy.	FRIDAY dispatch PAR to authorize the access The documentation classified		

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## Page 21

175/2013	Minister of Justice	Sending legal copy addressed to the National Director of the Judiciary Police, sent per it is Commission Parliamentary Inquiry Camarate tragedy.	-	-	-
174/2013	Director National Police Judiciary	Request to send to Commission as a matter of urgency copy of original reports histological exams subscribed by said on that date and together to Inquiry Preliminary, on April 11 1983.	On 7-4-2014, the PJ sent of. The request extension of deadline for shipment From exams histological	-	-
173/2013	Judge President of the Court County of Loures	Request, under the terms of deliberation of the plenary of Commission, for conservation from the plane wreckage victim (who carried the Prime Minister, Dr. Francisco Sá Carneiro, the Minister of Defense, Eng. Adelino Amaro da Costa de among other passengers and crew) what if are deposited in the	answer of Ministry gives Justice: Send information Cabinet of Secretary in State of Culture (SEC) on destiny to give to wreckage gives aircraft, getting SEC available To Messrs. To receive the doc. concerning		Sent to Messrs. Members

		airport hangar Lisbon, by the end of operation this Parliamentary Committee of Survey, expected to will take place in February next year.	process "Camarate" (52 volumes and 221 Friendship, except for vols. 50 to 52). How much to wreckage, MNE requests shipping in an formulation of issues that the XCPITC intends see clarified	TC to Messrs. Coordinator s of Groups Parlamentare s	Sent to Messrs. Coordinator ores in 21-03- 2014
172/2013		Deponent Statements Fernando Farinha Simões - US Embassy	MNE requests shipping in an formulation of issues that the XCPITC intends see clarified	TC to Messrs. Coordinator s of Groups Parlamentare s	Sent to Messrs. Coordinator ores in 21-03- 2014
171/2013	Ministry of Business Foreigners	Deponent Statements Fernando Farinha Simões - United Kingdom Embassy	MNE requests shipping in an formulation of issues that the XCPITC intends see clarified	TC to Messrs. Coordinator s of Groups Parlamentare s	Sent to Messrs. Coordinator ores in 21-03- 2014
170/2013		Deponent Statements Fernando Farinha Simões - Embassy of Germany	MNE requests shipping in an formulation of issues that the XCPITC intends see clarified	TC to Messrs. Coordinator s of Groups Parlamentare s	Sent to Messrs. Coordinator ores in 21-03- 2014
169/2013	Attorney Adjunct of the Court	Application for authorization consultation with the 93/83 survey - B	Inform that the process it is available to		Sent of. with names of

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## Page 22

	Judicial County of Oeiras		Query		advisors GP
168/2013	Minister of Justice	It gives notice that, in President of the Commission, directed Office No. 167 / XCPITC / 2013, of 13 November - which is attached - the Hon. Mr. Director National gives Police Judiciary.	-	-	-
			Response to the of. 167 / XCPITC / 2013 what forwarded all does, what integrate O booty gives Commission at the regarding the "Case José Moreira and Lifemate"; inform that you are going to proceed The		Sent to Messrs. Members
	Director National	Sending to DNPJ all documents that integrate the our estate, with regard to part of the process that			

167/2013	Police Judiciary	we call "Case José Moreira and Companheira " (Attachments).	reevaluation investigation of José's death Moreira and Lifemate; On 7-4-2014, the PJ sent of. The request extension of deadline for shipment From exams histological Response to the letter 166 / XCPITC / 2013 (request for appreciation urgent through the Attorney- General gives Republic, at the sense gives reassessment of "Case Joseph Moreira and Lifemate" with the inherent determination of diligences that if impose and that be still possible in accomplish, we cool plans and	Coordinator ores in 6- 6-2014
166/2013	Searcher- General of Republic	Sending to PGR all documents that integrate the our estate, with regard to part of the process that we call "Case José Moreira and Companheira ". (Attachments).		

material. Like  
mode, it is requested  
explanation for  
occurrence in  
errors  
Apparently  
so stark in  
interpretation and  
evaluation From  
medical evidence  
legal, and other  
elements in  
material proof  
for explanation  
of Joseph's death  
Moreira and  
Lifemate.  
Informing that the  
subject reserved  
the best attention

			and will be subject to analyze			
			-			
		Request for. Messrs. Ministry inspectors Dr. Ribeiro Afonso and Dr. João Dias Borges appear before this Commission of Inquiry, for effect of carrying out hearing, at a date yet to be wake up.	Nothing to object			
165/2013	Searcher- General of Republic			TC To Messrs. Coordinator s		Hearing fulfilled on the 28th 11-2013
			Response to the letter 164 / XCPITC / 2013 (request for that Agents of the PJ Herculano, Paulo Franco and Mario Coimbra Mendes attend towards it is Commission in Inquiry, for It is made in achievement in hearing on date still waking up, following the new registration data relating to circumstances involved in deaths of the Lord José Moreira (José Manuel da Silva Moreira) and Lifemate			
164/2013	Director National Police Judiciary	Request for Agents from Judicial Police Herculano, Paulo Franco and Mário Coimbra Mendes appear before the Commission of Inquiry, for effect of carrying out hearing, at a date yet to be wake up.		TC To services		-

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(Elisabete gives  
Piedade Silva)  
COMMUNICATES THAT  
THE REFERRED  
AGENTS SE  
FIND IN  
SITUATION IN  
RETIRED AND  
INDICA  
RESPECTIVE  
ADDRESSES  
Response to the letter  
163 / XCPITC / 2013  
(request for  
availability  
identification

163/2013	Director National Police Judiciary	Solicitation availability identification of all Agents involved in investigation of the deaths of Mr. José Moreira and Companion, occurred in 1983, in Camaxide.	for gives	of all the Agents involved investigation of deaths of the Lord José Moreira and Lifemate, occurred in 1983, in Camaxide).	at	-	For schedule before auditions
162/2013	General José We read Ferreira	Request to appear d towards The Commission Parliamentary in order to be heard on hearing, on next November 20 2013, Wednesday at 15.00 hours, Attendance request before the commission Parliamentary in order to be heard at the hearing, next 14 of November 2013, Thursday at 10.30 am in the room 1, at the São Bento Palace.		INFO ABOUT NAMES AND ADDRESSES KNOWLEDGE OF AGENTS INVOLVED BY INVESTIGATION		-	Hearing fulfilled
161/2013	Dr. Maria Isabel Veiga from Macedo					-	Hearing fulfilled
160/2013 PAR		Transcript of the minutes of X Parliamentary Committee of Inquiry into the Tragedy of Camarate.				-	They are transcribed all minutes of auditions
159/2013 PAR		Hearing of deponents through videoconference		DISPATCH IN FRIDAY PAR (243 / XCPITC / 2013)		-	

158/2013 PAR		IGF - Charges associated with audit (IGF) requested by the X Parliamentary Committee of Inquiry into the Tragedy of Camarate.	-	-	-
157/2013 PAR		INMLCF - Charges associated with the reassessment of slides and study blocks histological - Eng. José Moreira and Companion requested by the X Commission Parliamentary Inquiry	-	-	-

## Camarate tragedy.

156/2013	DG Reinsertion and services Prisoners	Request for information on sense of knowing possibility in an small delegation of members of parliament Commission, carry out a visit to the prisoner concerned, <i>Mr. Ramón Francisco Arnaú Nuez.</i>	Response to the of. 156 / XCPITC / 2013 : reports that the TC Spanish citizen Knowledge Ramón Francisco to Arnaú Nuez no longer Mr. Coordinates is trapped pains of in Portugal and that Groups was delivered to <i>Parlamentare</i> Cabinet s National gives Interpol.	Sent to Messrs. Members on 2-12- 2013
		Request for information on: Arms sale embargo Iran, enacted in 1980; Lifting the embargo arms sales to Iran, decided in January 1981; Correspondence mentioned in the Audit to Accounts of the Office of the CEMGFA, at the period understood between the years from 1974 to 1981, with the entry number 677 and 678, of December 2 and 9, 1980 (page 218), and 42, of January 22, 1981 (page 223), as well as the correspondence involving MIDN, CEMGFA / DNA and MNE / SG on material trade military with Iran (in attachment); Official Notice / Note, published at the newspaper "Portugal Hoje", from 12 November 1980, where it is said that the Government authorized, nor would go authorize, any sale of armament or ammunition Portuguese to Iran and,	Informs that no TC it was possible to obtain To Messrs. elements Coordinator referring at s of Groups points b) and c) of <i>Parlamentare</i> request gives s Commission	
155/2013	Minister of Subjects Parliamentarians			Sent to Messrs. Members on 8-1- 2014

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well so the process  
administrative annex with the  
issue of that note.  
It is essential that the  
Government do locate and  
immediately send to this  
Committee of Inquiry  
documentation in



		reference and, well, if necessary, order strict urgent inquiry as to its eventual deviation and disappearance.	
		Request for information on: Arms sale embargo Iran, enacted in 1980; Lifting the embargo arms sales to Iran, decided in January 1981; Correspondence mentioned in the Audit to Accounts of the Office of the CEMGFA, at the period understood between the years from 1974 to 1981, with the entry number 677 and 678, of December 2 and 9, 1980 (page 218), and 42, of January 22, 1981 (page 223), as well as the correspondence involving MDN, CEMGFA / DNA and MNE / SG on material trade military with Iran (in attachment); Official Notice / Note, published at the newspaper "Portugal Hoje", from 12 November 1980, where it is said that the Government authorized, nor would authorize, any sale of armament or ammunition Portuguese to Iran and, well so the process administrative annex with the issue of that note. It is essential that the Government do locate and immediately send to this Committee of Inquiry documentation in reference and, well, if necessary, order strict urgent inquiry as to its eventual	Accepts reception of of. 154 / XCPITC / 20 13, which deserved the better attention. to transmit O Following: 4. As for the request in documentation constant gives point (a), refer if for the craft Sent fur Cabinet of Minister of State and Business Foreigners to X Commission Parliamentary Inquiry Th Tragedy in Camarate, with n. 003153, from 24 June 2013, that joins in attachment; As for the requests contained in the points b) and c), inform that were already promoted diligences priority at the sense in to locate The documentation checked at the Your office, for in order to satisfy the orders in it
154/2013	Minister of Business Foreigners		Sent to Messrs. Members on 2-12- 2013

deviation and constants;  
disappearance. 6. THE  
documentation

153/2013

Minister of  
Defense  
National

Request for information on:

Arms sale embargo

Iran, enacted in 1980;

Lifting the embargo

arms sales to Iran,

decided in January 1981;

Correspondence

mentioned in the Audit to

Accounts of the Office of the

CEMGFA, at the period

understood between the years

from 1974 to 1981, with the

entry number 677 and

678, of December 2 and 9,

1980 (page 218), and 42, of

January 22, 1981

(page 223), as well as the

correspondence

involving MDN,

CEMGFA / DNA and MNE / SG

on material trade

military with Iran (in

attachment);

Official Notice / Note,

published at the newspaper

"Portugal Hoje", from 12

November 1980, where it is

said that the Government

authorized, nor would

authorize, any sale of

armament or ammunition

Portuguese to Iran and,

well so the process

administrative annex with the

issue of that note.

It is essential that the

Government do locate and

immediately send to this

Committee of Inquiry

documentation in

reference and, well,

if necessary, order

strict urgent inquiry

as to its eventual

deviation

disappearance.

requested in d)  
is attached

to gift

craft.

answer

of. 153 / XCPITC / 20

13: informs that

no were

found

documents

on:

Embargo in

arms sale

to Iran, decreed

in 1980;

Survey of

embargo in

arms sale

to Iran, decided

in January

1981;

Correspondence

mentioned in

Audit at

Accounts of

Cabinet of

CEMGFA, at the

period

understood

between the years of

1974 to 1981, with

the number of

entry 677 and

678, of 2 and 9 of

December in

1980 (page

218), and 42 out of 22

January

1981 (page

223), as well as

The

correspondence

involving MDN.

CEMGFA / DNA and

MNE / SG on

trade in

military supplies

with Iran (in

attachment);

Press Release / Not.

The Office,

published at the

newspaper "Portugal

Today", of 12

November in

*Sent  
to Messrs.  
Members  
on 2-12-  
2013*

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			1980, where it is said that the government not authorized, nor would I authorize, any sale weapons or ammunition Portuguese for Iran and, well so, the process administrative attachment with emission of that note. It is indispensable that the government do locate and submit in immediate to this Commission in Inquiry The documentation in reference and, well so being required, order strict urgent inquiry as for your eventual deviation and disappearance.		
152/2013	Minister of economy	Request for nomination by airport entities of the Portela Airport, relating to all movements (landings and take-offs) on the night of 4 December 1980, between 18.00 and 24.00 that day.	Informs that no there are records with information of movements requested	Sent to Messrs. Members on 11-09-2013	
151/2013	President of the Institute National Medicine Cool and Sciences Forensics	Hearing of Prof. Doctor Duarte Nuno Vieira and Mrs. Prof. Female doctor rose Henriques de Gouveia, de according to the established over the phone, at the next 5th of november 2013, Tuesday at 10.30 hours at the Palace of São Bento, in Lisbon.			hearing fulfilled on date indicated
150/2013	Searcher Adjunct	Response to request for address information by José Esteves			
149/2013	President of the Court of Relation of Lisbon	Application lifting secret professional	for	Response to the of. TC 149 / XCPITC / 2013 : Judgment of the Court gives of Groups Lisbon Relationship	1 - To Messrs. Coordinator - Parliamentare

			so that RTP delivered to XCPITC the images in gross requested with breaking professional secrecy.	s; Ask the RTP as images, attach to request the gift Accordion.	
148/2013	Inspector General of Finance	Request to listen on statements made by experts set up for the final audit to the Overseas Military Defense for, following the accreditation process mentioned in the letter of that General Inspection - 2095 - 15-07-2013 - Proc. 2013 \ 154 \ A5 \ 938, for information about the point of situation of referred process.	-		Hearing scheduled for 30-10-2013
147/2013	President of Commission Wallet Professional Journalist	Request for the Commission gives Wallet Journalist Professional examine the referred documents towards evaluate the possibility of be made available to Commission members Parliamentary, for consultation	Response to the of. 147 / XCPITC / 2013 : Informs that it is understanding of Secretariat of Commission gives Wallet Professional Journalist (CCPJ) what, regarding published texts and signed by journalist already deceased, Dr. Celestino Amaral, don't put yourself any question, because they are from public domain	TC to Messrs. Members	Sent to Messrs. Members on 6-11-2013
146/2013	Dr. Carlos Macedo	Call for Dr. Carlos Macedo provide testimony before this Parliamentary Committee of Survey on 18 October 2013 at 15.00 hours	confirmed	-	Canceled
145/2013	Director-General of the Cabinet in Planning, Strategy, Evaluation and Relations	Call for Dr. Rui Carp testify before this commission Parliamentary Inquiry in the on October 10, 2013, at 6.30 pm	confirmed	-	Hearing anticipated to the 17h00

## Page 30

	International				
144/2013	Commander Alpoim Calvão	Call for hearing Your Excellency, if possible, on the day October 17, 2013, Thursday at 6 pm, at the São Bento Palace, in Lisbon.	confirmed	-	Hearing fulfilled on date indicated
143/2013	Eng. Pedro Balcony and Castro	Call for hearing on October 15, 2013, Tuesday, 16.00 hours at the Palace of São Bento, in Lisbon, for what contact was established prior.	confirmed	-	Hearing postponed for 22-10-2013
142/2013	Commander Alpoim Calvão	Call for hearing on October 8, 2013, Tuesday at 10.30 am, Contact request nationality citizen American	confirmed	-	Changed for 17-10-2013
MAY 141/2013		William Hasselberg (who, in time, exercised functions at Embassy of States United States of America Lisbon).			
140/2013 MNE		Contact request nationality citizen American. William Hasselberg (who, in time, exercised functions at Embassy of States United States of America Lisbon).		Response to the of. 140 / XCPITC / 2013 : informs that no it will be possible at authorities american provide information about the whereabouts of US citizens Americans.	TC To Messrs. Coordinator s of Groups Parliamentary s
139/2013	Hernani Saints	Request to send to Commission members to copy of the interview he had held in 1975 in Madrid, to Sir Commander Alpoim Calvão, being that it had published by "Jornal", with the title "I will eat the French toast", in following the 19- 7-2013			
138/2013	Prof. Doctor Duarte Nuno Vieira	Reinforcement to proceed with a reassessment and reanalysis of the blades and blocks of the histological study carried out during autopsies of the Eng. José Moreira and companion in order to	Study submission Histological (reply to ofs. 108 / XPTTC / 2013 and Victims	TC - copy to Messrs. Members and Family members	Sent to Messrs. Members on 17-20-

produce an explanation  
clear and reasoned to  
the worrying results

138 / XPITC / 2013

Services  
for  
payment

2013

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## Page 31

obtained in 1983.

137	DG Reinsertion and Services Prisoners	Request for Information urgent about the situation of the Mr. RAMÓN-FRANCISCO ARNAU DE LA NUEZ, citizen of the Canaries, bearer of Identity card Spanish - DNI nº 42.828.266, Order reinforcement made through of n.º of.	Response to the of. 137 / XCPITC / 2013 : informs about the situation of the inmate Ramon Arnau Nuez	-
136/2013	Minister of Presidency and of Affairs Parliamentarians	52 / XCPITC / 2013: no and or disappearance in information on export of material war for Iran and the Iraq	Response to the of. 135 / XCPITC / 2013 : - Identification of listing in visitors to recluse Carlos Manuel T. Miranda Gonçalves, at your stay at the Establishment Prison in Coimbra, despite of the same having been closed in 2009 (from according to Official No. 76-48 / DSEEMPL. of 21-05-2013, addressed to Hon. Mr. Head of Sua Office Excellence The Minister gives Justice).	-
135/2013	Minister of Justice	Reinforcement - Addendum to n.º of. 124 / XCPITC / 2013: reiterates request in listing information of visitors to prisoners Carlos MT Miranda, at EP Coimbra and Fernando Flour Simões, in Vale de Jews.	Response to the of. 135 / XCPITC / 2013 : - Identification of listing in visitors to inmate Fernando	EM 1-10-2013, The MJ informed that the order was forward had a DGRSP -



Flour Simões,  
at your  
stay at the  
Establishment  
Vale Prison  
of Jews.

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## Page 32

			answer phone in 20- 09-2013, stating that if finds hospitalized, there months but that will answer the requested through the Commission, therefore get high hospital.		
134/2013	Dr. Luís Fontoura	Questionnaire submission			deceased
133/2013	Fernando Flour Simões	Returning photographs sent to the X Commission Parliamentary Inquiry Camarate tragedy.	-	Communicate to reception of photos to Messrs. Members TC For knowledge to Messrs. Deputies in <b>FIRST MEETING OF Commission TC For knowledge to Messrs. Deputies in FIRST MEETING OF COMMISSION</b>	-
132/2013	Caixa Geral de Retirements	Request for indication of Ten. Coronel's address Canto e Castro, or other contact available at CGA	Send information on address Lieutenant Colonel Canto e Castro:		-
131/2013	Institute of Mobility and From Transportation	Request for indication of Ten. Coronel's address Canto e Castro, or other contact available on Institute	Send address of Lieutenant Colonel Canto e Castro		-
130/2013	Institute of Records and Notary	Request for indication of Ten. Coronel's address Canto e Castro, or other contact available on Institute of Records and Notary	Send information on address Lieutenant Colonel Canto e Castro	TC For knowledge to Messrs. Members	-
129/2013	Inspection- General of Finances	Alteration of the hearing of Inspectors from 23 to 24-04- 2013	-	-	Hearing fulfilled on 7:24 2013
128/2013	Dr. Luís Fontoura	To comment on the reporter's statements Miguel Reis at the hearing that	-	-	deceased

tee place on 4/16/2013

<b>127/2013</b>	Pedro Balcony of Castro	Call for hearing on 24-7-2013, at 10:30	You are in foreigner not having still date for return	-	email from answer sent to Messrs. Members on 7/24 2013
<b>126/2013</b>	Inspector Pedro Amaral	Call for hearing on the next 24-07-2013.	-	-	hearing fulfilled
<b>125/2013</b>	Director of Unity of	Request for information on the contact of Inspector Pedro	Informes that Mr. Advisor in	-	Hearing effected

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Resources Human and Relations Public Dr. Ilda Pação Police Judiciary	Amaral, in order to provide testimony before this Commission, on the 24th July 2013, Wednesday at 10.30 am on the São Bento Palace in Lisbon. In case you don't be able to attend the date indicated, want inform us gives your availability to gather with the Commission by the end next week.	Investigation Criminal, Dr. Pedro Maria Santos e Silva de Amaral is if in the situation of retired, since 06/01/2006, by having it is Unit tried contact you through of cell phone, diligence it is who didn't success; the address existing in this Unit, to date of Retirement Mr. Advisor of Investigation Criminal is the next: Rua da Eira Velha, no. 15 - R / C - 2795- 076 LINDA-A- OLD.	on 7/24 2013
<b>124/2013</b>	Minister of Justice	To request from the Directorate-General for Services Prisoners the identification of listing of visitors to inmate Carlos Miranda when staying at regional establishment of Coimbra (although the even having been terminated in 2009, it is understood of Parliamentary Groups PSD and CDS that the requested registration will have to exist) Request to send this	Informes that the subject matter was To Messrs. forwarded Members for the DG of Sent in Reinsertion and 7/24/2013 Prison Services

## FINAL REPORT

123/2013	Police Judiciary	The Commission, as a matter of urgency, copy in all The confidential documentation what, second That institution "is deposited in the collection of this Police, through the guide in deposit [5-n.º20 inserted in the records in the 9th volume, pages 2143 ".	Send copy of "Documentation Confidential Procº Camarate "	-
		I send this commission, with urgency, copy of all process relative to Camarate process, namely to process in which the	On 07/25/2013. Response to Of. 122 / XCPITC / 2013 : reports that the subject matter was forwarded	-
122/2013	Court Judicial County of Loures			Sent to Messrs. Members on 07/26-2013

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		fall investigation in Camarate, from the plane that carrying the Prime Minister, Dr. Francisco Sá Carneiro, the Minister of Defense, Eng. Adelino Amaro da Costa among others passengers and crew.	for knowledge and appreciation to Mmº Head judge of the process. Clarifies that it is in agreement with the position that the said judge come to take. Judge's response on 07/31/2013: (Criminal Judges and in Small Criminal Court Loures) informs that gifts records are 52 compounds vol. And more 221 vol. Joined. O:	
121/2013	Rui Ochoa	Requesting copies of photographs taken on day 4-12-1980, at the Camarate accident		
120/2013	Minister of Defense National	Solicitation availability of address, in London, by Major José Bernardo do Canto e Castro and information about existence of mandate judicial national international same person.	gives Colonel Joseph TC Bernardo of Canto e Castro finds at retirement since 31-12-1992, not knowing if your current address and	Informes that after consulted O EMFA, Lieutenant TC 1-To Messrs. Deputies; 2-Request the CG pensions if Lieutenant-Colonel receive pension and...
				Shipping to Messrs. Members on 19-07-2013

			any court order national or International Informs that ofs. were resent to	
119/2013	Minister of Justice	Solicitation availability of address, in London, by Major José Bernardo do Canto e Castro and information about existence of mandate judicial national international same person.	gives National Director gives Police Judiciary.  PJ informs about location and mandate in detention (entry 197) - 8/13/2013- entry 205: PJ : informs about	Sent to Messrs. Members in 9/11/2013  TC To Messrs. Members

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			existence in pendency in mandate in national detention major Canto e Castro Informs that it was sent of. The our Embassy in London with knowledge to DG Affairs and Communities Portuguese; On 09/23/2013: informs that the citizen José Bernardo do Canto e Castro have pending mandates in European catch and International	
118/2013	Minister of State and Business Foreigners	Solicitation availability of address, in London, by Major José Bernardo do Canto e Castro and information about existence of mandate judicial national international same person.	gives  or	
117/2013	DG of Reinsertion and services Prisoners	Request to be the presence of Fernando Farinha Simões to give testimony to the closed door, before this Commission on the 17th July 2013 at the Palace of São Bento, in Lisbon. armed documentation that is understood as relevant.	-  in	Hearing fulfilled on 17-07- 2013

116/2013	Inspector General of Finance	Information on The extension of the deadline functioning of the Commission and the suspension of this period in period understood between 24 July and 1 October 2013. In following this in the letter 63 / XCPITC / 2013, of 07-05-2013, and respective attached, it is necessary to request clarification on the constraints what can to tease at final audit to the Overseas Military Defense (FDMU) which is be carried out by the experts designated by Inspection-General Finance and on the state of play of said audit.	Response to Of. 116 / XCPITC / 2013: informs that the team was accredited by EMGFA at week of 15-07-2013, having already started yours works.	TC 1 Copy to Messrs. deputies; 2- Notify the Messrs Inspectors for listening urgent	Hearing scheduled for 23-07-2013
		115/2013 Secretary of the Request for Response to of.s			

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114/2013	Council of state	submit the subject to State Council, in the pursuant to Article 2 (2) 12 of its Rules of Procedure, sense of deliberating about the necessary authorization so that the Lord General, as a member of Council, can provide testimony before the Committee of Inquiry, at a meeting to be scheduled soon, and that will have place in the Palace of São Bento, in Lisbon.	114 / XCPITC / 2013 and 115 / XCPITC / 2013 : request authorization for installment in testimony by written, From Gentlemen Advisers State General António Ramalho Eanes and Prof. Doctor Marcelo Rebelo de Sousa.
		Request to become submit the subject to Council of State, in the sense of deliberating about the necessary authorization so that the Lord General, as a member of Council, can provide testimony before the Committee of Inquiry, at a meeting to be scheduled soon, and that will have place in the Palace of São	Response to of.s 114 / XCPITC / 2013 and 115 / XCPITC / 2013 : request authorization for installment in testimony by written, From Gentlemen Advisers State General António Ramalho Eanes and Prof.

		Bento, in Lisbon.	Doctor Marcelo Rebelo de Sousa. Informs that no there are records of movements (landings and take-offs) and TC (landings and take-offs) and to communicate to Messrs. Airport Coordinator Francisco Sá s of Groups Aries, on the 4th December 1980, among 09.00 hours and 23.00 hours.	-
113/2013	Minister of Economy and Job	Request that, with urgency, be provided indication of movements (landings and take-offs) at the airport Francisco Sá Carneiro, on the December 4, 1980, between 9.00 am and 23.00 hours.		
112/2013	Minister of Administration Internal	Request to be urgently required with the Judiciary Police the statements from the various witnesses questioned in the scope of the investigation of death of Eng. José Moreira, occurred in 1983.	Acknowledging the reception of of. TC 112 / XCPITC / 2013 : request statements of witnesses in the scope gives investigation of death of Eng. José Moreira and requests that the	-

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			same be forwarded to Ministry gives Justice for itself deal with matter of competence of that Ministry. informs that ofs. were resent to National Director gives Police Judiciary. Reiterates information through of. (entry 197) - 8/13/2013 input 205 / XCPITC / 2013 : PJ: reiterates information without return of	-
111/2013	Minister of Justice	Request to be urgently required with the Judiciary Police the statements from the various witnesses questioned in the scope of the investigation of death of Eng. José Moreira, occurred in 1983.	Sent to Messrs. Members in 9/11/2013	-

			Process Court	to gives
			County	in
			Ociras and	
			Inform that the	
		Request to be	MDN is not	
		referred to this Commission	holder	gives
		complete list of	information	
		members of the former	requested	
		Minister of Defense, Eng.	(listing	
110/2013	Minister of Defense National	Adelino Amaro da Costa,	complete	From TC To Messrs.
		proceeding, if necessary, to	members	of Members
		consultation of the payroll of	Former office	
		respective members of the	Minister	gives
		cabinet.	Defense, Eng.	
			Adelino Amaro da	
			Coast	
		Urgent request	informs that ofs.	
		with the Judiciary Police	Have been resent	
		identification of two agents	to Director	
		mentioned by the Lord	National gives TC	
		José António dos Santos	Judiciary Police.	To Messrs.
		Esteves (in hearing	-	Members
		performed before this	8/13/2013	
109/2013	Minister of Justice	Committee of Inquiry)	input	
		as having witnessed a	205 / XCPITC / 2013	
		meeting he had at	:	
		Judiciary Police in 1980,	PJ: send	
		with the names of Agent	information	
		Modesto and Agent Paulo.	about "Agent	
		More was required that, in the	Modest" and	
		in case there is more than	"Agent Paulo.	

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an Agent Paulo, or  
known as Agente Paulo,  
indication of all  
agents who have the  
said name (in principle,  
in the middle, or at the end of  
name).

Information about  
"Agente Paulo" and  
"Agent  
Modest"

108/2013

Prof. Dr.  
Duarte Nuno  
Vieira

Request to proceed  
reassessment and  
reanalysis of the slides and  
histological study blocks  
carried out at the time of  
autopsies of Eng. José  
Moreira and companion,  
in order to produce a  
explanation clear and  
reasoned for  
worrying results  
obtained in 1983.

107/2013	XCPITC	Request for extension of term and suspension of XCPITC work	FRIDAY dispatch PAIR	RAR 110/2013, 5-7-2013
106/2013	Inspector March Monteiro	Call for services testimony before the Commission, on 06/28 2013, at 2 pm.		Confrontation fulfilled on date intended i
105/2013	The applicant	Call for services testimony before the Commission, on 06/27 2013, at 6 pm.		Confrontation fulfilled on date intended
104/2013	José dos Santos Esteves	Call for confrontation with Mr. Carlos Miranda Gonçalves, on the 25-06-2013, at 10h30.		idem
103/2013	Director-General Reinsertion and Services Prisoners	Solicitation for what arrange for the presence of Sir Carlos Miranda Gonçalves for confrontation with Mr. José Esteves, at 25-06-2013, at 10:30 am.		Confrontation fulfilled on date intended
102/2013	General Ramalho Eanes	Addendum to the Call addressed to the Lord General Eanes branch to testify before XCPITC (amendment articulated)	-	-
101/2013	General Ramalho Eanes	Call addressed to Mr. General Ramalho Eanes to testify before the XCPITC	-	No effect
100/2013	Minister of State and Business Foreigners	Request to be required to the files of the former secret police RDA, STASI, any information related to	<p>Informes that it was sent Note</p> <p>Verbal for Emb. gives in</p>	

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the Camarate tragedy for send to this Commission Inquiry. To that end, a document was attached, in German language, in it with contacts relating to the recipient, which information is requested about those files. Likewise, it is attached to document translation for the Portuguese language.

Lisbon, with knowledge to our Embassy in Berlin; On 09/16/2013: Reply from MNE and Emb. gives Germany to the of. 100 / XCPITC / 2013 : send communication Emb. gives Germany on request to files gives secret police of former GDR, the



			STASI, any information related to tragedy in Camarate for send to this Commission in Inquiry.		
		Request to RTP to send of the journalistic pieces of 4 December 1980, there edited, as well as all the images collected on site of the accident and not edited, about the plane crash that victimized, among others, the Prime Minister Dr. Francisco Sá Carneiro and the Defense Minister Eng. Adelino Amaro da Costa.	Invokes articles 38, n.2 b) CRP and 11th of the Statute of Journalist		
99/2013	President of the Council of Administration from RTP				
		Request to be requested from the Police Judicial death certificate, as well as final report about José's death Manuel Silva Moreira and Agent Militão, for effect sending to this Commission of Inquiry	Dr. Informs that the XCPITC request was forwarded to National PJ Director	TC copy to Messrs. Coordinator s Copy of doc. delivered to Messrs. Coordinator s at the meeting in	answer to the of. 98 received on 16-07-2013 and sent to Messrs. Coordinator ores na same date.
98/2013	Minister of Justice				
		Request to be requested from the Police Judicial copy of all process relative Camarate, for the purpose of send to this Commission Inquiry	The Informs that the XCPITC request was forwarded to National PJ Director	TC copy to Messrs. Coordinator s Copy of doc. delivered to Messrs. Coordinator s at the meeting of 18.6.2013;	answer to the of. 97 received on 16-07-2013 and sent to Messrs. Coordinator ores na
97/2013	Minister of Justice				
		Request that it be asked The Police Judiciary has in its possession, and where, the leather and its contents, found on the night of 4 December 1980 us wreckage of the plane that crashed in Camarate and that carrying the Prime Minister and the Minister for			same date.
			Informs that the XCPITC request was forwarded to National PJ; answered	TC copy to Messrs. Coordinator s Copy of doc. delivered to Messrs. Coordinator s at the meeting	answer to the of. 96 received on 16-07-2013 and sent to Messrs. Coordinator ores na
96/2013	Minister of Justice				

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		National defense. The folder, from bellows and brown in color, it contained several documents. Request to be required at the Hemeroteca National all information relative The attacks bombers, abductions and murders between 1978 and 1981 for the purpose of consignment to this Commission of Inquiry.	of 6/18/2013 same date.
95/2013	President of Chamber Municipal Lisbon		Clippings copies From newspapers sent Delivered at advisory services GP
94/2013	Minister of State and Business Foreigners	Request is required together EUROPOL's whereabouts citizen Sinan Lee Rodrigues for the purpose of referral to this Committee of Inquiry.	Informs that it was sent of. to the Policy DG Justice; On 09.23.2013 informs about the whereabouts in Sinan L. Rodrigues, at the United Kingdom
93/2013	Minister of Defense National	Solicitation what be referred to this Commission complete list of members of the former Minister of Defense, Eng. Adelino Amaro da Costa. Request is required from the Judicial Police - for effect sending to this Commission - the case 93-B / 83 (opened following the investigation of the death of Eng. José Manuel Moreira and his accompanying person, January 4, 1983), requested by this Police, on 10.08.1995, to the Court Of Oeiras.	Informs that SG MDN is not detrainer gives information requested. TC To Messrs. Coordinator s Sent to Messrs. Members in June 25, 2013
92/2013	Minister of Justice	Request is required from the Judicial Police - for effect sending to this Commission - the case 93-B / 83 (opened following the investigation of the death of Eng. José Manuel Moreira and his accompanying person, January 4, 1983), requested by this Police, on 10.08.1995, to the Court Of Oeiras.	Informs that the XCPITC request was forwarded to Director National of the PJ. Responded that responded on 16- 07-2013) TC copy to Messrs. Coordinator s Sent to Messrs. Coordinator ores in 16-07- 2013
91/2013	MNE	Henry enters and exits Kissinger - reiterates the request	Response to the TC to Messrs. 26 / XCPITC / 2013 and Members Sent to Messrs.

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in letter 26 / XCPITC / 2013

91 / XCPITC / 2013:

informs what  
due to absence  
in systems  
computer  
input data  
and exits from  
foreign, no

Members  
on 25-6-  
2013 (e-  
mail)

			was confirm possible The existence. In inputs and outputs foreigners.		
90/2013	José Esteves	Facing between Lieutenant-Colonel Lencastre Bernardo and José Esteves	-	-	Confrontation fulfilled on 7-6-2013
89/2013	Lieutenant-Colonel Lencastre Bernardo	Facing between Lieutenant-Colonel Lencastre Bernardo and José Esteves	-	-	Confrontation fulfilled on 7-6-2013
88/2013	Dr. Acácio Brito	Convocation of Dr. Acácio Brito	-	-	Hearing fulfilled on 6-6-2013
87/2013	Mrs. D. Elza Simões	Convocation of Mrs. D. Elza Simões on 4-6-2013	-	-	4-6-2013
86/2013	FRIDAY PAR	Charges associated with displacement by XCPITC	Authorized on May 31, 2013	-	-
85/2013	Minister of State and Business Foreigners	Letter to the Minister of State and Foreign Affairs in order to make available to Commission, through gives US Embassy, the registration of entries and exits from Oliver North Portugal, during the year 1980.	MAI response (through SEAPI): informs that in the records Service Foreigners and Borders nothing on the register in inputs and outputs from Portugal from Oliver North, during the year 1980.	-	-
84/2013	Minister of Administration Internal (SEF)	Official letter to MAI make available to the Commission, through SEF, registration of inputs and outputs Oliver North Portugal, during the year 1980.	Foreigners and Borders nothing on the register in inputs and outputs from Portugal from Oliver North, during the year 1980.	-	Sent to Messrs. Members
83/2013	Lieutenant-Colonel Anthony Lencastre Bernardo	Lieutenant Colonel Hearing António Lencastre Bernardo.	-	-	Hearing fulfilled on 28-01-2013

			interviews granted by Gentlemen		
			Fernando Farinha Simões and José		Information the sent
		OF. To request sending to Commission copy of	Anthony From		to Messrs.
		interview recordings granted by you	Santos Esteves		Coordinator
		Fernando Farinha Simões and	journalist Sandra Felgueiras:		ores of
<b>82/2013</b>	Administration from RTP	José Esteves to the Journalist, Mrs. Dr. Sandra Felgueiras, at under the "Sixth at 9 ", on the subject matter this Commission Parliamentary.	informs what taking into account countless contradictions that resulted from these interviews as well as of all facts collected, It was determined do not issue the program that, not even came to be edited.		GP, according dispatch of President gives Commission. from 8-7-2013
<b>81/2013</b>	José Esteves	Call for José Esteves for continuation in testimonial on 05/21 2013	-		Hearing effected on 05/21-2013
<b>80/2013</b>	IDD - Industry Demilitarization and Defense, SA	idem	Informs that IDD started his activity in TC 1997, so Knowledge no by havingo Messrs. Members knowledge of Members subject, there is no nothing to declare. Informs that company started your activity in 22-10-2013, at that questions made in the of. 79 / XCPITC / 2013, stay harmed. Unknown in address Informs that company never manufactured, tuned or sold weapons of war	TC Knowledge to Messrs. Members	Distribution o to Messrs. Members on 30-5-2013
<b>79/2013</b>	Montagrex - Optagrex - Society Portuguese Imports and Exports, Lda	Idem	TC Knowledge to Messrs. Members		Distribution o to Messrs. Members on 30-5-2013
<b>78/2013</b>	A. Paukner Lda. Browning Viana -	Idem			
<b>77/2013</b>	Factory Weapons and Articles from Esporte, SA	Idem	TC Knowledge to Messrs. Members		Distribution o to Messrs. Members on 30-5-2013
<b>76/2013</b>	OXFE -	Idem	Responds at		

	Workshops General Uniform and Equipment		Questions made on selling material military inform that no have which are transactions concerning The selling material military, what can Tue occurred at the periods indicated. Returned letter: unfamiliarity of the existence of company at the Address recipient (see of.	
75/2013	OGMA - Industry Aeronautics from Portugal	Idem	Request to send information on: this Commission the following information: For which countries does COMETNA sold military stuff, between early 1979 and 1984? That Portuguese military participated between 1978 and 1987, in contacts between Your company and customers final sales military material? In 1980 they received Any Portuguese government indication to suspend The sale of military equipment to any country? There was some interruption in the sale of military equipment, in 1980, for any country? Who authorized it and how legally sued the material trade military?	
74/2013	COMETNA Company Metallurgical Nacional, SA			
73/2013	Prof. Dr. Duarte Nuno Vieira (Institute Medicine Nice)	Request to send copy of autopsy report made to Mr. Eng. José Moreira and his lifemate, elaborate by Mr. Dr. Fernando Fonseca, as well as the histological analyzes of both.	Send copy of report gives autopsy of Joseph TC To Messrs. Manuel Silva Coordinator Moreira and s of Groups Elisabete givesParlamentare Piedade Silva if Petitioners	Sent on 31-5- 2013
72/2013	Dr. Laureano Saints	Request to send line suggestions investigation (aspects technicians of the tragedy of Camarate, related to		

the aircraft).

71/2013	Judge President of the Court Judicial County of Oeiras	Request for authorized to process confidence no 93-B / 83 (Open at following the investigation of the death of Eng. José Manuel Moreira and your accompanying person, January 4, 1983).	Informs that the process No. 93/83-B (open following the investigation of death of Eng. Joseph Manuel Moreira and his companion, occurred on 4 January in 1983), was requested by Judiciary Police on 10-08-95, no having returned to archive of that Court. By the. 180 of 11- 11-2013, reports that the Inu'qrito already TC if finds Knowledge available to Messrs. Members	(see of. 92 / XCPITC / 2013. 04-06- 2013, at MJ  Sent of. 169 / XCPIT C / 2013 a ask authorization the of Query to Inquiry 93/83 - B, hair advisors GP  Given away know me against Messrs. Congressperson on 20-11- 2013 and sent of. Hearing fulfilled on 16-05- 2013 Hearing fulfilled on 5/14 2013
	70/2013	Jim Hunt	Sending a questionnaire about Frank Sturgies	-  TC Distribute to Messrs. Members
69/2013	José dos Santos Esteves	Call for hearing of Mr. José Esteves on the 16th 05-2013	-	-  Hearing fulfilled on 16-05- 2013
68/2013	Victor Pereira	Call for hearing by Mr. Victor Pereira on the 05/14/2013	-	-  Hearing fulfilled on 5/14 2013
67/2013	Director of Reinsertion and services Prisoners	Communication anticipation of the time of hearing of Carlos Miranda Gonçalves, from 6 pm, to at 17H00.	in  Contact phone number Carolina Oliveira a inform that there strike From Prison Guards on 9-5-2013, ends at 17h00. It suggests that Keep at	-  -

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			6 pm.		
				<i>TC Copy of clippings from Newspapers to Messrs. Deputies.</i>	
			Cutout in press documents delivered on 11-06-2013.	<i>and TC Inform Messrs. Coordinator s that can consult the tokens works journalist Celestino Amaral.</i>	
66/2013	Dr. Isabel Duarte	Authorization request for consultation of the journalist Celestino Amaral.	Handed out AHP guard		
65/2013	Director of Weekly Express	Request to make available this Commission, copies of all published texts and signed by the journalist Celestino Amaral during the 1980 3 first 1981 quarter.	Sending card greetings with cutouts about "FP 25"	<i>TC Distribute to Messrs. Members</i>	Distributed on 5/17 2013
64/2013	President of Chamber Municipal Lisbon	Request to make available this Commission, through Municipal Hemeroteca of Lisbon, copies of all daily newspaper news national NEWSPAPER IN NEWS and PORTUGAL TODAY, whose theme is the kidnapping of boat fishing vessel "Rio Vouga" for Polisario Front and subjects related and / or consequential, namely the Republic Democratic Saharawi Arab and its recognition international, in the period of May to December 1980, including.	Informs that the request was forwarded to the Cabinet of Mrs. Councilwoman Catherine Vaz Pinto, responsible for Culture. Copy of clippings of newspapers sent the Commission.	<i>TC to Services. TC copy to Messrs. Members</i>	Copies of News handed out to Advisors From Groups Parliament ares. More News delivered on 3-7-2013.
63/2013	Minister of Presidency and of Affairs Parliamentarians	Final audit request The FDMU; find out if there is relationship or movement between the FDMU and the export in weapons occurred in the period between 1974 and the effective liquidation or last movements of FDMU balances.	Informs that of. was forwarded for Messrs. Ministers of Finance and National defense; On 5/20/2014: Send copy of. n. 598 of Cabinet Minister of	<i>TC Knowledge to Messrs. Deputies. Distribution to Messrs. Members gives on 5/30/2013</i>	On 06/24 2013, the services were informed s by IGF that: 1 - it was already nominated an team Inspection-

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to FDMU  
(reply to of.  
63 / XCPITC / 2013)

for  
perform the  
audit:  
2 - is  
elapse  
respective  
process  
in  
accreditation  
no, in  
sequence  
of  
contact of  
etudo  
through the  
Inspection-  
General of  
Finances  
next to  
CEMGFA.

Announces that the  
express request  
in the craft of  
XCPITC was  
forwarded to  
Eurocontrol and  
NAV companies  
Portugal and Ana-  
Airports to  
request in  
information. In  
24-07-2013, SE  
of Construction  
Public,  
Transportation and TC To Messrs.  
Communication, Members  
through INAC and  
A-N-A, Informa,  
through INAC and  
ANA, that  
airline -  
African Air  
and Charters are not  
finds  
referenced in  
ICAO document  
8585 -  
"Designators for  
Aircraft  
Operating  
Agencies,

Sent  
to Messrs.  
Members  
on 05/31-  
2013

62/2013

Minister of  
Economy and  
Job

Information Request  
about the existence of a  
aviation company  
called "African Air  
Charters ", which operated in  
late 1970s,  
early 80s, and in case  
so, when was  
founded: If the said  
company operated in  
Portugal between January  
1980 and December 1981 and,  
if there are records of  
movements in space  
air  
airports / airfields / bas  
Portuguese aircraft  
the company,  
made available to this  
Commission access / copy  
those records.

be



Aeronautical  
 Authorities and  
 Services " in  
 editions from 1978 to  
 1983.  
 EUROCONTROL E

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			SHIP Communicates that following of the request for information requested The EUROCONTROL and NAV Portugal, no have records historical in movements of aircraft operated between 1980-1981, by African Air ChartersE		
61/2013	Director-General Reinsertion and Services Prisoners	Request for the presence of Carlos Gonçalves for testify at next May 9 2013, at 6 pm,	-	-	Testimonial the done
60/2013	Director-General Reinsertion and Services Prisoners	Request for the presence of Simões flour to provide testimonial next day May 7, 2013, at 10.30 hours, Thank you for sending the "Study gives legislation national export weapons, since the 70 ".			Testimonial the done
59/2013	Prof. Freitas do Amaral		-	-	-
58/2013	Minister of Justice	Request to get to the Commission, through the Directorate-General for Prison Services, copy of record of visits to prisoners Fernando Farinha Simões, in the Prison establishment Pinheiro da Cruz.	<p>Informes that the request forwarded for the DG of Reinsertion services Prisoners;</p> <p>TC to Messrs was <i>Deputies of Commission Distributed and Messrs. Members on 15-5- 2013.</i></p>		Answered the on 16- 07-2013 and Sent to Messrs. deputies in the same date
57/2013	Minister of Justice	Request for copy of record of visits to prisoners Carlos Manuel T. Miranda Gonçalves, bearer of the BI No. 2992461, Prison establishment Coimbra.	<p>Informes that the request forwarded for the DG of Reinsertion Prison Services</p> <p>at the</p> <p>TC to Messrs was <i>Deputies of Commission Distributed and Messrs. Members on 5/15/2013</i></p>		Answered the on 16- 07-2013 and Sent to Messrs. deputies in the same date

56/2013	Dr. Filipe Mimoso's Freitas	Information that the letter directed The Commission Parliamentary, was received and forwarded for members' knowledge members of the Commission.	-	-	-
55/2013	Dr. Isabel Duarte	Hearing confirmation scheduled for 18-04-2013.	-	-	-
54/2013	Dr. Miguel Kings	Hearing confirmation scheduled for 16-04-2013.	-	-	-
53/2013	MDN	Solicitation in note Send		TC note to	Distributed

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52/2013	SEPCM	General's biographical Fernando Pinto de Resende, 2nd Region Commander Air Force at the beginning of 1960s.	biographical	Coordinator of GP	to Messrs. Members on 15-5-2013
		Officiating the government towards of conducting a inquiry on O disappearance From documents requested by Commission to the Government and EMGFA (copies of several crafts dated 1980, related with The export of material war for Iran and the Iraq on several occasions mentioned in the Reports gives General Inspection in Audit Finance at accounts of the Office of the CEMGFA and FDMII).			
51/2013	MNE	Request registration of entries and Frank's departures from Portugal Anthony Sturgis (whose name true will be Frank Angelo Fiorini), between 1977 and 1981.	Inform that SEF records nothing about the citizen Frank Anthony Sturgis	TC to Messrs Deputies of Commission	Distributed to Messrs. Members on 15-5-2013
50/2013	MAI	Request registration of entries and Frank's departures from Portugal Anthony Sturgis (whose name true will be Frank Angelo Fiorini), between 1977 and 1981.	Inform that SEF records nothing about the citizen Frank Anthony Sturgis	TC to Messrs Deputies of Commission	Distributed to Messrs. Members on 15-5-2013
		Documentation request relative The any movements of a name "Sheersburg", or "Cherbourg", or "Cherburg", or "Scheersberg A", in Port of Setúbal, including the	Inform that, after Query to collection documentary Captaincy of Port of Setúbal, it was found	The TC to Messrs	Distributed to Messrs.

49/2013	MDN	cargo manifest and the confirmation of dates and exact entry times and leaving the ship during the the last semester of 1980; or, on the same date, ship movements registered at the port of Cherbourg. Request for Information, through the	inexistence of information intended.	Coordinator s	Members in 2-5- 2013
48/2013	MAMAOT	Control in Traffic Maritime (CCTM), on all documentation on the movements of the			

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"Malvern Prince" ship, since entering the Port of Setúbal and until the exit, including the manifest of loading and confirmation of exact dates and times of entry and exit of the ship;

Acknowledgment fur

host received by parliamentary delegation, in meetings that took place at the Ministry of Defense National and in unity located in Paço de Arcos, during the visit of the Commission (Defense Fund Overseas Military).

Copy MDN request authentic of the referred craft in the table pages 47 of the Inspection-General report Audit Finance at accounts of the Office of the 1974 CEMGFA

to 1981, whose content is export of material war for Iran, namely:

. letter from the MDN- Minister's Office of 2 December in 1980, accompanied by letter 319, of November 28, 1980 of the S / G of the MNE and attached documents; Request to copy MNE authentic of the referred craft in the table pages 47 of the

Requirement  
into  
repeated

45/2013	MENE	Inspection-General report Audit Finance at accounts of the Office of the 1974 CEMGEA to 1981, whose content is export of material war for Iran, namely: . letter from the MDN- Minister's Office of 2 December in 1980, accompanied by letter 319, of November 28, 1980 of the S / G of the MNE and attached documents;	Informs that no were found at the Archive Historic of MENE the documents requested in those communications	TC to Messrs. Members	Sent to Messrs. Members in June 25, 2013
		Copy request for file relating to Seem gives Commission Constitutional No. 36/81,	Informs that files existing in the TC, from the	TC Knowledge to Messrs. Coordinator	Sent to Messrs. Members

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concerning the application for declaration in unconstitutionality of Decree-Law No. 548/80, of November 18, the Revolution Council.	Commission Constitutional, only if find the Opinions No. 1/76 to 20/77 (years 1976-1977), as well as Judgments No. 101 to 369 (years 1978- 1981) and that, for beyond what if finds published in the 17 of the 1980s gives Commission Constitutional, is not found in that court any documentation relative to process in cause.	s of Groups Parlamentare s the No.
Request for information on: 1.) Whether or not there was before publication of Ordinance no. 660/81, a National Director Armament and / or a Direction National in Armament (namely during the year in 1980); 2.) There is a Director National Armaments,	Informs that no exists we SG files from MDN qq doc identified by Commission in the of. in reference. Regarding the DG Armament and	TC 1 - Communicate to Messrs. Coordinator s of Groups

## FINAL REPORT

43/2013 MDN

but not a Direction  
National Armaments, the  
who reported  
hierarchically that  
Director and what functions  
that were attributed to him;  
3.) There is a Director  
National Armaments,  
who performed this  
function during the years of  
1980 and 1981 (until the  
publication of Ordinance no.  
660/81).

Infrastructure  
Defense, report  
that docs  
mentioned,  
due to its  
amount  
considerable,  
meet  
available for  
Query, per  
experts  
accredited.

*Parlamentare  
the reception  
this craft.  
2- Inform  
that the docs are  
find  
for consult  
Services.*

42/2013 MDN

Authentic copy request  
From next docs:  
. letter from the MDN-  
Gab. of the Minister,  
register in book 690, date of  
record in book 9 Dec. 80,  
"Export of material  
war for Iraq.  
Photocopy From crafts  
SG 321 and 322,

Inform that no  
is there any  
document  
identified in  
craft we  
files of  
GEMGFA, from DG  
Armament and  
Infrastructure  
Defense and

*TC Inform  
the Groups  
Parlamentare  
s Petitioners*

Sent  
to Messrs.  
Members  
in 5-4-  
2013

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## Page 51

41/2013 MENE

both of December 4,  
1980, of MNE ";  
. letter from the MDN-  
Gab. of the Minister,  
register in book 33, date of  
record in book 19 Jan. 81,  
"Military Attaché in the  
Iraq. Photocopy of the letter  
No. SG 303/10 Nov. 80's  
MNE, requesting The  
information held for more  
convenient as to  
exposed in paragraph 2 ".  
Authentic copy request  
From next docs:  
. letter from the MDN-  
Gab. of the Minister,  
register in book 690, date of  
record in book 9 Dec. 80,  
"Export of material  
war for Iraq.  
Photocopy From crafts  
SG 321 and 322,  
both of December 4,  
1980, of MNE ";  
. letter from the MDN-  
Gab. of the Minister,  
register in book 33, date of  
record in book 19 Jan. 81,  
"Military Attaché in the

General secretary  
of the MDN

Inform that no  
were found  
at the Archive  
Historic ddo  
MENE the  
documents  
requested  
in those  
communications

*TC to Messrs.  
Members*

Sent  
to Messrs.  
Members  
in  
June 25, 2013

Iraq. Photocopy of the letter  
No. SG 303/10 Nov. 80s

MNE, requesting The  
information held for more  
convenient as to  
exposed in paragraph 2 "

Request for copy of  
next documents:

. Joint Order, of  
Ministry of Finance and  
VI Government Plan  
Constitutional and CEMGFA,  
undated and signed only  
by the Minister of Finance and  
of Plan;

. Communication to the bodies  
social communication  
issued by the Secretariat of  
State of the Presidency of  
Council of Ministers, without  
date, signature or any  
reference as to its  
dispatch and / or publication.  
It is deduced from the respective content  
that said Communiqué  
must have been drawn up or  
on November 18, 1980  
(date of publication of

40/2013 SEAPI

Send document  
with the issues  
requested

TC  
Knowledge  
to Groups  
Parlamentare  
s

51

Decree-Law No. 548/80, of  
November 18, which in  
mentioned), or  
in the days immediately  
following. It is not  
possible, by this copy,  
whether the Notice  
actually came to be  
issued.

Request for copy of  
next documents:

. Joint Order, of  
Ministry of Finance and  
VI Government Plan  
Constitutional and CEMGFA,  
undated and signed only  
by the Minister of Finance and  
of Plan;

. Communication to the bodies  
social communication  
issued by the Secretariat of  
State of the Presidency of  
Council of Ministers, without  
date, signature or any  
reference as to its  
dispatch and / or publication.

39/2013 MEF

Send copy of  
Dispatch  
Set

TC  
Knowledge  
to Messrs.  
Deputies.

## FINAL REPORT

It is deduced from the respective content that said Communiqué must have been drawn up or on November 18, 1980 (date of publication of Decree-Law No. 548/80, of November 18, which in mentioned), or in the days immediately following. It is not possible, by this copy, whether the Notice actually came to be issued.

Request authorization for consultation of the entire process administrative, including associated correspondence, received and sent, internal information and / or received from third parties, upstream and downstream of the sending said "Note Office of the Ministries of Foreign Affairs and National Defense ", dated November 11, 1980;

Informes that no were found at the Archive Historic of the MENE documents requested in those communications

*TC to Messrs. Members*

Sent to Messrs. Members in June 25, 2013

38/2013

MENE

37-A / 2013

Minister of State and Finances

Idem

Informes that relative records to the year 1980 were destroyed according to

*TC Distribute to Messrs. Members*

Distributed to Messrs. Members on 17-5-2013

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Page 53

Regulations Archival in force.

Request to the Ministry of Documentation savings relative The any movements of a name "Sheersburg", or "Cherbourg", or "Cherburg", or "Scheersberg A", in Port of Setúbal, including the cargo manifest and the confirmation of dates and exact entry times and leaving the ship during the last semester of 1980; or, on the same date, ship movements registered at the port of Cherbourg.

Mail attached The information relative available to the pilot Pedro Bastos and the ship "Malvern Prince".

Answered  
O  
(see of 28)

37/2013

MEE

*TC  
I-Communicate*

36/2013		MDN request for copies of records related to export of material war for Iraq and Iran.	CONFIDENTIAL	to Coordinator s of Groups Parliamentare if reception this craft; 2 -inform that the same if find for consult in Services
35/2013	MDN	Copy request for all authorizations for the arms exports between 1978 and 1982 for countries the 3rd, specifying, if the copy omits these information, where the destination, date and form of transport, identification of the author of the respective dispatch and, its functions, as well as the company (ies) dynamizer (s) of the business.	CONFIDENTIAL	idem
34/2013	CEMGFA	Request to EMGFA to copy of all opinions relating to the export of between 1978 and 1982 to third countries, specifying if the copy omit this information, what is the place of destination, date and form of transport, the identification of the author of respective order and, the	CONFIDENTIAL	TC - 1-Communicate to Coordinator s of Groups Parliamentare if reception this craft; 2 -inform that the same if

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33/2013	MENE	their functions, as well as the dynamic company (ies) of business. Copy request for all opinions on the arms exports between 1978 and 1982 for countries the 3rd, specifying, if the copy omits these information, where the destination, date and form of transport, identification of the author of the respective dispatch and, its functions, as well as the company (ies) dynamizer (s) of the business.	Informs that no were found at the Archive Historic ddo the MENE documents requested in those communications	find for consult in Services TC to Messrs. Members	Sent to Messrs. Members in June 25. 2013
---------	------	--	---	--	--

On 06/24  
2013, the



								services were informed s by IGF that: 1 - it was already nominated an team Inspection- General of Finances for perform the audit; 2 - is elapse respective process in accreditation no, in sequence of contact ef etuado through the Inspection- General of Finances next to CEMGFA. Hearing scheduled for 20-3- 2013 Hearing scheduled for 14-3- 2013
32/2013	MDN	Information Request concerning the incorporation of any values from of the Military Defense Fund do Ultramar (FDMU) in the State accounts, such as the final balance of the FDMU, namely transfer \$ 551,694,902 at the date of closure of the Fund.						The in
31/2013	Frederico Duarte de Oak	Journalist Hearing Frederico Duarte in - Oak						
30/2013	João Joaquim Gomes	Hearing of Journalist João Joaquim Gomes -						

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Authentic copy request  
of the letters referred to in  
table to pages 47 of the  
Audit report to  
accounts of the Office of the  
1974 CEMGFA  
to 1981, whose content is  
export of material  
war for Iran,  
namely:  
Letter from MDN-  
Minister's Office of 2  
December in 1980, No  
any  
document exists

29/2013	MDN	<p>accompanied by letter 319 of November 28, 1980 of the S / G of the MNE and attached documents:</p> <p>Letter from the EMGFA-Gab. Dir. Nac. Armament of 5 December 1980;</p> <p>Letter from the EMGFA-Gab. Dir. Nac. Armament of January 22 1981 (sent in the CEMGFA to Lieutenant Colonel António Ferreira Rodrigues de Areia), accompanied by photocopies of notes 1, 105 / DNA - 111 / DNA - 1743 / DD and 185 / DB.</p>	<p>identified in craft No. 29 / XCPITC / 2013 we files EMGFA, gives DGArmament and Infrastructure Defense and SG of Ministry</p>
		<p>Request for Information, through the Administration of the Ports of Setúbal and Sesimbra, SA, on:</p> <p>All documentation on the movements of the "Malvern Prince" ship, since entering the Port of Setúbal and until the exit, including the manifest of loading and confirmation of exact dates and times of entry and exit of the ship; In the same terms and sense, it is requested information relatively to the CCTM - Center for Control in Traffic Maritime and the Captaincy of Port of Setúbal.</p>	<p>Mail attached The information relative available to the pilot Pedro Bastos and the ship "Malvern Prince".</p> <p>TC to Groups Parliamentary es</p>
28/2013	MEE		
27/2013	MEE	<p>Request for Information, through the Administration of the Ports of Setúbal and Sesimbra,</p>	<p>SA, Informs that, after Query to collection documentary of</p>

namely

Department / Direction of Pilot, on

pilot location sir

Bastos, responsible for departure of the ship "Malvern Prince ", on the 10th of November 1980 at 11:30 pm, bound for

O Port of Setúbal, it was found The inexistence of information intended.

The

## FINAL REPORT

Ashdod (Israel), with cargo described like "Mat. Dangerous". However, according to Diário nº 18 de 23-V-80 to 11-VII-81, also from the Port of Setúbal, the exit "Malvern Prince" would be confirmed for the 9th of November at 10:45 pm.

26/2013	MNE	Request information through border control, on check-in and Henry Kissinger exits in October and November 1980 and respective dates. Of 97 / XCPITC / 2013, to reiterate the Request for Information.	Response to the 26 / XCPITC / 2013 and 91 / XCPITC / 2013: informs what due to absence in systems computer input data and exits from foreign, no was possible Confirm The existence. In inputs and outputs foreigners. No exists any document identified in craft No. 25 / XCPITC / 2013 in the General secretary of the Ministry	TC to Messrs. Members on 25-6-2013 (e-mail)
		On the Minister's agenda of National Defense, Adelino Amaro da Costa, periods understood between 15 September and 15 October 1980 and 1 november and december 4th 1980.		
25/2013	MDN	Study request (pro bono) national legislation on arms exports, since the 70s, come under paragraph 3 of Article 13 of Law No. 5/93, of March 1, with the changes introduced by Laws No. 126/97, of 10 December, and 15/2007, of April 3, request and thank the elaboration of the mentioned study, with incidence, specifically, in the corresponding period	Accepts order collaboration and gives o for 2 to 3 weeks for delivery of study. Study delivered on 12.4.2013	
		Prof. Dr. Freitas do Amaral	TC Distribute to Messrs. Members	Distributed to Messrs. Congressperson ON 12-4-2013

to the years 1980 and 1981  
Request for information on  
The identification From  
responsible in 1980 for the  
Direction National in Send copies

23/2013 MDN

Armaments and DILOG,  
including other pictures  
military personnel that  
date (year 1980), these  
organisms.

of offices no.  
558 and 578 / GC-G,  
of Gab of  
CEKGFA

Response to the of.  
22 / XCPITC / 2013:  
informs that it was  
decided, fur  
advice in  
Ministers. The  
ban on "  
imports  
Iran and the  
exports of  
products

Request: If in late 1980  
there was some embargo on  
arms sales to Iran and the  
Iraq and, if so,  
under what circumstances was  
declared;

If at the same time there was  
some trade embargo on the  
Iran, originated through the  
revolution in that country and  
by the so-called crisis of  
hostages North Americans  
detained in Tehran;

If these embargo (s), the  
exist (in), was (ram)  
lifted on 29  
January 1980, how and in  
what terms.

Portuguese for  
that country; O  
transport in  
products  
embargoed by  
other nations in  
national boats;  
the boarding of  
the products  
embargoed on  
vessels  
Iranian;  
transactions  
financial and  
participation of  
companies  
portuguese in  
projects  
industrial  
Iranians ".  
It is resolution  
had like  
foundation The  
detention in  
folks  
diplomatic  
american by  
authorities  
Iranian.

TC To Messrs.  
Members

Sent  
to Messrs.  
Members



21/2013 MDN

Request for information on  
recording movements  
landings and take-offs from  
aircraft at the Air Force Base  
Montijo, at the period  
between 1 of  
October and December 31

No exists  
any  
document  
identified in  
craft No.  
21 / XCPITC / 2013  
in the

Copy to  
Groups  
Parliamentary  
claimants

Delivered  
to  
Coordinator  
ores of  
PSD GP  
and CDS-  
PP on

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20/2013	Minister of Economy and Job	Request through NAV Portugal, EPE - Navigation Portugal, or other bodies that act or acted in the space control and management air do get to this Commission;	No	exists	
19/2013	MDN	Request to the Ministry of National Defense of contact Mr. António de Sousa, Traffic Controller Air	any document identified in craft	No.	-
18/2013	PAIR	Request from good offices to FRIDAY PAR in the sense of arrange for the transportation for travel From members this Commission, from the Assembly of the Republic, for the purpose of consulting the acquis relating to the Overseas Military Defense (FDMU) in the National Defense Archive	12 / XCPITC / 2013 in the file EMFA	Authorized	-
17/2013	Ministry of Defense National	Ministry in Defense National Visit to Commission to the FDMU	Informa what Delegation gives Commission will be accompanied by Dr. Ana Miguel Santos. Later submission of CD with documentation FDMU		Distributed srs. Members gives Commission in February 28, 2013
16/2013	President of the CA of NAV, Eng. Luís Coimbra	Contact request from Mr. António de Sousa (Son of Senhor Alfredo de Sousa), Controller of Air traffic,	exists in the company any worker with the name indicated in the active situation, retired or retired.	For knowledge of the Lords Members	Sent by email in day March 19, 2013
15/2013	Director of Information Lusa Agency	Of to the Chief Information Officer of the Lusa Agency with a view to provide this Commission with the authentic copy of the Note Officious deriving From Ministries of Business Foreign and Defense Nacional, published in	Portuguese: send copies of docs. withdrawn For of editing knowledge of the Lords Members 12.11.1980 of newspaper "Portugal Today"		-

		<p>"Portugal Hoje" newspaper, of 12 November 1980 at the following a news referred to in the same newspaper, eve, entitled "Weapons Portuguese to Iran?" and which will integrate the ex-ANOP.</p> <p>Of. To the Minister of State and of Finance for hearing of the Experts who were responsible for the Expert of the Military Defense Fund overseas period 1974 to 1981, carried out operating framework</p>				
14/2013	Minister of State and Finances	<p>gives VIII Commission Parliamentary Inquiry, Drs. Belmiro Augusto Morais (Inspector of Chief Finance) and Maria da Concepcion Ferreira Rodrigues (Inspector of Superior Finance) for the that audit, testify towards it is Parliamentary Committee of Inquiry, next 28 February at 6 pm Ordering copies of 3 crafts mentioned in Audit Report to GEMGFA Accounts (years 1974/1981) elaborated by Inspection experts General of Finance in July of 2004.</p>	Authorization granted through of of. 1150's MEF in February 22, 2013	Services To the owed effects	Hearings carried out on 27 and Feb. 28 2013	
13/2013	Minister of State and Finances	<p>Ordering copies of 3 crafts mentioned in Audit Report to GEMGFA Accounts (years 1974/1981) elaborated by Inspection experts General of Finance in July of 2004.</p>	<p>Informes that crafts mentioned no were found.</p>	TC to Messrs. Members Groups Parlamentare claimants.	-	
12/2013	CEMGFA	<p>Ordering copies of 3 crafts mentioned in Audit Report to GEMGFA Accounts (years 1974/1981) elaborated by Inspection experts General of Finance in July of 2004.</p>	<p>Informes that no is there any document identified in craft in reference.</p>	-	-	
11/2013	SEAPI	<p>Ordering copies of 3 crafts mentioned in Audit Report to GEMGFA Accounts (years 1974/1981) elaborated by Inspection experts General of Finance in July of 2004.</p>	<p>Ministry of Finance: sends 3 photocopies sheets said books.</p>	<p>To Messrs. Deputy of Groups From Parlamentare claimants</p>	Sent, by email in March 15, 2013	
10/2013	Dr. Fernando Paula Brito	<p>Request for authentic copy of Unofficial Note from Ministries of Business Foreign and Defense Nacional, published in</p>	<p>Informes that LUSA doesn't have copy of the docs. intended. Send 2 docs from</p>	-	Delivered at the meeting 2/14/2013	

## Page 60

		"Portugal Hoje" newspaper, of 12 November 1980.	ex-ANOP withdrawn gives edition of 12-11-1980.		
9/2013	SEAPI	Request of the request to the PCM State Secretariat inform the Commission of existence of any record of the Official Notes issued and the location and the sending a copy of the file concerning the Unofficial Note published at the Newspaper "Portugal Hoje", from 12 November 1980.	SEAPI: SEPCM: Sending copies of documentation about Note Officious	To Messrs. Members Groups Parliamentare s Claimants	Distributed srs. Members gives Commission in February 28, 2013
8/2013	SEAPI	Request for request to MNE and MDN for sending to Authentic copy commission of the published Official Note in the "Portugal Hoje" newspaper, November 12, 1980.	Send photocopy of the Unofficial Note	To Messrs. Members Groups Parliamentare s Claimants	Distributed srs. Members gives Commission in February 28, 2013
7/2013	Prof. Dr. Freitas do Amaral	Confirmation hearing scheduling for 02/19/2013	in -	-	Hearing fulfilled in February 19, 2013
6/2013	Dr. Luís Coimbra - NAV Portugal	Contact request for family of co-pilot Alfredo Sousa	Inform not having the NAV registration of any worker with reference presented in of. from XCPITC Order from Gab.	Services To the owed effects	Filed
5/2013	PAIR	Submission of the Regulation Commission for publication in DAR	SEX OF PAR 1-2-2013: to G. SG for those due effects. With DSATS	To file	Filed
4/2013	Dr. Júlio Castro Caldas	Confirmation hearing scheduling for 02.02.2013	in -	-	Hearing fulfilled on 05-02-2013
3/2013	Dr. Nuno Melo	Confirmation hearing scheduling for 02/14/2013	in -	-	-
2/2013	PAIR	Commuting to services support to the Committee on estate of the IX Commission Parliamentary Inquiry Communication gives	Documentation sent	-	-
1/2013	PAIR	constitution of the Bureau of Commission and appointment of rapporteurs From Groups Parliamentarians	-	-	Archive





## 2. Initial considerations

AX CPITC signed up for the continuation of the IX CPITC, which saw its work interrupted little after having initiated them, due to the dissolution of the Assembly of the Republic that ended in advance of the XI Legislature. This same continuity was recommended by the conclusions approved - *'VII. Leave the recommendation to the next XII Legislature in order to resume, continue and conclude the work now abruptly interrupted »* -, which would be accepted by Resolution of the Assembly of the Republic no. 91/2012, which, on 13 July 2012, determined the constitution of this commission.

The tenth Parliamentary Commission of Inquiry into the Camarate Tragedy takes place following that which has been exhaustive work on the part of the Assembly of the Republic for the past three decades. I could not start the Commission or the report, without first reiterating the main facts ascertained by the Commissions of Inquiry, namely the renewal of conclusions and, in particular, those of V, VI and VIII Commissions of Inquiry.

This X CPITC has not dealt exhaustively with technical issues or even with the accident vs. discussion attack: it is concluded and proved unequivocally, in the path of commissions, which was an attack. There being nothing new in this field, X CPITC did not fail to hear two testimonies that, categorically, reiterate that the fall of the Cessna, who was taking, among others, the Prime Minister and the Minister of Defense, was due to an attack. Thus, the main conclusions of the last Commissions of Inquiry are reproduced, as well as a brief summary of the testimonies of José Cavaleiro and Henrique Botelho de Miranda in this CPI.

### ***The conclusions of the V Committee of Inquiry (1995)***

*«1 - According to the evidential matter determined by the V CPIAC, and after analyzing all the documentation relating to the hearings carried out and expert investigations undertaken, this The Commission stresses, first of all, the fact that, for the first time, which, due to their evidential scope, exceeded the results achieved so far by other official bodies, allowing you to consider the following facts proven:*

- a) Existence of a fire in flight on the Cessna aircraft, shortly after take-off and on the route ascending;*
- b) Release, in mid-flight, of a trail of burnt fragments from its interior;*
- c) Existence of metallic particles (iron oxide) identified as coming from non-steel tempered in the heel area of the pilot Jorge Albuquerque;*
- d) Absence of potentially fatal internal fractures and injuries and perishing of the*

victims;

e) Detection of barium sulphate in areas of the cockpit of the affected aircraft;

f) Confirmed verification of new explosive substances in the analysis of samples 1 and 2 of the fragment 7: nitroglycerin, dinitrotoluene and trinitrotoluene;

g) Evidence, through chemical analyzes carried out by national experts, and subsequently confirmed in foreign laboratories, that the products removed from the fragment 7 have a chemical-mineralogical constitution identical to that of pieces of fuselage of the damaged aircraft.

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## Page 63

2 - The aforementioned facts allow establishing the presumption that the collapse of the aircraft was caused by an explosive device, which aimed at physically eliminating people, therefore constituting criminal action ».

### ***The conclusions of the VI Commission of Inquiry (1999)***

Considering all the evidence evidenced by the VI Parliamentary Committee of Inquiry the Camarate Disaster and after analyzing all the documentation related to the hearings held and expert steps taken, this Parliamentary Committee of Inquiry:

1) Confirms all the conclusions of the V Committee of Inquiry, namely the presumption of that the crash of the aircraft was caused by an explosive device that aimed at physical elimination of people, having therefore constituted a criminal action;

2) Considers verified the existence of explosive substances in the analysis of samples 1 and 2 of fragment 7, nitroglycerin, dinitrotoluene and trinitrotoluene, and collected testimonies that contradict the contamination thesis;

3) Considers the existence of more foreign bodies in the body of the Minister of Defense to be verified, Amaro da Costa, which, according to expert opinion, have characteristics in line with the deflagration of an explosive device, consistent with other signs in the same direction;

4) Gathered new opinions that corroborated the verification of density foreign bodies metal detected on the feet of the pilot Jorge Albuquerque not constituted by aluminum alloy of the aircraft, but by another material with a constitution close to iron oxide, which it is also consistent with the explosion of an explosive device;

5) Gathered new testimonies that corroborated previous complaints already existing in the process and reinforce the importance of establishing definitively, in court, following the legally adequate process, the criminal responsibilities that may namely the adventures regarding José António dos Santos Esteves and Sinan Lee Rodrigues;

6) Considers it essential that, in view of all these facts, the judicial process must run its course, namely until judgment, so that, in contradiction and with all the guarantees of prosecution and defense, full light be given to all the facts in Camarate, the court coming to decide definitively;

7) *Recommends a thorough investigation of the entire archives of the Military Defense Fund Ultramar, which was used discretionarily, without any control, making expenses that by law were forbidden to him, there are several testimonies that associate him to the mobile of a possible attack in Camarate.*

***The conclusions of the VIII Commission of Inquiry (2004)***

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**Page 64**

*1. - (...) Confirms all the conclusions reached by the VI Parliamentary Committee of Inquiry, namely, "the presumption that the crash of the aircraft was caused by a explosive device aimed at the physical elimination of people, and therefore constituted an action criminal. "*

*- Considers the existence of a fire on board the aircraft before the crash.*

*- Considers the presence of chemical elements, potassium and lead proven, also detected in the materials that were subjected to explosive tests with incendiary grenade of phosphor.*

*- Considers it proven that fragment 7, in which the existence of explosive substances (nitroglycerin, dinitrotoluene and trinitrotoluene), belonged to the side top left of the fuselage, between the 1st and 2nd windows from the front of the cabin aircraft CESSNA 421 A, registered YV-314-P.*

*- Gathered new opinions (based on scientific expertise) that prove the accommodation of small particles in the soft tissues of the pilot Jorge Albuquerque and Eng.<sup>o</sup>s body. Adelino Amaro da Costa, whose configuration and dispersion results from the outbreak of a device explosive.*

*- Assumes partial conclusions and final conclusion of the Commission's Report Multidisciplinary of Experts that has been created. We reproduce here the referred final conclusion: "For all the reasons set out in this Report, the Multidisciplinary Committee of Experts understands that plausible explanation for the crash of the aircraft YV-314-P is found, not for reasons accidental, but in the bursting - and corresponding consequences - of a mill explosive device that incapacitated the aircraft and / or its flight crew members, once that not only is there no evidence to allow such a burst to be associated with any anomaly of on-board equipment, how can a whole set of revealing evidence that this was the adequate and necessary cause for the crash. "*

*- Recommends that, at a later date, the international experts who have been consulted appointed to be part of the Multidisciplinary Committee of Experts, who were not*

*in due time, due to the announced dissolution of the Assembly of the Republic.*

- *Considers it proven that the Overseas Military Defense Fund continued to be used irregularly, presenting movements not accounted for in the accounts, very significant discrepancies between actual balances and budgeted amounts, detecting that relevant values were kept by third parties without any justification, revealing, also, misuse of its resources.*
- *Considers it proven that Eng. Adelino Amaro da Costa was particularly attentive the arms sales operations involving the Portuguese State, having vetoed several operations (sales to Indonesia, Guatemala and Argentina) and having requested on 2 December 1980, additional clarifications on arms sales to Iran (operations on 9 December 1980 and 22 January 1981).*

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## Page 65

- *Recommends that further investigation into the operations of arms trade that involved the Portuguese State or Portuguese companies.*
- *Gathered new testimonies that corroborate previous complaints, relating the citizen Sinan Lee Rodrigues with the crash of the aircraft in Camarate, so he recommends the verification of the possible responsibilities of this person in the fall of CESSNA.*
- *Considers it essential, in order to safeguard the dignity of the Portuguese state, that the facts relating to the fall of CESSNA on December 4, 1980 are ascertained in a judgment that enjoy the criminal action that is indicted.*

### ***Testimony by José Cavalheiro and Henrique Botelho de Miranda***

On April 8, 2015, Henrique Botelho de Miranda, professor and researcher at mine area involved in the work of the VIII Commission of Inquiry, namely in the Commission Multidisciplinary of Experts and José Cavalheiro, PhD professor in metallurgical engineering.

From the testimony to the two teachers, it was clear, once again, the unequivocal character of the fall of the Cessna on December 4 - the plane crashed due to an attack. The reiteration of these conclusions was latent in the testimonies of the teachers already mentioned.

According to Henrique Botelho de Miranda, it was, in fact, an attack:

*«So, going to the Honorable Member's question, to want to infer, from what was detected in terms of explosives, and only that, the unequivocal existence of a cargo, especially with the x characteristics is impossible. Now, grabbing all the pieces of the puzzle, then we can affirm that there was an explosive charge here, not very large, but of great intensity in its effects and that induced the crash of the aircraft. And I must say that, in terms of conception, regardless of value or ethical judgments, this was done with extreme skill, it was done by a professional (...).*

*My conviction, Mr Deputy, is that, in fact, this was an attack and very artfully implemented. By the way, I believe that nothing is lost in mentioning that when I joined to participate in the work of the Multidisciplinary Committee of Experts, I did it with a very great reluctance ».*

On the same topic, José Cavaleiro said it was undeniable that it was an attack:

*"I believe that the Honorable Member will have distributed a summary report that I produced a few years ago, because, as my colleague just said, the Commission had to end its work in a very accelerated way, the final report was made under enormous pressure, I, subsequently, I had access to all the reports and made a summary report, in which it seems to me perfectly undeniable that there was, in fact, a situation of attack (...).*

*And in this summary report I was careful to make a table in which I say what the evidence is essentials, traces that, in themselves, each of them would be enough to conclude strongly in the*

11 Rapporteur's note: Henrique Botelho de Miranda was convinced, just before the start of his collaboration with the Multidisciplinary Committee of Experts, that Camarate was an accident.

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*sense of an explosion on board, but then they all fit into the puzzle that my colleague just mentioned ».*

Thus, since it was not the primary object of investigation by the present Commission, it was once again demonstrated by professors specialized in mines and metallurgy, that the plane crash on 4 December was due to an attack.

Still as an introductory note to the report, and referring to the statements of José Cavaleiro, it is important to mention the discomfort felt by the doctoral professor in metallurgical engineering with the conduct of the investigation into the Camarate attack by the Public Ministry:

*«Therefore, in view of all this, once again, I refer to the way the investigation was carried out.*

*What the Judiciary technician with whom I spoke with told me at the time, (...).... I met this gentleman, for mere circumstance, in a course of MIG (metal inert gas) for scanning electronics and, at the time when I offered my services, let's call it, the Attorney General of the Republic, I sent the Judicial Police Scientific Laboratory knowingly. And more later, when I found out that our services were finally not being used and I wanted to to know what was going on I called this gentleman and, although I have a reception report of the fax saying "Scientific Laboratory of the Lisbon Judicial Police, ok", which meant that had been received, he told me on the phone that he had received absolutely nothing. It was a big surprise for me.*

*Later, in the wake of such a presence in the ICT (Criminal Investigation Court) (this also is reported, so I will not go into details now), what happens is that I went to talk with Dr. José Anes and he came to tell me that he had been heavily pressured and,*

*even accused of having been planting false evidence, which was in particular those chemical traces on the situation.*

*Therefore, the Public Ministry behaved in a completely unprecedented way, worthy of a "banana republic", not only for systematically combating all testimonies of visual witnesses, that exist throughout the process, as for having reactions in the sense trying to dismantle the position of our colleagues at Técnico who analyzed the traces, and, for that, he questioned the methodology of the Judiciary Police.*

*So the whole process is truly shameful, and what happened to me and the conclusions that he drew from my testimony in the ICT, which are absolutely false, led me to press charges against him. To whom? To the Superior Council of the Ministry Public, that is, such arbitration that is constituted by the president of the club's direction. O as a result, the lawsuit was closed.*

*Therefore, there is a systematic obstruction and this is only a complicated case because since the first hour an anti-investigation was carried out.*

*In the case of an investigation, it was mentioned here, for example, the case of Concorde, in which there was a flat iron that was found, that didn't make sense, because it wasn't from that plane and concluded if: a) "this is what threw the plane down". And there was a flat iron. But here there is no flat iron, there is a lot of scrap, there are a lot of huge things. It was always denied*

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*access to the wreckage; it was only in this committee that there was a group of experts who had access to the wreckage.*

*When I worked for the V Commission (I don't know, one of those commissions...) I explicitly asked to gain access to the wreckage and I was denied. There is even a report by RARDE (Royal Armament Research and Development Establishment), where they appear again microscopic aluminum particles - so it's more of a proof, in this case, by an external source, and they did not give due consideration to the dimensional aspect of the particles. Know that the families themselves had a legal struggle to access this report, because there was even the obstacle of submitting a technical report on the traces.*

Regarding the work of the PGR, José Cavalleiro summarizes by stating that there was a falsification of methods in order to build a narrative:

*In addition - and you can read, because the facts are there - I complained, in due time, of these facts in the respective bodies, that is, the Ombudsman and the Superior Council of the Public ministry. And what happens, given my testimonies, is that there is a behavior, throughout the whole process, by the same agent from the Ministry Audience that followed the entire Camarate process - specifically, so that there was no confusions, Attorney Boaventura Marques da Costa -, what happens, I repeat - and I think that this should be kept in the minutes -, is that there is a complete falsification of the methodology and conclusions he draws, step by step, from the process. And that gentleman had the distinctive "can" of*

*build a narrative, as we now say, around hypotheses that had no sustainability and to which, at the time, naively, I joined, which was the hypothesis that such firefighters cut the cables and caused the appearance of snails, which, afterwards, they appeared strangely at the pilot's foot and that later came to be discovered, underneath, in the area where the hole in which the explosion occurred.*

*(...)*

*So this is a forgery. This gentleman committed a complete perjury and I presented complaint from him.*

### 3. Facts found

The creation of a new Parliamentary Commission of Inquiry into the Camarate Tragedy either the expected continuity of the investigations initiated by the previous IX CPITC, or the declarations of Fernando Farinha Simões in relation to the confessed perpetrators of the attack that victimized, others, Prime Minister Francisco Sá Carneiro and Defense Minister Adelino Amaro da Costa, to December 4, 1980.

In addition to the testimonies of the confessed agents involved in the attack, the CPI's work focused on their diverse and possible mobiles, as well as other issues: i) were the expertise of the Overseas Military Defense Fund (FDMU), as well as the audit of accounts of the CEMGFA Office, both drawn up within the framework of the VIII Commission of Inquiry into Tragedy Camarate, but that had the time limit of 1980 - this work would be carried out by the General Inspection of Finance, having been designated as "Final Audit to the

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Military Defense of Overseas "; ii) the possibility of exporting arms to Iran in 1980, and above all the concern expressed by the government of the time on the subject, was one of the possible reasons for the attack on December 4, 1980; iii) a investigation into the origin of José Moreira's death on the eve of his testimony at the I Commission Congressman of Inquiry into the Camarate Tragedy, in 1983; iv) numerous testimonies were heard, of which Diana Andringa and Isabel Veiga de Macedo stand out; vii) the confessed perpetrators of the attack, leading the present rapporteur to take stock of his versions relating to December 4, 1980; viii) political and military entities were heard who, depending on the political positions they held at the time, they could contribute to the clarification of facts; ix) Finally, some difficulties were felt during the work of the CPI, which described in the next chapter.

### 3.1. Historical context

#### 3.1.1. Testimony of Júlio Castro Caldas

The present Committee of Inquiry sought to ascertain the context in which, at the time of the facts,

processed the sale of arms in Portugal - in particular because at the date of December 4, 1980 there was a trade embargo on Iran - what is the real purpose of the existing funds of the Overseas Military Defense Fund and who was then responsible, and even in which extent these situations could somehow be related to the death of the Prime Minister Minister, Minister of National Defense and other occupants of the plane.

In this sense, the hearing of Júlio Castro Caldas, a personal friend of Adelino Amaro da Costa, president of the PSD Parliamentary Group, at the time of the facts and that in 1999 took over the Defense portfolio.

This testimony had as its starting point a conversation held in Parliament between the then defense minister and Júlio Castro Caldas, when he was president of the PSD parliamentary group, between October and November 1980 <sup>23</sup>.

On the content of this meeting, he reported:

*« What Adelino Amaro da Costa talked to me at that time was about the complexity of delimitation of these competences between what would be an effectively military area and the area of competence of the Ministry of National Defense. One of the issues that was addressed in this conversation, obviously, was the export capacity of the war material that Portugal had at the time and, basically, the use, in that export, of war surpluses. The Fund does not was the subject of conversation, so I can't say anything about it, because I don't have even no precise indication of the conjectures that can be presented about this question. I never inquired. In relation to the models of action and supervision of the Ministry of*

<sup>22</sup> It is recalled that the legislative elections took place on October 5, 1980, with the victory of the Alliance Democratic, which included the PSD, CDS and PPM.

<sup>23</sup> In this sense, he stated: "I confirm that I did have a friendly relationship with Adelino Amaro da Costa since high school, I knew him well, and that, after he served as Minister of Defense, I spoke only once with him about the functions he performed in the Ministry of Defense " .

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*Defense on the export activity of military material, I had to worry later, when I served as Minister of Defense. And therefore, about this I will have some idea that I can pass on to the Honorable Members. The concern that Adelino Amaro da Costa revealed to me was mainly due to the difficulty in obtaining information information about the mechanisms, about the societies that existed, about the capacity of protection that the Ministry of Defense even had over the military industry that it worked then " .*

And further added:

*« At the time, in the course of this conversation, what was analyzed was the complexity of the topic itself and the squeamish that existed in a situation of uncertainty of competences, about who competed guardianship ". He clarified: " There was, therefore, a legislative and technical uncertainty as to whether military leaders to continue to protect part of the matter, including the deposits of military material with war surplus, or whether the Ministry of Defense would be the entity*



*competent to protect private companies operating in the sector, and there were many private companies operating in the sector. There was an uncertainty about whether competence for enforcement of international arms trafficking embargoes would be the Ministry of Defense, if the war surpluses could be exported uncensored to war theaters and ongoing operations, namely African war theaters and the war Iran / Iraq'.*

Asked if the situation of uncertainty covered those who had the authority to insure the embargo of arms, which was defined internationally and to which the country was committed, answered:

*« I think that in the content of that conversation there was this concern. It is obvious that the embargo (...) would have to be executed by the Portuguese Government, and therefore it would be up to the Ministry of Foreign Affairs ensure compliance with these guidelines of international law. But what is certain is that the boundary of what was lawful and what was illicit would not be very clear ».*

Asked who, at the institutional level, the then Minister of Defense would have placed this question, Júlio Castro Caldas contextualized the moment that was then lived as follows:

*“ The information systems that existed at the time were military systems and had obvious political contamination, with huge suspicion of the links that existed in the systems military with the previous information system we knew, which, let us call it at name, it was the International State Defense Police (PIDE). So, deep down, there was a effort to decontaminate this influence, since the prosecution and trial of the agents of the former PIDE and that effort was a military effort, as they were tried in military courts. So that [it is recognized] how military structures are resilient to changes, suffice it to say that it was in my Ministry, 30 years later, that ended compulsory military service, which drafted the Code of Military Justice, which regulated the Military Discipline Regulation and that the competences were established specific to the Military Judicial Police. Therefore, at the time it could be discussed whether, perhaps, there had been no political declaration by the Government that they considered accident. And this statement, that they considered the occurrence an accident, is the first imponderable act of political contamination because it completely discourages*

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*investigation of any police effort, be it the Military Judicial Police, be it the Judiciary Police. Therefore, this first political contamination of the investigation made, in a Republic that had a notable organizational institutional weakness in the field of exercise judicial power - I remind the Honorable Members that the judicial power is practically untouched since the chapter on judicial power in the Constitution was written as was - for the Government, an enormous difficulty in dealing with two of the most resilient to change, that is, the judiciary and the military system. And therefore, I'm not bee to be able to know if, in the Minister Council chaired by Dr. Sá Carneiro, this would have been approached, I admit that yes, it is predictable that yes. It is predictable, in particular, that Prof. Freitas do Amaral, who was always very concerned with these issues and who was the author of the first national defense law, if it had contrasted with the difficulties that the*

*Defense Minister would have difficulties, which at the time were very large, very strong. Only a man with the courage of Adelino Amaro da Costa could have taken over with the effectiveness with which he assumed the role of Minister of Defense at such an adverse and difficult as it was to move from the powers of the Council of the Revolution to the powers of a government ».*

Asked to clarify the meaning of his statement, made in the explanation of vote on the report of the I Parliamentary Committee of Inquiry, in which it participated, according to which " *there was resistance from some entities to the work of the Commission* ", said:

*« What I can say is that the first resistance was a resilience to what could be consider Parliament's investigative competence, because investigative competence of Parliament emerged, for the first time, with autonomous power in relation to the judiciary. And therefore, the resistance was to what could be called the "judicial system", which that Parliament and the investigative function of a parliamentary committee of inquiry do not... (...) Portugal is a country of competences with the prerogatives of the respective competences and clash between powers. And therefore, the interest and public order of the work of a committee research was not well recognized and was considered as «there comes another politiquice! », a politiquice of politicians interfering with those who have the competence to effectively perform its functions with technicality. This was the first resistance. Then the political resistance within the majority itself, which demanded a need for political pacification, so as not to appear objective interferences that prevent the necessary pacification for what was later considered parliamentary work constitutional review. And therefore, this was also considered, within the majority, as a passive resistance to the interest of developing investigative work of that Commission. Political contamination also came later, as it was not possible to have a totally aseptic view of the causality necessary for the harmful event, because political imputations between the left and the right began to be made. It's the first resistance that arises is from the entire left parliamentary component to interpret the functioning of the Commission as a throwing ball against the left itself. Not us we can forget about the violence that existed in the years before 1980 between what you can call "left" and "right" in the so-called "hot summer". The Judiciary Police put in a strong crisis by the very way the Members of the Commission were going interrogating the agents responsible for the investigation, which, today, seen at the distance, I recognize that the verbalization of criticism in the confrontation of these investigative agents it was very violent, very critical, resented it, which is natural, and also made a refusal.*

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*(...) You will ask me: was there no approach to any military aspect? There wasn't! THE Committee of Inquiry did not address any factualities that could be related to the exercise of military power, and this means the complexity that existed in a Parliament that he intended to make a statement of a civil nature in the constitutional structures of the State ».*

Asked to clarify what he meant by " *political contamination of the investigation* ", he replied:

*« Clarifying and contextualizing my statement, political contamination is based on the moment when political power - and when I say "political power" I say "government" - declares*

*perpetually that it was an accident and that this statement, that it was an accident, has as function the political objective of pacification of the Portuguese society in around this event. Let us remember that it was necessary to vote and elect a new Parliament and that, therefore, the political intention that the rulers had was to effectively make this statement as if it were a kind of calming, a calming so that the tragedy could not be interpreted as a throwing weapon against whoever it was. This is the first-rate political contamination that has weakened enormously the investigative power, which, at the time, was attributed to the Judiciary Police? THE answer is simple: one of the inspectors, unburdened, here in Parliament, said "so, if the government already said it was an accident, why do we have to investigate ?!" » This perplexity went through the Judiciary Police. The second contamination was the object of a throwing weapon between the left and the right, and he did it several times in different situations. Tragedy was the object as a throwing weapon in the media, in suspecting blame to the people. Therefore, it is not with impunity that 30 years later we continue to discuss this subject ».*

Asked if he heard Adelino Amaro da Costa say that he was concerned with the issue of arms trafficking replied:

*« (...) It was here, in Parliament, that I had this conversation with him. Later, I came, by exercise to recognize how complex this function of homologating an endorsement of armaments, and therefore to understand how it would be possible 20 years before to interfere in those issues that were even covered by confidentiality laws. State and military secrecy, where, therefore, the people who intervened in this type of activities had a great guarantee of reserve and secrecy about all these operations. We must not forget that arms are only exported to places where there is war. Therefore, if it is to supply one of the warring parties, obviously everything must be done, with enormous secrecy at the risk that operations could fail, the enemy might discover, that the arms supply effort could be sabotaged. On the other hand, Portugal, in this matter, had practically zero experience, since all the effort of Portuguese war was guided by national factories and national factories towards a classic type war. The import of armament was when it became necessary to provide aircraft, acquire aircraft, acquire more sophisticated equipment and the people who were linked to imports were under all the rules of secrecy, secrecy NATO, namely - NATO secrecy was effectively ensured with efficiency and professionalism -, but then they went on to export. For some surpluses I was the one who ended up destroying them and I can't help but bring yours memory what was the debate here about the installation of an industry that was dedicated*

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*to destroy the millions of personal mines that existed. At the time it was not noticed that Portugal could dispose of this equipment, of highly lethal personal mines, highly prohibited by war conventions, and that were destroyed in the equipment that during the my mandate was built. Amaro da Costa would have had this conversation with me exactly*

*because it wasn't easy, and it wasn't easy with the military power that existed at the time and with the connections that existed for private companies operating in the import and export sector of armaments, establish the exercise of guardianship, an effort that he made and that asserted me be doing ».*

Asked, given the fact that, having also served as Defense Minister, could clarify the Commission on the arms loading circuit, in particular to Iran / Iraq, when the international embargo was taking place, he replied:

*« Today, the investigative leads will be faced with the disappearance of all materiality - and when I say "disappearance of all materiality" I mean "Documentary materiality" - and, part of these operations, perhaps, would not even have coverage documentary on how the bill of lading needed to untangle a ship in a port could exist. But, if we had had the ability to investigate the bill of lading that would exist in the clearance of goods transport vessels in the port of Setúbal and in the port of Lisbon, perhaps we would have documentation that would provide us with clues on this matter. What I can say is that in some of the tracks, which I learned about by accessing other processes criminal cases, criminal cases that tried to break through the arms embargo, the armament (clandestine cargo) that would be exported, in the bill of lading, was normally identified as agricultural material and agricultural material was not subject to any restrictions on the bill of lading and landing. The transport route, that is still used today - I repeat, Messrs. Deputies, still used today, this is the information that, obviously, throughout my life, I've been trying to recognize and understand -, remains Lebanon. Syria continues to be supplied through Lebanon and, therefore, with the civil war in Syria - at the moment, with all embargoes -, continues to have traffic clandestine armament for both belligerents. I repeat, "for both belligerents", and this is also very complicated, because the supply of equipment to one side of belligerents is also done, perhaps, under cover of undercover operations from different nations, and we are already talking not about services within the scope of a NATO but of specific services that started to have individual and political objectives autonomous. And it is not by chance that today we discover that France itself is taking the initiative to trigger a military operation autonomously, with its own services and capabilities. My conviction is that, under cover of Portuguese exports, it was clandestine military equipment was dispatched to Lebanon and then Syrian forces, who were active in Lebanon at the time, would have brought armament to their respective belligerents'.*

Asked to clarify whether, when talking about illegal shipment, shipments went through Lisbon and Setúbal, were only made of Portuguese material (the war surplus, as you mentioned) or if the our ports also served to transfer other equipment or other materials military with other origins and that went together in the same cargo and if there was any news of this type of international arms traffic operations with other origins, replied:

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*obviously the report came up, which, in slang, is known to people who deal in around this theme by October Surprise . October Surprise - the report that contains some mentions or disclosures of material considered secret by the United States of America - allows you to guess the existence of a link. The conjecture of the existence of a link also passes for information, which has been obtained by journalistic investigations, that there may have been a negotiation, brokered by the French secret services, to release the hostages in order to which would be consummated in exchange for the supply of material considered essential for the Iranian air force - and we must not forget that the Shah of Persia was one of the largest purchasers of American war material and that airplanes, with the attrition of the war, needed refitting , that Iran would not be able to effect. And, regarding this material - I use the language "material" as being information services material - I always hoped that I could be released of the military secret of the United States of America after 30 years. Perhaps not yet was, but the mention and conjecture that is made in October Surprise is that there would be a secret convention for the delivery of some spare parts to the Iranian air force and that, in exchange of this negotiation, negotiated by the French, the hostages would be released time of the American election, which came to elect President Reagan".*

Asked if the conversation he had with the defense minister was in any way related with the fact that, on November 11, 1980, the newspaper Portugal Hoje made a headline with a alleged arms shipment to Iran, which was denied on the same day, according to the press, with a note from the Ministry of National Defense and the Ministry of Foreign Affairs, answered:

*« Now that you talk to me about it, I admit that it was following that information that this came about in the conversation with Adelino Amaro da Costa. I have no memory that it was this news that triggered the need for conversation or the need for information exchange '.*

Asked to clarify whether the conversation he had with Adelino Amaro da Costa effective prohibitions, which would have already been made, on arms exports, namely those already mentioned, for Guatemala and Indonesia, relations, not necessarily with the *October Surprise* , but with the famous *Lisbon Connection* , and it was still possible to mention which individualities, in his opinion, will have been important in the direction of both private companies and, above all, public companies which in 1980 ensured the trade in military material, namely COMETNA, Explosivos da Trafaria and some of the private companies replied:

*« As for the Lisbon Connection report . I haven't read it, I don't know it, I'm not able to issue an opinion on it. There was, of course, a Lisbon Connection . I'm sure there was a Lisbon Connection ! (...) Portugal was a country, therefore, without State authority, with limited police and investigative capacity at the time and therefore permeable to all type of clandestine and covert operations, therefore useful for the use of the Portuguese runway. Ask me if it was done with the use of special Israeli services, for sure it is, because, in large part of the supply of the various military interventions that occurred in Lebanon, interference from Israeli secret services was constant. If it was these secret services that set up illegal export operations in Portugal did not*

*I am able to say it, I have no idea, I have no indication of names, I have no suspicions, I can only make a conjecture, that Portugal, in the 1980s, was certainly a Easy country to set up covert operations » .*

Requested to clarify - after mentioning EXTRA (Trafaria Explosives) and COMETNA as companies that acted in the arms trade - to which military entity do these private companies and reported and whether this was a domain in which other military personnel, individually, in active or in reserve, they acted frequently, he replied:

*« I begin by answering the last question: military personnel in the reserve. I don't know what percentage that worked in this sphere of activity, but it was usual, it was usual to be military reserve those interested in this type of operations. The ratification order of the constitution companies with this object was in a first phase, although not regulated, in the military leaders who were competent to approve, or not, the constitution of companies, with discretionary criteria, criteria that still remain today, and not there was a unity, as far as I know and under penalty of being able to make a mistake, approval procedure. In other words, if you ask me if I was the Chief of Staff of the Army (CEME) which, at the time, had the authority to ratify the social pact of a of these societies or if it was a delegated representative of the Revolution Council who had the competence to ratify the statutes of one of these companies, the answer given to it I give, my memory and what I know of the statutory regulations of the Council of Revolution, is that there was competence delegated to a member of the Revolution Council for the approval of companies operating in the sector. Competence for homologation statutory and discretionary criteria in relation to the identity of the partners of these companies, namely the requirement for criminal record certificates, military service, a set of other information, and, it could almost be said, that they were discretionary and trustworthiness criteria similar to those of Banco de Portugal on bankers, with all the flaws that this can contain from the irony of what is here today we discussed. But the information I have is that after the operation itself dictates, ratified the statute, ratified the operation with what in slang is called the endorsement of armament, which was a political assessment of the final recipient, is that stumbles happen. Stumbles happen because the final recipient may not be the effective - if it is in the tax haven, it is certainly not effective - and there is a need for services information using material classified as 'secret', that is, considered absolutely tamper-proof at the top of the security rating, to ask whether the company that is in Nicaragua, Puerto Rico or Latin America is the final recipient of the endorsement or if from there it goes to another site, whose order is no longer from the Portuguese minister but, perhaps, from the minister of the final recipient who could forward it in another sense, and it was this that happened. There is obviously an enormous hypocrisy in these types of operations, because all the western powers that produce war material have information to inform the respective ministers of the final recipient, although there are by the way interposed companies that say it is not so. Therefore, if the Deputy Ribeiro e Castro asks me to say which were the private companies that operated in Portugal at that time I am not able to accurately identify some of them. But if perhaps, this Commission has an interest in scrutinizing the companies that at the moment operate in this sector, they are registered at the Commercial Registry Office, have a CAE (classification of economic activities) specific, which classifies its object, and many*

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*of them have a very old useful life, some with more than 50 years. Some of these companies have been operating for a long time in Portugal and legitimately, with perfectly valid operations and scrutinized. Why was Portugal a desirable country for this type of operations? Because it had huge war surpluses. The sale of material that was in excess was essential to profitable operations, and I am not just talking about small arms, even though there are war surpluses, but above all artillery war surpluses, with some moreover, unbelievable situations, such as the surplus of 1945 war in storerooms military and that, as nobody can get them out of there due to the instability of explosives, they are still there ».*

Asked about the fact that, when Minister of Defense, he did not find the dispatches relating to the sale of armaments at the date of 1980, despite having sought them out, replied:

*« My perplexity came from not having an archive organized so that one day historians can consult it, regarding the business domain properly said, the way the balance sheets and accounts of these two companies were presented to me, how they were closed, how they were liquidated, etc. At the residence of the Minister of Defense there was in fact a file, if you can call it the documentation there. found, where it was practically impossible for a layman in archivist matters and above all to a minister in office to conduct an efficient operational research on all this documentation that was in the Fort of São Julião da Barra. I don't think that documentation can now be located, and the obligation to transfer it to the archives Ministries' documentation is also a beautiful opportunity to misplace documentation. And therefore, the search I did was for individual voluntarism, with description, without diligence to instruct someone to do it, but always taking advantage of the opportunities to try to do it, to know where the documentation to know how, at that time, Minister Amaro da Costa gave the order of homologation in arms endorsement. I never got to see any dispatch from Adelino Amaro da Costa. I did several endorsement approval orders for armament. I know how to do it ».*

Asked to clarify whether in the conversation with Adelino Amaro da Costa, when he transmitted the concern regarding the blocking of information to the Ministry of Defense, regarding the industry of armaments and the Overseas Military Defense Fund, some names were mentioned, he stated:

*«I clarify that the Fund's matter was not discussed. On this matter, I have not had any discussion, nor any exchange of views. The blocking force obviously has the names of the Council of the Revolution and some of these names of the Council of the Revolution are known, there is no point in verbalizing known names. There were alliances, made at the time, with members of the Revolution Council who would be favorable to the development constitutional that the AD proposed, and there were also vowels that were not. Therefore, it is evident that there was a political struggle at that time between the civilist forces and there were some alliances, also with the Socialist Party, to effectively introduce a institutional parliamentarization in the constitutional and functioning model, and this is where the majorities that were obtained at that time to arrive at the revision appear constitutional. Now, if you ask me, objectively, if it was Admiral x or Admiral y or if it was General y or General z I am not able to tell you, my memory no longer*

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*says nothing. I am not able to identify whether Eng. Amaro da Costa defined me as an enemy main part of his so-and-so government action or... The resistance was systemic, of organization and of group, of closing, namely, having to say that the military discipline it was necessary to answer first to the military chief and then to the minister ».*

Asked about the military power that would be disturbing the Government and commenting if there was a kind of effective control of everything that had to do with Armed Forces, Judiciary Police, Military Secret Services, Public Security Police, Aliens and Borders Service, Fiscal Guard itself, among others, replied:

*« Strange as it may seem, there is an episode between me and General Ramalho Eanes at a time where I did not agree with your decision to send a military man to the Judiciary Police and even said to him: «It seems to me the most wrong decision that can ever be do! ”, and it opened up to a certain controversy in this slightly frontal way with which I said this, this at a stage when there was effectively a concern to control all these police authorities. He asked me for a comment. DINFO was obviously perhaps the most efficient use of all of them, but there were even functioning military services that they existed in practice but they did not exist in reality. I can mention an example: DIMIL (Division Military Information). DIMIL was a military military intelligence organization that there was no organizational chart in the Ministry, but it was nevertheless the system of most effective information I could find in my Ministry. So before the review constitutional, this network obviously existed and I was critical of it ».*

About the fact that the FDMU was not addressed in the conversation he had with Adelino Amaro da Costa clarified:

*« Why didn't I discuss the issue of the famous Fund with him? For two reasons: knowing him very well of the relationships that I had during the "hot summer" with the Group of Nine and of the relationship I had with General Ramalho Eanes and knowing that he had participated in much of November 25 operations with specific and personal knowledge having been involved, I would never accept a conversation that a responsibility to General Ramalho Eanes of whatever it was with regard to this Overseas Military Defense Fund. And therefore, I never talked to him about it, but purposely didn't want this to be the subject of conversation, because it could spoil including our relationships. So I never had it. They ask me if I came later to look for the destination of the funds and if there are still balances - I think this is the concern of the Deputies. Now, I think it was Prof. Cavaco Silva who was in charge of carry out this compatibility of the Fund's balances and integrate them in the Ministry's organization Finance, since the Chief of Staff of the United States made absolutely no sense. Armed Forces can continue to have a "blue bag", because the Fund functioned as a "blue bag", as far as I could tell, to finance covert operations, some of these operations the Portuguese State did. And later, as Minister, I came to have the live account of personnel who participated in covert operations, such as financing the Savimbi. Savimbi was for a long time financed by the Portuguese Armed Forces, and*



*the way that the Armed Forces had to do it could only be through institutions similar to this Fund. The idea I have is that, from the Ministry of Defense budget, that Fund disappeared and was somehow... »*

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### 3.1.2. Testimony by Francisco Pinto Balsemão

In the aforementioned context, a number of questions were referred to Francisco Pinto Balsemão, who at the time of the facts he was Deputy Prime Minister and who assumed the post of Prime Minister in January 1981. Given his status as State Councilor, he replied in writing.

Asked what information he had regarding the Overseas Military Defense Fund, when served as Prime Minister - regardless of whether the Fund was not associated at the time Camarate replied:

*« I had no information about the Overseas Military Defense Fund (FDMU). Note that the FDMU was managed by the Armed Forces Chief of Staff, as stated in a clarification by General António Ramalho Eanes, published in the Diário de Notícias of 29 November 2010 (see Annex 1 - A) and was extinguished by the Decree-Law of the Council of the Revolution no. 548/80 of November 18, 1980 (see Annex 1-8), before, therefore, I took office as Prime Minister, on January 9, 1981 ».*

Asked how he accompanied the then Minister of Defense, Diogo Freitas do Amaral [when Francisco Pinto Balsemão was Prime Minister] the alleged arms trafficking, replied:

*« I do not remember having received any official communication on the subject. I remember, yes, of having appeared in the newspaper Tal e Qual of June 1, 1984, a big title in which I, Professor Freitas do Amaral and my Minister of Foreign Affairs, Professor André Gonçalves Pereira, we were accused of making money from arms sales (see Annex 2 - A) I filed a defamation suit against that newspaper, which was sentenced to a compensation of 2,500 contos (see sentence - Annex 2 - 8). I clarify that this amount was fully handed over to a social solidarity institution, just as it has happened with other amounts received as a result of judgments handed down in proceedings that, for similar reasons, I was forced to try. I reported this sad episode to the VIII Commission Parliamentary Inquiry into the Camarate Tragedy, as set out in the respective Minutes (see Annex 3 - page 35) ».*

Annex 2-B that accompanies Francisco Pinto Balsemão's response consists of a judgment of the Supreme Court of Justice, of May 28, 1999, related to the proc. No. 81.783, where Author Francisco José Pereira Pinto Balsemão and Réus José Rocha Vieira and the company Repórteres Associados, Lda. object of the lawsuit is the content of a story published in the June 1, 1984 issue of the newspaper "Tal & Qual", which presents on the first page, under the photographs of Freitas do Amaral, André Gonçalves Pereira and Francisco Balsemão, the following title: "They played a dirty trick to selling weapons to Iraq" and, in subtitle "But the current Government also turns a blind eye to the transit of

*weapons to Iran, while selling ammunition to both countries”.*

Within this edition, under the title “*Portugal gets your hands dirty in the Iran-Iraq war*”, you can read:

*« Thanks to a dirty move sponsored by the Government that Pinto Balsemão headed in 1981, Iraqi troops have sophisticated night vision equipment in their war against Iran of "ayatollah" Khomeini. They are glasses and binoculars that allow you to see almost clearly at night. They were sent from the Netherlands to Lisbon over the last two*

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*years, under the pretext that they were destined for the Portuguese Armed Forces signed by the fist of the National Armaments Director), but went on to Iraq. It's the business, which reached a global value of 65 million dollars (about two and a half million at the current exchange rate), only stopped last December because an ecologist deputy Irishman raised the hare in the Parliament of his homeland”.*

Between matter of fact made by instances it refers to the judgment " was an import of optical equipment referring to pages 103, 104, and 105 to 111 by the Board Nacional de Armamento through the Portuguese firm Optagrex - Importação e Exportação, Lda., such equipment was later re-exported to Iraq. This operation was carried out, based on documents signed by the Director General of Armament, General Costa Álvares, through the Portuguese firm Optagrex - Importação e Exportação, Lda. material was imported for the exclusive use of the Portuguese Armed Forces and came to be re-exported to Iraq”.

It should be noted, as the judgment itself points out, what was at issue was not the veracity of the business itself, but the author's involvement in that business. In this sense, the judgment underlines “ *that, in fact, if it is accurate than the RR. They were able to prove that there was a re-export of military nature for Iraq - and this did not merit criticism or even objection from A. - the that what was at stake in this action is in the news, it was not this veracity, but the involvement of the A. in this operation* ”. On this issue - it should also be mentioned - the court considered it “ *evident that the RR. They were unable to prove - and that was their burden - that the fact was true and exact* ”.

In reply to the questions posed by the Commission, Francisco Pinto Balsemão said he did not remember whether Did Diogo Freitas do Amaral ever refer you to the files he found at the Ministry of Defense, referring that between the death of Francisco Sá Carneiro, on December 4, 1980, and the on January 9, 1981, the VII Constitutional Government, to which he presided, the post of Prime Minister Minister was exercised by the Deputy Prime Minister of the VI Constitutional Government, Diogo Freitas do Amaral, and that, in the VII Constitutional Government, the Minister of National Defense was Luís de Azevedo Coutinho.

### 3.1.3. Testimony by Diogo Freitas do Amaral

At the time of the facts, Diogo Freitas do Amaral was Deputy Prime Minister and Minister for Business Foreigners, assuming the role of Interim Prime Minister after December 4, 1980 and

until the inauguration of the VII Constitutional Government, chaired by Francisco Pinto Balsemão. Like the disappearance of Adelino Amaro da Costa, and having not been appointed a new Minister of Defense, portfolio remained with the interim Prime Minister.

Asked who in the government took on the responsibility of going to Adelino Amaro's office da Costa see the documents that were on top of his desk, as he left to the Porto rally, one would expect him to return the next day - in particular because the Minister of Defense, on 2 December, had addressed a letter to the office of the General Staff of Armed Forces to request that it urgently inform what it deemed convenient about the arms sales to Iran - replied:

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*« As far as I remember, when the Council of Ministers met after the news of the accident, around 10 or 11 pm, and made the first decisions about what was to be done, it was understood that, under the terms of the Constitution, I temporarily assumed the functions of interim Prime Minister, for being Deputy Prime Minister, who delegated the greatest part of the responsibilities of the Ministry of Foreign Affairs in the then Secretary of State of Foreign Affairs, which was Mr. Eng. Luís Azevedo Coutinho; what about functions of Minister of National Defense, I do not recall that they were assigned specifically to any member of the government but, under the terms of the Constitution, if not there was no one to replace Eng. Adelino Amaro da Costa, and I believe that there was no Secretary of State for Defense at that time, that responsibility turned out to be whoever were Prime Minister. I must say that it did not occur to me, such was the shock in which I met that day for the death of people so close and so friendly, it didn't occur to me who, as a substitute for the Minister of Defense, should go to his office and I did not go. I started going to the Prime Minister's office every day, at the official residence of S. Bento, where I was, incidentally, impeccably supported by the people who belonged to Dr. Sá's office Carneiro, also went a day or two a week to the Ministry of Foreign Affairs, where maintained my office, but in fact I never went to Minister Adelino Amaro da Costa. I suppose, but I cannot swear it was so, that whoever was in charge of gathering the documents that Eng. Amaro da Costa might have in his office or in some folder who had stayed in the office, I suppose it was your chief of staff at the time, that I I knew him very well, Hugo Rocha » .*

Asked if in these functions he did not receive any dossier or urgent document, namely concerning NATO, which deserved urgent dispatch, replied:

*« I did not receive any list of files nor did I receive any set of files. I remember that the Ministry of Defense at that time had a very small support service and a Movement of very, very limited roles and bureaucracy. It is very possible that some subjects, namely related to Nato, or others, had been dispatched during those 30 days when I was in that interim role, but I don't remember that any great importance, because for this whole period, my memory is no longer it records all the details, but the important things I usually remember. I remember me from the conversations I had with the Minister of Transport because of the commission of inquiry*

*that took place in civil aeronautics, I remember the conversation I had with the Deputy Minister, Dr. Francisco Pinto Balsemão who became the PSD's main representative in the coalition. I'm pretty sure, or at least I don't remember, that I didn't get a concrete list of pending matters, or matters in progress, and in particular, I did not take notice at that time - only much later, during one of the visits to these commissions -, did I take knowledge of this letter by Eng. Adelino Amaro da Costa to the General Staff. That that is to say that during those 30 days I did not insist on the General Staff General, I did not notice or was not informed that there was any urgent matter and as I really knew that the ministry had little time and little dispatch, I felt that curiosity ».*

Asked if there was any Government effort to question the authorities about the possibility that documents that the Prime Minister had found in the wreckage of the plane

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Minister or the Minister of Defense were bearers, who were confidential and whose confidentiality was necessary to guarantee, he replied:

*« Nothing was communicated to me. The very existence of the suitcase, I only came to know it a lot later, I don't know if through the press or, later, in one of the parliamentary committees investigation. I assume that as the Judiciary Police was at the scene, it was take care of any documents or folders or objects of that type, but in fact at the time nothing was said to us ».*

Questioned by the fact that, in his book on Camarate, he mentions that the Minister of Defense had well-founded suspicions that there were irregularities in the functioning of the FDMU<sup>1</sup> and, as also there, he was unaware of the decree-law that extinguished this Fund, and bearing in mind that on 12 November the Government had made an unofficial note regarding the news from the newspaper Portugal Hoje, on arms sales to Iran, why didn't you feel the concern to see what's going on with the functioning of the referred Fund, knowing the void created with the disappearance of the Minister of Defense, replied:

*« I believe that this is indeed what happened. My explanation is this: neither me nor any other members of the government, nor any of the chiefs of cabinet, had any experience of a similar or similar situation. We were all in a state of shock and we lived those 30 days until the formation and inauguration of the VII government Constitutional, chaired by Dr. Francisco Pinto Balsemão, we are in an abnormal situation. For some of great suffering, for others it was of great hurt, for others it was of total disorientation, because nobody knew if the Democratic Alliance was going to continue or not, who was going be the next prime minister, nobody knew if the coalition was able to continue or not, nobody knew, I mean now the ministers in particular and the secretaries of state if your experience was going to end. (...) Furthermore, as Minister for Foreign Affairs and in replacement of the National Defense, I also lived very distressed hours, in contact permanent with the President of the Republic, because news reached me through the NATO of an imminent Soviet invasion of Poland, where the Solidarity union had*

*seized power or won elections, I no longer remember where General Jaruzelski had ended to impose a state of siege or was on the verge of doing so and where in the Warsaw Pact discussed whether to invade Poland or not. (...) This news (...) also occupied a large part my spirit, the spirit of the President of the Republic and the military authorities ”.*

He further clarified:

*«The whole country, or at least a large part of it, also experienced moments of great anguish. For some, especially in pain at the death of Dr. Sá Carneiro and Eng. Amaro da Costa, for others of legitimate apprehension about what could result from it all. I have no doubts affirming that in the area of the PS and the PCP one may have feared that as a result of what had passed, there would be a setback in the Portuguese democratic process and eventually a military intervention that ended the suspension of the democracy. (...) We saw [Government] always in the conviction that the institutions were ~~work and would do their duty~~. And if there was any matter that should be brought to the attention of the ministers or the prime minister, it would be brought to their attention. In some cases was. I remember the Minister of Transport, on the second or third day, having requested an urgent hearing, and posed the following problem: the embassy of the United*

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*United States transmitted the US government's offer of accident experts to come to Portugal to participate in the survey that is taking place through the commission appointed by the Minister of Transport ”. They concluded that “once this inquiry is mandatory under Portuguese law ”and“ since this commission has not yet arrived at the end of their work, it does not seem appropriate to call in foreign experts and put them forcibly on that commission ’.*

Asked if he didn't question the reasons for the plane crash when, a week later December 4, a telegram from the London Ambassador is brought to him, in which the possibility of an attack, and if, at that time, he did not call at least the head of office of the Minister of Defense, or did not give instructions to have access to the documents were in the office of Eng. Amaro da Costa, whose concerns about the FDMU he knew, and attentive the context that was then lived - the constitutional revision project had started in September 1980s, there was a need for extinction of the revolutionary council, which was delicate - and the Prof. Dr. Freitas do Amaral, in his book on Camarate, considered the issue of the FDMU as the fundamental question, he replied:

*« I don't have that interpretation. I believe that during those first days and then during following period there was no doubt about the transition to the period subsequent to the extinction of the Revolutionary Council, not least because there were already public positions known, since at least 1980, that both the PSD, the CDS, and the Socialist Party supported the extinction of the Revolutionary Council and the subordination of the armed forces to power democratic civil political. This issue, as far as I am concerned, has never touched on this matter, nor was it an urgent matter yet because who was Minister of National Defense in the first Dr. Balsemão's government, between January and July or August 1981, was a leader of the CDS, the Eng. Luís Azevedo Coutinho, who had been my Secretary of State for Business*

*Foreigners in the government of Dr. Sá Carneiro and who went to Minister of Defense, succeeding the Eng. Amaro da Costa. He never told me at the time in these six or seven months problems. What he was telling me was what kind of National Defense and Armed Forces law is that we should prepare to present at the right time. And he even showed me a preliminary project about which I made comments, which he later had to rework and which served me base for when I was Minister of Defense, from September, in the second government of Dr. Balsemão, in the VIII constitutional government, could write by my hand the proposed law, in terms that are known. What I did when I received the London Telegram - and it says in that book - went to call the secretary general of the Ministry of Business who was, at the time, the most senior official at the Ministry of Foreign Affairs (...) who had diplomatic functions, he was the head of Portuguese diplomacy (...) so I called him and said "take it easy immediately the telegram, with my dispatch, to the director of the Judiciary Police". Mine institutional concern was that, having received that telegram, send it to the entity that, by law, I had to investigate what had happened, and, above all, if there had been any crime or not. I confess that it never occurred to me to know whether or not there were documents in the Eng. Amaro da Costa, it never occurred to me. I admit, but I no longer remember, I admit that the boss Engro Amaro da Costa's office came to talk to me during that 30-day period, I admit that yes, it is almost natural, it is almost certain that it will have come, but as much as mine memory recalls, he didn't say anything to me, nor did he give me anything, so I can only conclude that either there was nothing in the office of Eng. Amaro da Costa, relevant, or he sent directly to the Judiciary Police, who did not give me anything, nor did they tell me that*

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*he had discovered this or that, or that one. I just wanted to explain one more thing: what I knew, at the time, that only Eng. Amaro da Costa, because he told me, was investigating the Overseas Military Defense Fund and had found what seemed to him irregularities in the functioning of this Fund, but I knew nothing more than that. Me I only came to know, through the Report of the VIII Parliamentary Committee of Inquiry, that I came to know that there was parallel accounting and that, alongside official accounting, where tens of thousands of contos passed, there was an unofficial account where millions of contos passed. I only came to know this from the Report of the VIII Commission Parliamentary Inquiry, which is why I placed such importance in my book on this issue. What the hell: if the official accounting only talks about tens of thousands of contos, and if there is a parallel, illegal, clandestine accounting, in which millions move, this must be the main point to investigate. (...) I don't know if it was investigated, if not; I don't know if some conclusion, or not, but if there was anything serious, it was that. At least That. There could be a few more. But that was certainly a very serious issue. Only that I didn't know at the time (...) it didn't occur to me that the key to the problem, a problem that I didn't know about these details (...) could be in documents that had been in the Eng. Amaro da Costa's office ».*

Questioned about having questioned the date as to the possibility of an attack, and what would be the your reason, replied:

*«(...) it is clear that it is. I believe that there was not a single person in this country (...) who did not questioned (...). I did [a political analysis of the situation] and shared it with at least*

with Dr. Francisco Pinto Balsemão, who was, as I said, the Minister more, of more hierarchy, that represented the PSD in that Government, and would become the next Prime Minister, either with the President of the Republic, either with two or three leaders of my party. Well, I must to say that at the time our information was practically nil (...) and the first conviction we had was that, if it was attempted, it was against Dr. Sá Carneiro, and had to do with the enthusiasm that led to the fact that in the second elections he ran thousands of votes - passed, save for error, from 45 to 47.5% of the votes, and therefore the first interpretation, if it was attempted, it must have been for Dr. Sá Carneiro, to stop this movement (...) if there was attempt was against Dr. Sá Carneiro, and it was for political reasons (...) the Dr. Sá Carneiro was elected, he and the Coalition, for another four years, and therefore this was the our first interpretation. I admit that in other quarters, namely in quadrants on the Portuguese left, there have been other interpretations. The first, ours, that was it. And it was only much later, much later, that this hypothesis started to be ruled out, and to focus attention on the hypothesis that the attack was against Eng. Adelino Amaro da Costa. And only then did he make the connection with the investigations he was doing on the [Military] Defense of Overseas and its irregularities, which we did not know what they were. But there was a moment, I don't know how to specify - you know for sure -, there was a moment when one of the Parliamentary Committees of Inquiry said 'this must not have been against Dr. Sá Carneiro, this must have been against Eng. Amaro da Costa '. And only from there is it that attention began to be given to what could have motivated an attempt on those against Eng. Amaro da Costa, Minister of Defense. But this, this notion was much, much later to those first moments, much later. The widespread belief was that it was either accident, and then it wasn't against anyone, or it was an attempt, and it was against Dr. Sá Carneiro, who he was the leader of the Democratic Alliance, and he had almost half the country with him, in short, and more

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half of the Deputies of the Assembly of the Republic. And so that was the first conviction, which lasted a long time ».

He added the following:

« (...) I admit that some people, or many, have made this transfer possible object of Dr. Sá Carneiro's attack on Eng. Amaro da Costa very quickly. Me I confess that I didn't do it all that quickly. It was only much later that I became convinced that, with based on data obtained from the different Parliamentary Commissions of Inquiry, which, in fact, it probably would have been for Eng. Amaro da Costa. The fact that Dr. Sá Carneiro does not walk with that plane as a rule, that plane being a plane that carried Eng. Amaro da Costa in that campaign, and also General Soares Carneiro, and the issue of investigations to the Fund, this did not make us think as soon as the attack was on Eng.º Amaro da Costa, everything was open. It could have been for Dr. Sá Carneiro, as an undisputed leader from AD; it could have been for General Soares Carneiro, who also rode that plane in several displacements of his campaign, which would make the Presidential Elections to have to go back, because, according to our law, a presidential candidate dies in the course of campaign, the campaign goes back to the beginning, and there is a deadline for the forces presented or supported that candidate can present another, which is, by the way,

*perfectly reasonable. So, everything was open (...) my memory, but I can be mistaken, is that the concentration of probabilities in the figure of Eng.º Amaro da Costa was much later ».*

Regarding the constitutional review, and the new framework of the Armed Forces, Diogo Freitas do Amaral states that the statements made at the X CPITC reproduce, in essence, what he had said in an interview with RTP I:

*« (...) I made statements to guarantee the Portuguese Armed Forces, and the parties politicians who might be suspicious of the Government's intentions, that the extinction of the Revolution Council and the subordination of the Armed Forces to civilian power would not imply any partisanship or any politicization of the Armed Forces. And I gave guarantees expressed in that interview, for which, incidentally, I was very congratulated, both by civilian politicians and by military chiefs, and which he effectively represented, in the reassurance of the Armed Forces and, I dare say, from a significant part of the Council of the Revolution, as to what was being prepared, both in terms of constitutional revision and in terms of the Law of National Defense and Armed Forces. The constitutional review, if I remember correctly, was passed in September, the National Defense and Armed Forces Act in November. But, everything was prepared together. I do not take anything away from what I will have said in that passage before the [Parliamentary Inquiry Commission], I would now like to clarify that when I say that, because of the strategic objective of the constitutional review and the Defense Law [National and Armed Forces] did not want to generate friction with the Armed Forces General Staff, it was true and I maintain it. That's why I shouldn't give too much importance to little things, it was true, and I maintain it. But in those little things, obviously, the investigation on Camarate. I would like to recall that (...) it was only in 1981 that the Government received the report from the nominated Commission in the field of civil aeronautics, and only much more late that he received the first report from the Judiciary Police, and only after that, the insatiable contradiction between the conclusions of the Commission appointed in the field of aeronautics*

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*and the conclusions of the Judiciary Police is that the Attorney General of the Republic arrived the conclusion that it should open a public inquiry, open to all citizens, to contribute more information, if they had it, to clarify that problem that seemed unsolvable. Because the commission of civil aeronautical engineers concluded that had been a crime, and the commission of lawyers, or rather the group of lawyers from the Prosecutor-General of the Republic concluded that it had been a technical failure. Therefore, technicians aeronautics said it was a crime, criminal technicians said it was a technical failure. This it didn't make any sense, this was a schizophrenia of the Portuguese State. At the time solution that the Attorney General of the Republic, who had the competence to conducting the investigation process, adopted was the opening of the public inquiry. In this At the time, nothing was known about what were the irregularities that could be in the Overseas [Military] Defense Fund. They were only revealed, as far as I remember, by the VIII Parliamentary Committee of Inquiry; nothing was known to do with the Iran War - Iraq, it was not known at all that there could be problems with exporting and importing weapons for this War or for others, and therefore (...) the terrain was still being felt.*



*There were very few facts and very few documents and very few expert reports. Do not he knew practically nothing; only much later did something become known. And therefore I do not think it would be fair to accuse people who between 1980 and 1982 played roles governmental organizations, or even those, that performed them, until 1985/86, did not go to looking for details, because nobody knew details, nobody knew anything ».*

Regarding the documents that would be in the office of the Minister of Defense, he stated:

*« (...) As I said, I do not know, nor have I ever known, whether or not there were relevant documents in the office of the Minister of Defense, Eng. Amaro da Costa. But I assume that if there was, his chief of staff, who in fact was a friend and proved to be a faithful friend for many years, until he died, certainly that he gave them the destiny that he understood he should give; not me delivered nothing, but something will have done. If you didn't, it's because there were no documents there relevant, or because they were destroyed by the plane fire in Camarag. There is no. However, one thing I would like to find strange, is this: if the Minister of Defense sends an urgent office two days before he died for the Armed Forces General Staff, it is perfectly natural that in two days he would not have had time to report to the Prime Minister or the Minister for Foreign Affairs who had sent that letter. And I ask: and Has the General Staff of the Armed Forces ever responded? I don't know (...) and if not replied, so it's much more serious. Very serious than we did not know, at the time, if Eng. Amaro da Costa, had or had not sent an urgent and very official letter to the General Staff of the Armed Forces, is that the General Staff has not responded to him or the Minister Following. This is what I think was very important to find out. I personally don't know. AND I never heard if there was an answer or not (...) and if there was not, I think, in fact, very serious ». More replied that « (...) in those days, until I left, because I didn't stay, as is known public, I was not part of the VII Constitutional Government, so I left the day I took office that VII Government. So far there has been no answer. My question is whether that answer came more late for the next Minister, or for the next Ministers, or if he never came, because if he never it came, then we have another very serious element to add to this process ».*

### 3.2. Overseas Military Defense Fund

The Overseas Military Defense Fund was created in 1937, with the purpose of satisfying charges originated by the Portuguese military forces overseas: “ *their use was based on construction of plans and budgets submitted to the appreciation and approval of the Minister of Overseas and of the President of the Council (until 1974) and, later, by the Chief of General Staff of the Armed Forces* » 4 .

The FDMU remained active after the military operations overseas, being formally extinguished in 1980, through Decree-Law No. 548/80 of 18 November. The following sections summarize the facts from the VIII Parliamentary Commission of Inquiry into the Camarate Tragedy following the expertise to the FDMU and audit of the accounts of the CEMGFA Office prepared by the General Inspection Finance, as well as the results of the final audit to the FDMU determined by the General Inspection of

Finance, carried out at the request of X CPITC.

### 3.2.1. The VI and VIII Commissions of Inquiry

As mentioned in Point 2. *Initial considerations*, Point 7 of the VI Commission's Conclusions of Inquiry (1999) recommends “ *an in-depth investigation of the entire Defense Fund archive Militar do Ultramar, which was used discretionarily, without any control, making expenses that by law were forbidden to him, there are several testimonies that associate him to the mobile of a possible attack in Camarate* ”.

For its part, the VIII Commission of Inquiry (2004), in its Conclusions, considered “ *proven that the Overseas Military Defense Fund continued to be used irregularly, presenting movements not accounted for in the accounts, very significant discrepancies between real and budgeted amounts, detecting that relevant values were in the custody of third parties without any justification, revealing, also, abuse of its availabilities* ”, as he also considered “ *proven that Eng. Adelino Amaro da Costa was particularly attentive to the arms sales operations that involved the Portuguese State, having vetoed several operations (sales to Indonesia, Guatemala and Argentina) and having requested, on December 2, 1980, additional clarifications on arms sales to Iran (operations that took place on 9 December 1980 and 22 January 1981)* ». And he recommended that “ *a further investigation into arms trade operations that the Portuguese State or Portuguese companies involved* ”.

### 3.2.2. The VIII Parliamentary Commission of Inquiry into the Camarate Tragedy

Following the collection of several testimonies, the possibility of the existence of the referred public fund created for military expenses resulting from the Portuguese intervention in the Overseas being one of the possible reasons for the attack that killed, among others, the Prime Minister and the Minister of Defense on December 4, 1980.

4 Cf. Report of the VIII Parliamentary Commission of Inquiry into the Camarate Tragedy

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The existence of an eventual connection would be confirmed by Diogo Freitas do Amaral, when declaring « *Having been informed by Eng.º Amaro da Costa of the investigation that he was conducting, with the in order to find out the reason why the referred Fund had not yet been extinguished, what moved, who managed it and if it was supervised* » 5 .

It was the VIII Parliamentary Commission of Inquiry into the Camarate Tragedy that requested the Inspector General Finance, for the first time, an expert report to the Overseas Military Defense Fund with the purpose of establishing possible links to the attack on the night of December 4, 1980. The expertise of the IGF inspectors would give rise to an audit of the accounts of the Head of

General Staff of the Armed Forces, in order to deepen the initial investigation, as deliberated by said CPI:

*« To verify the existence of accounts and other values, in whole or in part, in the name of the Fund, movements made, persons and entities that carried them out, irregularities or illegalities procedures and other elements deemed relevant ».*

#### ***The results of the FDMU expert report***

The final IGF report (report no. 807/2004) found " *several accounting discrepancies and the existence of bank accounts not included in the accounts of the CEMGFA Office. They stayed, financial connections between the Office and the FDMU were also established, as evidenced by the transfers between accounts and their management* » s .

Based on the expert report presented by IGF to the VIII CPITC and the final report of the mentioned Commission, the main facts found were the following:

- i) *« There are facts that point to the existence of at least two bank accounts in the Banco de Angola, whose holder was the FDMU, but which operated on the fringes of its accounting, since its movement was not accounted for there.*
- ii) *The current account of the FDMU at Banco de Angola / UBP systematically presents balances quite high and there is no evidence of charging or accounting for the respective interest in the years 1975, 1977 and 1980.*
- iii) *Likewise, by comparing the balances indicated in the plans / budgets of 1974 and 1976 and in the accounting records of those years, with reference to January 1, stands out, with respect to the money supply accounts, that these balances, despite, as a rule, check, present, in 1975, a divergence of 187,034,001 \$ 20, in the case of bank account of Angola.*
- iv) *Situations were also perceived in which funds from the FDMU remained at order of third parties for some years, however, due to lack of elements, the application that was given to them, in that space of time.*
- v) *In turn, the expenses paid by the FDMU, through its account at Banco de Angola / UBP and of the Military Agency / Army Financial Center, do not always show themselves properly documented so that we know the purposes for which the Fund's funds were applied.*
- vi) *The FDMU was also used to pay expenses, whose purposes were not included in the your goals (...)"*

s Ditto

s Ibidem

#### ***The results of the audit of the accounts of the CEMGFA Office***

In addition to the conclusions arising from the aforementioned expert's report, the audit report of the IGF to the accounts of the CEMGFA Office, between 1974 and 1981, presented to the VIII Commission of Inquiry Camarate's Tragedy, it also found relevant facts in the incoming correspondence record

classified with the EMGFA, namely regarding the export of war material: with In 1978, 1979 and 1980, the EMGFA would function as a mailbox between

the Ministry of National Defense, the Logistics Directorate and the National Armaments Director. According with the document, the arms export was, before April 25, 1974, the responsibility of the Minister of National Defense, with, in some cases, the need for authorization from the Board of Ministers, in accordance with Decree-Law No. 39397, of October 22, 1953; the same competences, after the April Revolution, were delegated to CEMGFA, " *being essential to preparation of an opinion by the Ministry of Foreign Affairs on the desirability of transactions (Decree-Law no. 400/74, of 29 August). In 1980, Eng. Adelino Amaro da Costa and Prof. Freitas do Amaral approved a Decree-Law (371/80, of September 11) that reinforced the Minister of Defense's ability to intervene in these matters* » 7.

In addition to these facts, through the analysis of the correspondence record book entered in the CEMGFA IGF also found that, prior to the publication of Decree-Law 371/80 of September 11, which strengthened the defense minister's ability to intervene in authorizing the export of war material, Adelino Amaro da Costa was taking an active intervention stance in this matter, characterized by additional requests for information on specific transactions, and by its prohibition, namely in the cases of Argentina, Guatemala and Indonesia. According to the report of the Commission, the last action of the Minister of Defense « *underwent a request for elements (December 2, 1980) about arms exports to Iran* ». This business

However, it occurred five days after the attack that killed, among others, the Prime Minister and the Prime Minister. Minister of Defense, namely on December 9, 1980.

### 3.2.3. AX Parliamentary Commission of Inquiry into the Camarate Tragedy

AX CPITC continued the work undertaken by previous Commissions, having resolved proceed with a deepening of the aforementioned expert and audit: at the beginning of the work from the Commission, the IGF team responsible for the expertise and audit was heard; later, the same team, and with the replacement of some members, was tasked with carrying out a new audit; for finalized, X CPITC heard the inspectors again.

#### *From the initial testimonies of IGF inspectors*

On 27 and 28 February 2013, the IGF chief inspector was heard at the Commission, António Lino Gonçalves and the superior finance inspector, Maria da Conceição Ferreira Rodrigues. O

7 Cf. Report of the VIII Parliamentary Commission of Inquiry into the Camarate Tragedy

The objective of the hearing was to assess the situation of the FDMU and audit of CEMGFA's accounts, as well as deliberated by the VIII CPITC.

Maria da Conceição Ferreira Rodrigues summarized, in her testimony, the issues that were underlying the preparation of the expert report and audit as follows:

*«But the situation that is not really explained is that there is a Military Defense Fund of the Ultramar, which came from 1974, which contained money, which had accounts that were reconstituted until 1981, these accounts were from the Army Financial Center and one of these accounts from the Bank Angola, and to have relations between these accounts and other accounts that were not mirrored in the accounting of the said Overseas Military Defense Fund, there is an outflow of money from the account that was mirrored in the accounts of the Overseas Military Defense Fund, money that been out of the Fund for long periods and that we don't know where that money was applied. As my colleague said, and very well, we really don't know, because we don't we checked.*

*We can think: «Well, you left this account and where have you been? During this time, he was finance what? » We cannot say, because we cannot know. What we know is that there was money that was out of the Fund for a long time and that later it went back to enter, when, in 1980 or 1981, I don't know now, the Fund was really extinguished. At this point, there was money that came in, that came from other accounts. There was an account, for example, that this examination was referred to the CEMGFA accounts, with a certain importance and this importance entered the official account of the Fund at the time of the extinction.*

*Now, the question arises: then, and during that whole time, the money that was out of the Fund, this and another that we report here as facts of importance that were out, this to finance what? We cannot say whether it was war material or what it was. It was out! Financing what ...! [?]*

*Someone can explain, I think, because the accounts until 1977 are approved. After cease to be, but there is a final approval that, in the end, endorses everything that is behind, because we reconstituted everything from a little bit before 1973.*

*So, we took the balances since 1973 and went around until the end, and there is an account in which we could see that there were exits to another account, which was not there and that was out, in addition to others that, later, we also report here (I don't know now on which page it is, but there is a situation here that was mentioned to us at the time of statements, I know there is such a situation), and that in 1980 this money went to the official Fund. The question is: before, where has this money been invested [,] the money that was out of the official accounts that we reconstituted? There were other accounts that were mirrored in the Fund's financial statements, and the money in those accounts was for what? And when you were out of what was supposed to be controlled at the time? Although the accounts from 1978 to 1980 were not approved, in the end it was all official. Therefore, what was out... This is what we would really like to see explained. Can anyone explain.*

*Then, at the end of our reports, we ask some questions that may eventually clarified or...*

*But this is it, at the bottom: we saw that there was money outside the Fund, that it came out and that it was, or no, to finance anything, we don't know what. It may have been applied in other banks. We do not know. We know that he was away and then he returned ».*

The main issues and questions addressed at the hearing could be summarized in four points: i) link between the FDMU and CEMGFA, as well as the relationship between the FDMU and arms exports; ii) dates when war material was sent to Iran; iii) existence of unofficial accounts in the sphere of the FDMU; iv) the final balance of the fund, as well as its reintegration and extinction.

#### **i) Link between the FDMU and CEMGFA, as well as the relationship between the FDMU and the export of war material**

With regard to the link between the expertise of the FDMU and the audit of the CEMGFA accounts, Maria da Conceição Ferreira Rodrigues stated, in Commission, that the second work was a result of the first:

*«This second job resulted from our first. We, in the first job, did a replenishment of the Fund's accounts. The Fund was legalized in quotes, had accounts, the accounts were approved in a few years, in 1977, and then, in 1978, 1979 and 1980, ceased to be. We reconstituted the Fund's accounts and found that there were accounts operated by the Fund that were not in the official accounts and that these funds could be used in different situations. And this is what we wanted find out.*

*Therefore, when this work started, the objective was: «why the General Staff? This is it because, really, from the analysis that was made to the Fund's accounts, there were outgoing movements and list of funds received and withdrawn from the official account which had links with the Member Major-General of the Armed Forces, specifically with the Cabinet. Hence the examination of the accounts of the Cabinet ».*

Regarding the link between the FDMU, CEMGFA and the export of war material, António Lino Gonçalves Coelho stated that there are financial flows related to arms companies:

*«Reinforcing a little bit what my colleague said, from the analysis that we had already done initially to the FDMU, there were financial flows between the FDMU and the Chief of Staff-General of the Armed Forces.*

*On the other hand, when we were analyzing the financial accounts, so to speak, of CEMGFA, we found that there were financial flows there that were specifically intended to finance the arms companies (this appears in the documents), namely subsidies and things worth it.*

*Therefore, as we were analyzing precisely these financial flows and data with which these financial flows were related, at least some, to the military part - in fact, all these funds come from the time of the overseas war, they were all related to the war and, therefore, with the military side -, we consider this association to be relevant of ideas, to the extent that some of this money, as we have seen, was related to*

*part of the arms companies and other money had left these bank accounts, they went somewhere, I don't know where, and then later, they returned to these accounts banking '.*

## **ii) Arms exports**

According to the audit of the CEMGFA accounts and the analysis of the classified correspondence book received at the EMGFA Office in 1980, it was found that, in that year, the Minister of Defense requested ' *further clarification and in other [cases] it will not even have authorized some of the intentional arms exports. In fact, in April 1980 it would not have authorized the export to Guatemala and Argentina and in August of the same year for Indonesia. Still on December 2nd 1980 the Office of the Minister of National Defense reportedly asked the EMGFA Office to deserve to inform as a matter of urgency what it deems convenient about the export of war for Iran. In spite of this, everything suggests that it has followed war material for Iran, a since the referred book of the classified correspondence register contains, on December 9, 1980, a communication to EMGFA - National Armaments Directorate, alluding to the export of war for Iran. And also later, on January 26, 1981, the same book indicates correspondence dated January 22, 1981 from EMGFA - National Directorate of Weapons also referring to the export of war material to Iran (...) ».* These same facts were corroborated at the IGF inspectors' hearing on 27 February.

## **iii) Existence of unofficial accounts in the sphere of the FDMU**

As already mentioned in the conclusions presented in the report of the VIII CPITC, it was found existence of two bank accounts that operated outside the FDMU's accounts, although that fund was the holder of those accounts.

*«There are facts that point to the existence of at least two bank accounts at the Bank Angola, whose holder was the FDMU, but which operated outside its accounting, a its movement was not accounted for there. (...). The current account of the FDMU at Banco de Angola / UBP systematically presents very high balances and there is no evidence the collection of, or the recording of the respective interest, in the years 1975, 1977 and 1980 (...). Likewise, by comparing the balances indicated in the 1974 plans / budgets and 1976 and in the accounting records of those years, with reference to January 1, stands out in what concerns regard to the accounts of monetary means, that these balances, despite, as a rule, conferring, present, in 1975, a difference of 187,034,001 \$ 20, in the case of the bank account Angola".*

## **iv) Final balance of the fund, as well as its reintegration and extinction**

At that hearing, doubts were raised as to the concrete extinction of the FDMU and its integration in the State Budget, namely through the intervention of Deputy Miguel Santos:

*«I think the Fund is not extinct, honestly, legally. This is because the decree-law 1980, in its preamble, says that there is no reason to continue to have a defense fund overseas military system, but, in the dispositive part, it does not enact the extinction of the Fund; something completely different, says that the management of the Fund will be the responsibility of the Administrative Council of CEMGFA, says that the authorization of the Fund becomes of CEMGFA, says that balances carry over from year to year. The end of the year is reached, there is a balance, it transits. AND, more than that, it says that every year a plan for the use of funds must be approved from the bottom. Therefore, this is anything but extinguishing the Fund, that is, making it last ».*

In accordance with Decree-Law 548/80, of November 18, seen and approved by the Board of Revolution, there was a deliberation that extinguished the FDMU without, however, materializing regarding its operationalization. Additionally, there was a doubt about the effective consolidation of the final FDMU balance - approximately 551 million escudos, in the State accounts. These two doubts would later give rise to a decision by the X CPITC to deepen the two reports of the IGF, namely in the sense of widening the analysis time spectrum, namely after 1981, the last reference date for the aforementioned expert and audit reports, as stated by Maria da Conceição Ferreira Rodrigues:

*«The Fund existed with the Overseas War and that money was kept there, with payments and receipts, such outflows and inflows and communication with other accounts and moneys out for such a period of time and then came back in, and I say to come in ', because some of those funds came in just at that time, for the accountability. And we didn't analyze what happened to that money, because it was after 1980, and we stopped in 1980. We went on until the Fund's extinction. Henceforth we no longer went to see what the money was used for, what destination it had ».*

It was also mentioned the transfer of the final balance of the FDMU to a private fund of EMGFA, which later it would come under analysis by the IGF.

### ***From the final audit to the FDMU***

AX CPITC decided to request a new audit from the FDMU to fully clarify all doubts arising from previous reports. The work was to be coordinated by Fernando Lobo do Vale, Maria da Conceição Ferreira, Ana Filipa Gonçalves and Mário Lehmann, with the following objectives: i) find out if the FDMU was closed; ii) determine the management of their balances; iii) clarify movements between the FDMU and the CEMGFA Office; iv) clarify the role of CREEFA in the management of the FDMU; v) analyze the declaration of unconstitutionality of Decree-Law no. 548/80, of 18 November; saw) investigate the existence of relations between the FDMU and arms exports.



*i) Closure of the FDMU*

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As regards the closure of the FDMU, the audit notes that, “ *following the publication of Decree-Law No. 548/80, the FDMU under this designation and with the objective and purposes to which destined to the date of its creation was closed, and the resulting balance started to be managed in a EMGFA Board of Directors 'private fund'.* The final audit report to the FDMU also states that, in spite of the extinction of the referred fund, “ *acts were carried out in 1981, corresponding to the regularization of processes that were, at that date, still in progress, and in 1982 and following years, here, however, within the scope of the private Fund created in EMGFA* ».

**ii) Balances of FDMU and Private Fund**

The balance of the FDMU in 1980 and calculated by the IGF reached approximately 510 million escudos s . After extinction of the Fund, acts were still practiced in 1981, and according to the final audit to the FDMU, “ *Corresponding to the regularization of processes that were, at that date, still in progress* ” , and in the year 1982 and subsequent years, other acts were practiced using the amount transferred from the FDMU to the Private Fund created in the EMGFA.

In fact, and according to the results of the final audit to the FDMU, the private fund created in the EMGFA, which received a balance of 510 million euros from the extinct FDMU, remained active until 1993, the year in which it integrated the EMGFA budget. The final balance in 1993 reached 29 million euros. ~~substituted~~ The audit carried out by the IGF therefore also covered the outflows of the fund of EMGFA, namely flows that justify a decrease in the initial balance of 510 million escudos, compared to the final balance in 1993 of 29 9 million escudos.

According to the testimony of the IGF inspectors on April 7, 2015, the private fund of the EMGFA is a substitute for the FDMU:

*« We can say that it is a new fund, with other rules, but, in the end, it is the substitute, because to this private fund of the General Staff, the existing funds were transferred (...). We can conclude, within this interpretation, the use of an isolated fund, although with another name, with different guidelines in terms of use, therefore derived from the Decree-Law No. 548/80, which, in practice, was a new fund fed by a previous fund ».*

IGF inspectors also added that the EMGFA private fund did not receive any budget allocation:

*« No, you have not received funds! »*

It was also stated, at the same hearing, that the private fund was only intended to cover expenses:

*« The Overseas Military Defense Fund was a fund that was earning revenue. I had expenses, I had spending, but had revenue. The private fund only started to spend the money that, in the fund, was*

*the balance of the previous fund* <sup>1</sup>.

« Which will *roughly* amount to around 27 million euros these days, according to the converter available at [www.pordata.pt](http://www.pordata.pt)

» What will be *roughly* equivalent to around 245 thousand euros today, according to the aforementioned converter.

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Finally, it is worth mentioning another of the facts verified by the audit to the FDMU, namely the existence the transfer of the final balance of the FDMU to the EMGFA on July 18, 1981, with its incorporation in the accounts of this entity since 1982, as stated by the inspector of the Finance, Maria da Conceição Ferreira Rodrigues:

*“In 1981, the balance was transferred, but later it was only incorporated into the EMGFA accounts in 1982. So there is a period when the money was at a standstill. We don't know what was done! It may have been applied to many things, but we don't know what! This is what we want to say ».*

### **Movements between the FDMU and the CEMGFA Office**

According to the report presented to the Commission, IGF inspectors reported that between 1982 and 1992 the annual management accounts of the Fund were presented, and after 1988 there was no reference to the realization of any expenditure. With regard to expenditure incurred between 1982 and 1988, the final audit highlighted some movements, namely:

- Transfer of 117 million escudos in 1982 and 8 million escudos in 1986 to
  - « Autonomous funds belonging to entities in the branches of the Armed Forces »;
- Transfer of 25 million escudos in 1982 to the Army's General Staff;
- Payment of constructions and major repairs, by EMGFA, in the amount of approximately 19 million escudos in 1982 and 2 million escudos in 1986.

It was also mentioned that it was impossible to confirm the veracity of the occurrence of these operations:

*« To confirm the completion of the acquisitions / works by the units, we contacted the competent services of the Air Force and the Army, but has not yet been located information that would allow the same confirmation ».*

During the IGF inspectors' hearing on April 7, 2015, it was asked whether it would be possible corroborate the realization of expenses in works and repairs, with the inspectors' response being negative:

*« But, if it was effectively [awarded for works and repairs] , we were unable to know (...). Sir Deputy, I can add that even in the archive, in Santa Clara, of the Works Division, which is a file that is extremely well organized, these buildings were not listed as having had works at those times. And we are not saying that they did not count because they were removed, because, normally, they were buildings that were not even in that division of architecture and work*

*engineering (...). We have the bank accounts that supported these movements, and the bank reconciliation. It was done. So, we have the information that this money went out really from the bank account '.*

Again highlighting the non-corroboration of expenses through the analysis of invoices and contracts of contract award, the inspectors reinforced this idea throughout the hearing:

*« He says that the money was used to build a sports pavilion. Now, if that pavilion was actually built? We think so, but there is no tender, supplier invoices... Basically, the only elements we obtained were from the General Staff, where there were only a few launches, it was not*

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*work process, direct use of money (...). We have here the entity that received the constructions. We have here the entity that received the work. We have it here, but in a generic way. That is, there is no specific document, through which we can say: «Look, it was this way ...! That work was done ...! The whole process is here! », And that's it, it really justifies that it was done. No, not that! ».*

With regard to the transfer of funds, asked who had the competence to authorizing these movements, the inspectors stated, based on testimonies, the following:

*« (...) The head of the General Staff of the Armed Forces, but it was the EMGFA Administrative Council that moved it (...). What he [António Augusto Gaspar Correia] says here is that whoever decided on the application of money - it is in these minutes that I am reading - he was the Chief of the General Staff of the Armed Forces, but it was the Council who moved ".*

However, no evidence was found on the approval of private fund accounts by of the Chief of the General Staff of the Armed Forces and his subsequent submission to the Minister of Finance:

*« Reaffirming what the Honorable Member said, as it existed, the FDMU was extinguished and the balance passed to the private fund. The accounts of the private fund should be approved by the Head of the General Staff of the Armed Forces and submitted to the Minister of Finance. We do not we found evidence of that ».*

### iii) Clarification of the role of CREEFA in the management of the FDMU

The final audit to the FDMU was also requested to ascertain the role of CREEFA in the management of Bottom. CREEFA had been created by Decree Law No. 48 368 of May 4, 1968, a diploma that authorized the « Government to open credits for national defense for the re-equipment extraordinary " of the two branches of the military - the Army and the Air Force.

The result brought to light by the report showed that in the years 1975 and 1976 there was a outflows of money from the FDMU account at Banco de Angola to the EMGFA CA, with the

same amount - 4 million escudos, deposited in the Re-equipment Commission account Extraordinary Army and Air Force (CREEFA). That same information would later be confirmed at the IGF inspectors' hearing on April 7, 2015:

*«Therefore, there were transfers from the FDMU to an account of the CREEFA / Administrative Council of the General Staff. We questioned, but nobody knew exactly how to answer, and we questioned because there is documentation that says that the money went there to be deposited at the Farm National. The question is this: so, why did the money come out of an FDMU account, at the Bank Angola, went to an account of CREEFA / Administrative Council of the General Staff of Armed Forces to be deposited in the Treasury?! This was the question that arose. Really, there are about 4 million escudos that came from the FDMU account at Banco de Angola, entered in CREEFA's account and, supposedly, were deposited in ... They were, or not, because, afterwards, it is also very difficult to verify whether the movements took place, or not, in the 7th Fiscal Quarter, or in the Treasury accounts, since the dates were not coincident. That was a wet*

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*papers in boxes and we couldn't see a sequence. It didn't happen this month, but, I know there, it could have happened the following month, or two months later, we cannot say. Or if can find there that was actually deposited in the Treasury coffers or, if not, not we know. In the end, we were able to see that there was a balance of CREEFA, of about 3 million escudos, which was deposited in the Treasury accounts, but this was already in 1983 and, therefore, we know the sequence of movements very well, anyway ... ».*

IGF inspectors also commented on CREEFA and its accounts, namely the the source of its revenue and the destination of its expenditure. It is therefore important to transcribe in detail the words by Maria da Conceição Ferreira Rodrigues, IGF inspector, on the matter. In them, it is stated that CREEFA's accounts were confusing, that there were terminology errors and that the origin of revenue was located in two sources: withdrawal from the National Treasury and cancellation of weapons approved before April 25, 1974. In parallel, documents were also documented expenses, namely expenses with Explosivos da Trafaria and General Workshops in Uniforms and Equipment:

*“CREEFA's accounts were a very confusing situation. We joined our report a few years, to understand. So, looking, you don't notice anything, but after analyzing it, some conclusion is reached. We also put the maps together with the summaries of the CREEFA.*

*In our report, we present an example for a period, which is the 1980 period... In relation to CREEFA, for now, we give the idea of movement, which is about 8 million contos, from 1974 to 1984. We give the idea of these movements, on page 31, and then, also we present a map to give you an idea of the amount that was spent in each of the years.*

*In relation to the CREEFA accounts, which was, concretely, what you were asking me, where the money came from and where it was going to, we have here, on page 60, a somewhat weird map but that, analyzed, comes to some conclusion. So, if we look, we soon first line... We always have the name “Funds” here, because we conclude that this it was another CREEFA fund that was fed in some way. It is like? For example,*

if we look, in this period, we can see that there is a form of food here, which is «Warnings payment methods referring to payment authorization numbers. They are looting from CA / EMGFA on the Directorate-General for Public Accounting ». In other words, CA / EMGFA values on Public Accounting and, in this period, the value was 21 million escudos! So this would be a way of feeding the fund (it seems to me), because then, if we confront this with the war material, which is ahead, in the following table, and we see as it was authorized, with the operation of CREEFA, we also arrived at these conclusions.

In this period, we already have a way to feed the Fund (Fund 05-02), which is that of looting on the Treasury.

Then, here is another form of food, which is the second: «Fund Revenue Debtors / Creditors». And what was that? This was money resulting from weapons that were approved, and that were approved before April 25, 1974, and that, at a certain point, they were canceled and money was discontinued. This money was feed the Fund. For example, this month, we have here: «Delivery to CA / EMGFA, by

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FNMAL,... », is the National Ammunition and Light Weapons Factory, except in error, «... resulting from return of a value corresponding to (...) » any war material.

So there are two ways to feed the Fund.

But we also have, during this period, expenses from the Fund. And what expenses are these? If we go on page 61, which is as follows, in the map below, we see how, in this period, the Fund was spent. And we have several things, like, for example, Explosivos da Trafaria, the General Workshops Uniforms and Equipment, all that is related here, out here, totals the 10 million escudos. Therefore, this would be what is indicated here as Background 05-02. That is, the Fund was fed through the Directorate-General for Accounting Public, also the cancellations of situations of war material and, later, were paid these expenses.

If we make the difference between these values that constitute the Fund's food and the outputs, we obtained a balance of 10 788 791 \$ which is not revealed here, but it is the difference between these two types of Fund income, debtors and creditors, and expense.

So, you get the idea that this month more money came in than the one that was spent; what was spent was this way, and now there is extremely terminology confused, but connected with this, I think it's just a matter of terminology.

In other words, we have a CREEFA account, where it is possible to confirm that these 22 million - the sum of what came from this Fund 05-02 with debtors and creditors - were deposited in that account, checks were written on the same account of these 10 million, and therefore this was done in account. The terminology is strange, because they call it «Summary of the Fund's income Demand Deposits ». Now, this income from the Demand Deposit Fund is precisely the value payments. So this doesn't make sense in terms of terminology, because it's

*exactly the opposite of what we are used to hearing. «Revenue summary» is precisely the money that came out of the bank and which corresponds to the expenditure; «Summary of expenditure of the Demand Deposit Fund »are 22 million; «Fund revenue» was precisely the money that entered the account and corresponds to withdrawals from the Treasury and decommissioning, ie the cancellation of orders for war material.*

*In fact, by this example we can already see some of the ways in which this CREEFA Fund was fed: withdrawals from the Treasury and decommissioning, that is, cancellations of orders of war material that was not provided and therefore the money went in. This is it".*

Still on the same theme, namely on the possible links between CREEFA, EMGFA and the FDMU, inspectors said there was some ubiquity in that certain people played a role in CREEFA and, simultaneously, on the EMGFA Board of Directors:

*«This came from the old days. The EMGFA Board of Directors prepared, on a quarterly basis, accounts and presented them to CREEFA. And there is a person here, António Augusto Gaspar Correia, who, simultaneously, it is part of the Board of Directors of EMGFA and CREEFA, or not. Would you like I mean, it's connected, because it does the CREEFA accounts, signs the CREEFA accounts, but then a duality here. So there is some confusion here between CREEFA and the Council Administrative. But, in the Report, we have, in a way, the explanation of this, through the material of war, which will be discussed later ».*

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Finally, the final audit to the FDMU concluded that CREEFA continued to authorize acquisitions of military material after April 25, 1974, as well as the fact that invoices representative of War material transactions do not meet the minimum legal requirements:

*«This approach, on the question posed by the 10th Parliamentary Committee of Inquiry to Camarate's tragedy to clarify the role of CREEFA in the management of the FDMU or the corresponding values, led us to locate processes related to the acquisition of war material, in which the expenditure had been approved before 25 / Apr / 74 and which "Dragged" through time until 1984 ".*

*Some of the invoices corresponding to the war material supplied in the referred interval of time (1974-1984) presented particularities such as an invoice dated with the day zero of month zero of year zero that indicates on the face that the material (automatic rifles G3) was supplied on Nov / 30/80 and delivered in the same year without mentioning the day and month, while COMPAE / DSM declared on the back of the same invoice a receipt dated 25 / Jun / 81.*

*These particularities take on unorthodox contours, without prejudice to being able to have its explanation in a framework of organizational and functional deficiencies in a context of transition and consolidation of structures.*

*In cases where war material was ultimately not provided, funds were deactivated and reverted, in some cases, to a reservation at the order of EMGFA or CEMGFA.*

*In the exercise of its powers, already after April 25, 1974, CREEFA continued to authorize purchases of military material through expenditure authorization applications directed to its president, namely imports.*

*Credits granted to finance arms imports were, in termination of contracts, restored at the National Treasury, adding to the available balance the special credit opened through DL 115/74, of 207mar / 74. The replenished funds were deposited in the Treasury of the Public Finance of the 7th Fiscal Quarter of Lisbon, constituted reinforcement of PAE / 73, and were subject to new withdrawals ».*

#### **iv) Analysis of the declaration of unconstitutionality of Decree-Law no. 548/80, of 18 November**

According to the final audit to the FDMU, the “ *non-declaration of unconstitutionality of DL n° 548/80 due to a non-binding opinion of the Constitutional Commission and a resolution of the Council of Revolution does not, by itself, raise questions or suspicions that directly relate it to the occurrence of accounting deficiencies reported by the IGF or even a possible deviation from the purpose of allocation of the FDMU* ”.

On this subject, it is important to remember the most relevant facts highlighted by the IGF inspection:

*« In summary, the then Prime Minister [Francisco Sá Carneiro] - in what was accompanied by President of the Assembly of the Republic, the request of a group of deputies from the parliamentary - raised the declaration of unconstitutionality of a decree-law of the initiative*

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*of the Revolution Council that provided for the assets of the FDMU [Decree-Law 548/80 of November 18] .*

*The Prime Minister maintained that the Revolution Council had legislated beyond its legislative competence, invading that of the Government and the Assembly of the Republic within the allocation of financial resources - the FDMU balance - which, being the State's, was not regular military jurisdiction.*

*Although divided - as can be seen from the various losing votes and different positions on (in) constitutionality of the norms of the articles of the diploma - the Constitutional Commission came give reason to the Government and to the parliamentary group, but as is clear from the Resolution No. 247/81, the Revolution Council decided in its own favor, not accepting the opinion of the Commission and not declaring the syndicated diploma unconstitutional.*

*Hence, it can be concluded that one of the critical points of the supervisory system constitutionality enshrined in the first version of the Fundamental Law is that it could occur, as it will be recognized, without effort, that the Council of the Revolution decide on its own.*

*Even so, the functioning of the corporate constitutional inspection system, in the case of specifically, by the request for the assessment of constitutionality made by the Council of*

*Revolution, by issuing an opinion (non-binding by the Constitutional Commission) and the adoption by that body of a resolution of non-declaration of the unconstitutionality of DL no. 548/80, does not, by itself, raise questions or even suspicions that may associate such a decision the occurrence of the deficiencies and irregularities reported in the previous two reports of audit prepared by IGF for reporting the collected documentation and other steps timely triggered.*

*It should be noted, moreover, that the temporal scope of the same occurrences already covered a period prior to the year 1980, the year of approval of DL 548/80, appearing, unless better understanding, illegitimate to withdraw from a diploma that proposed to extinguish a certain Fund - which ended up being in force for a few more years - the origin or legal framework able to handle or misuse funds, in the sense of default purposes to which they were attached.*

*DL 548/80 contained rules on the budgetary management of the FDMU balance, entrusted to a CA / EMGFA, the elaboration by this council of annual private budget object of visa by the member of Government responsible for finance and the allocation of funds that should obey a plan called "employment plan" prepared annually by CEMGFA, in short, a series of mechanisms that allowed a margin of control over the execution of respective expenditure '.*

#### **v) Investigating the existence of relations between the FDMU and arms exports.**

Following the findings of the IGF expert report to the FDMU, namely i) the determination of the existence of several payments in 1977, 1980 and 1981, through the Military Agency and account of the FDMU in the União de Bancos to Fábrica Braço de Prata, resulting from the settlement of « charges related to the assembly of the rocket grenade manufacturing line », ii) the detection of the " assumption of charges, by the FDMU, concerning the sale of OBUS grenades to RFA " in 1979 and iii) the identification of a

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ordering military material by the FDMU in 1977, the final audit report to the FDMU concludes that " *the management of arms exports, namely, regarding their temporal availability was articulated, in an intimate way, between the Armed Forces and their suppliers* ».

After presenting the results of the final audit to the FDMU, the IGF inspectors state see no use in future endeavors, as they would not be capable " *of allowing the obtaining of other elements that would bring added value to the ultimate objective, not guaranteeing, therefore, a relevant change to the content of the conclusions now drawn* ". According to the various testimonies of IGF inspectors, the death of a considerable number of people related to the then EMGFA, as well as to the management of the FDMU, the inevitable run of years and the absence of supporting documentation were relevant obstacles to finding the facts.

#### **Other testimonials**



Choosing to testify in writing, Ramalho Eanes answered a number of questions raised different parliamentary groups.

Giving his opinion on the purpose of the FDMU, the former President of the Republic stated that the FDMU exhausted its purpose after the 25th of April, although there were situations, namely the situation in Timor, that could justify its continuation until the moment it ended:

*«Having exhausted its purpose, the FDMU was extinguished, passing the available balances MDN for the Armed Forces General Staff”.*

Regarding the balance and its use, Ramalho Eanes said that the balance was only intended for complementary expenses of the current EMGFA budget:

*«This balance remained constant, having only been used for national expenses complementary to the EMGFA budget, since it was necessary to settle expenses assumed, which had no place in the EMGFA budget, with budgetary weaknesses. The residual balances were then incorporated into the State Budget, in the respective recipe”.*

However, and according to the final audit to the FDMU, the balance has not remained constant: the private fund reached 510 million escudos in 1981 and 29 million escudos in 1993.

The General further stated, in an introductory note, the following:

- *«These balances have never been used in armaments businesses (or in businesses of any other nature)*
- *EMGFA has always complied with budget regulations, in compliance with the law, compliance legal and financial regularity”.*

Here it is important to mention, once again, the result of the work of IGF inspectors, resulting from the VIII and X Commissions of Inquiry into the Camarate Tragedy, which, regarding the financial regularity of the FDMU

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found that the financial regularity requirements for the FDMU were not met, as the fund's annual accounts were not approved by CEMGFA, General Ramalho Eanes, in the years 1978, 1979 and 1980 and, regarding the involvement of the FDMU in the commercialization of weapons, referred to the following:

*«With regard to the matter of relations between the FDMU and arms exports, it is important to remember that in the IGF report No. 1007/2003 of the Expert Report to the FDMU, the verification, in 1977, 1980 and 1981, of several payments through the Military Agency and account from the FDMU in União de Bancos to FMBP [Fábrica Militar Braço de Prata], resulting from the settlement of charges related to the assembly of the rocket grenade production line (...).*

*Still in the same report, and for the year 1979, the assumption of charges, by the FDMU, regarding the sale of “OBUS” grenades to RFA (...).*

*Within the scope of the steps taken to identify potential relationships between the CREEFA and FDMU, we also noticed the intervention of the latter entity in 1977, ordering military equipment.*

*In a joint assessment, it appears that the management of arms exports, namely, regarding its temporal availability it was intimately articulated between the Armed Forces and their suppliers'.*

Finding these facts, therefore, makes General Ramalho Eanes' statements inconsistent.

In summary, the former President of the Republic stated:

*«The FDMU was transferred to EMGFA at the moment when the process of decolonization and, consequently, no longer felt the purpose of its creation (it is true that, as mentioned above, the question of Timor was maintained), like other funds military forces aimed at financially reinforcing the war.*

*The accounting movements carried out configure the type of generic procedures followed by commands from ground forces who, on their return from theaters of operations (Guinea, Angola and Mozambique), proceeded to financial regularization between the different military units involved and the banking entities that supported them, in order to be able to close the accounts with the minimum balance to be reconciled '.*

Ramalho Eanes also refuted the possibility that the FDMU remained active after its extinction, signaling a set of arguments attesting the end of the fund, of which the most relevant:

- There is a legal diploma that extinguishes the FDMU, Decree-Law no. 548/80, of 18 November (...);
- There is a receipt, signed by the EMGFA Board of Directors, stating that you have received the "balance determined at the end of the 1980 economic year related to the closure of the FDMU" (...);
- Declares the EMGFA Administrative Council, in the document referred to in paragraph 2, above, that the amount received from the FDMU "will constitute EMGFA's Private Budget Revenue to organize" (...);
- The private budget of EMGFA is legally established in 1982, by Decree-Law no. 282/82, of August 22 (...);

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- Subsequently, the Ministry of Finance (Directorate-General for Budget) assigns, to EMGFA services, revenue based on Decree-Law no. 548/80, of 18 November and the Decree-Law No. 282/82, of 22 August (...).

Regarding institutional responsibility for the FDMU, Ramalho Eanes stated that this is one of the CEMGFA functions. However, financial management was the responsibility of the Administration and Finance Division:

*« As can be seen from the EMGFA organization chart, the financial management of the Fund was competence of the Administration and Finance Division (DIAF), which depended on the Planning and Finance (DPI), hierarchically dependent on the vice-CEMGFA or, not*

*if there is one, from the oldest coordinating general officer (...). Therefore, the FDMU did not depend on CEMGFA office. Of these depended, directly and functionally, the Division of Relations (DIRP) and the Information Division (DINFO).*

*Annually they were presented to the CEMGFA:*

- *The FDMU Plan and budget for the following year;*
- *The FDMU's financial management report, from the previous year, for "visa affixing".*

With regard to this topic, Ramalho Eanes admitted, in response to the deputies of the X CPITC, that there were two FDMU plans and budgets that were not signed by CEMGFA due to lapse:

*« Two plans and budgets of the FDMU do not have the approval of the CEMGFA, and they should have it. The same is true of some financial management reports, which are not affixing the visa. The institutional responsibility for this fact rests with CEMGFA and only with him ».*

However, the former President explains the lapse for the following reasons:

- *«The pressure of multiple requests from CEMGFA (also President of the Republic and President of the Revolutionary Council) with relevant matters permanently subject to the your care;*
- *There was (as I recall) neither the vice-CEMGFA nor the coordinating officer nor the DIAF, the timely perception of this lapse and, therefore, the need to correct it;*
- *The two documents are formally important, it is true, but without operational relevance (one referred to the financial management of the Fund, the other to the forecast of income and expenses concerning the Army, Navy and Air Force and the extinction commissions of the Commandos military forces of Angola and Mozambique and the independent Territorial Command of Guinea-Bissau ».*

Regarding the fund's balance, Ramalho Eanes stated the following:

*«Following the provisions of Article 1 of Decree-Law no. 548/80, of 18 November, the Division of Financial Administration, an EMGFA body that managed the FDMU, delivered to the Board Administrative Board of EMGFA, in July 1981, of the existing balance, in the amount of 51,315,768 \$ 70 ».*

The ex-President said he still does not know the existence of other accounts associated with the FDMU, by third parties or strangers, as had been verified by the first work of the IGF inspectors.

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Finally, the General said that he still does not recall the opinion of the Constitutional Commission declared, with general mandatory force, the unconstitutionality of article 3 of Decree-Law no. 548/80 November 18th.

As a final note, and following the depositions to Freitas do Amaral, Deputy Prime Minister in Government of Sá Carneiro and the Government of Francisco Pinto Balsemão, where he would also assume the portfolio

of Defense, it is concluded that he himself had assumed the extinction of the fund, having not proceeded to no démarche related to it:

*«As Minister of National Defense, I was not aware of anything strictly, nor in terms of plans or programs, or in terms of budgets, revenue or expenditure, in relation to the Fund.*

*They will ask me: why? Perhaps because he was convinced that the Fund was extinct. Do not know! But, above all, and it is good to remember, because at the time when I was Minister of Defense, that is, from September 1981 to December 1982, the Armed Forces remained in regime self-management. And the Armed Forces General Staff depended directly on the President of the Republic or, from the 1980 presidential election, the Head of State Major-General, since, by agreement with the Socialist Party, General Eanes accepted not accumulate, in his second term, the functions of President of the Republic with those of Chief of General Staff and appoint a Chief of Staff, who was, without error, General Melo Egídio, recently deceased.*

*Therefore, the Minister of Defense had absolutely nothing to do with the General Staff General of the Armed Forces or with the Armed Forces. It was a little sui generis figure that was created in 1974 to maintain links with NATO but that had no powers over the Armed Forces ».*

### 3.3. Arms trade to Iran

In some way related to the investigation of the Overseas Military Defense Fund and the accounts of the CEMGFA Office, the investigation into the arms trade to Iran in 1980 played an equally important role in the work of the CPI.

Reports of the sending of military material to Iran have crossed national borders: following the taking of the US embassy in Tehran and the consequent taking of hostages by Iranian forces associated with the new theocratic regime, was being broadcast by some press that the negotiation of the release of the American hostages was essential for the victory of the candidacy Reagan / Bush in the elections later this year. The thesis remains, still to be proved, that there to an agreement between Ayatollah Khomeini and the Republican candidacy, namely through George Bush and Henry Kissinger, for holding hostages until some time after the elections in USA, in order to undermine the candidacy of then President Jimmy Carter. According to some of these reports, this negotiation took place in Luxembourg and Paris, where senior Iranian officials and Bush would have met in secret.

The role referred to by some as having been that of Portugal was limited to serving as a platform for the sending military material to Iran, something that was prohibited by the international community and the

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understanding of the Portuguese Government: according to information sent to X CPITC by the Ministry Foreign Affairs, on April 18, 1980, a general and

any financial transactions with Iran resulting from the hostage situation in Tehran. It is The decision of April 18, 1980 by the Council of Ministers preceded the publication in Diário da Republic of the said embargo, which would take place on April 21 of the same year. An attempt was also made to date of the termination of the said embargo, and no conclusion has been reached as to the precise date. IS, however, it is legitimate to estimate that the end of the embargo occurred at the end of January 1981, more specifically on the 26th, like other European countries.

The Portuguese platform would go through not only direct arms exports, but also as *hub* for the transfer of military material to Iran, namely through Israel.

In fact, the aforementioned audit of the CEMGFA Office's accounts identified remittances from military material for the country in question, which was at that time subject to an embargo. Some companies possibly involved in the commercialization of arms were identified, it was The testimony of Commander Alpoim Calvão was decisive, who reported facts that reveal the existence of military material exports to Iran, later corroborated by Vasco Montez and Colonel Oliveira Marques.

According to the audit of the accounts of the CEMGFA Office for the period between 1974 and 1981, through analysis of the correspondence book of the CEMGFA Office it was possible to ascertain the existence of arms exports to several countries. It is therefore important to recall the text of the audit:

*«From all the documentation analyzed in the EMGFA, it seems to us to highlight some of the information contained in the register books of entries of classified correspondence received in the CEMGFA office, particularly in the years 1979, 1980 and 1981 (...).*

*In fact, the content of these books leads to the conclusion that, in this period, the arms exports to several countries.*

*Indeed, both the Office of the Minister of National Defense and the Logistics Directorate of the EMGFA (DIALOG) and also the National Armaments Director (DNA), communicate the EMGFA Office frequently exported war material to various countries.*

*It appears to result from reading the records inserted in the correspondence record book classification received at the EMGFA Office in 1980 that, this year, the Minister of Defense in some cases will have asked for additional clarification and in others it will not even have authorized some of the intentional arms exports.*

*In fact, in April 1980 it would not have authorized the export to Guatemala and the Argentina and in August of the same year to Indonesia.*

*Still on December 2, 1980 [two days before the attack] , the Office of the Minister for National Defense will have asked the EMGFA Office to urgently design to inform whatever he considered convenient about the export of war material to Iran.*

*Despite this, everything suggests that it will have followed war material for Iran once the said classified correspondence record book contains, on December 9, 1980*

[five days after the attack] , a communication from EMGFA - National Armaments Directorate, allusive to the export of war material to Iran (for knowledge).

And also later, on January 26, 1981, the same book indicates correspondence dated January 22, 1981 from EMGFA - National Armaments Directorate also alluding to the export of war material to Iran (...) '.

According to the testimony of General Ramalho Eanes, EMGFA, under his leadership or during the years in which he was President of the Republic, he proceeded to purchase and sell war. The former President recalled the usual procedures followed in the process of arms trade with the outside world:

*"I am only aware of the specific procedures adopted for the sale of arms and ammunition by military factory establishments supervised by the Army (and not by the General Staff of the Armed Forces), and that were just:*

- National Small Arms Ammunition Factory (FNMAL)
- Fábrica Militar de Prata (FMBP)

*These establishments had administrative and financial autonomy.*

*The sales of arms that these factory establishments proposed to carry out were always subject to authorization from the Ministry of Foreign Affairs (MNE) (for reasons of possible foreign policy effects).*

*Those requests for authorization were sent to the MNE through the General Staff of the Armed Forces (EMGFA), because, only through this, the Branches - Army, Armada and Air Force - if they could then correspond with the Government.*

*And even these two military manufacturing establishments came under the tutelage of the Government on 31 October 1980 (Decree-Law No. 571-A / 80, of October 31).*

*All other war material factories were supervised by government:*

*Thus, the Government protected:*

1. *Through the Ministry of National Defense (MDN):*
  - *The Portuguese Explosives Society (SPE)*
  - *Trafaria Explosives (EXTRA)*
2. *Through the Ministry of Industry and Technology:*
  - *Oeiras Foundry and Mechanical Constructions (FCMO)*
  - *COMETNA - Companhia Metalúrgica Nacional.*

*While CEMGFA or President of the Republic did not have or had EMGFA any role, either in the sale or purchase of weapons, whether on import or re-export.*

The legislation on the trade in war material was changed in 1980, with the entry of into force of Decree-Law no. 371/80, of 11 September, whose preamble states the following:

*“It is necessary to reformulate the legislation applicable to the export of war material and ammunition and the import of raw materials and other goods for the production of the same material. In particular, the rules contained in Decree-Laws need to be thoroughly updated. 39 397, of 22 October 1953 and 40 409, of 6 July 1955 ».*

The diploma applies to the national production of war material and ammunition ordered by countries foreigners, the export or re-export of war material and ammunition and the import of raw material and other goods for the production, by national companies, of war material, ammunition and military equipment ordered by the Armed Forces or other forces military and militarized people of Portugal.

Additionally, article 2 establishes the powers of the Minister of Defense and the Minister of Foreign Affairs in this matter.

Thus, the Minister of National Defense has the following powers:

- a) «To establish, in agreement with the competent departments of foreign governments, the acceptance of orders for war material and ammunition for execution by the industry national armaments;*
- b) Authorize national companies to accept orders of the nature mentioned in previous paragraph destined for foreign countries or to promote the export or re-export of war material and ammunition;*
- c) To sanction the export of war material and ammunition sold by the Armed Forces and other military and militarized forces;*
- d) Issue the authorizations provided for in article 3 of the present diploma;*
- e) Promote the inspection provided for in article 6 and the accreditation provided for in article 7 of this diploma ».*

In addition to the competences of the Minister of National Defense, the following competences on the part of Minister for Foreign Affairs:

*«It is incumbent upon the Minister for Foreign Affairs to issue an opinion on the desirability of operations mentioned in paragraphs a) to c) of the previous number, from the point of view of external ».*

The impact of the work of the CPI on the issue of arms exports, specifically in the export of weapons for Iran comes from a news item in the Portugal Today newspaper, published on November 11, 1980, which originated an official note from the Government on the subject.

Says the daily news:

*«Diplomatic observers are hanging around with their ears in the air to see if they know anything about the precise and concrete destinations of the arms that Portugal sells abroad. It says that Lisbon has been supplying ammunition to Iran, with which it was said that Portugal had severed commercial relations with great scandal ».*

At the end of the article, six questions are asked in the form of a public appeal:

- 1. Israel was, before the fall of the Shah of Iran, one of the major arms suppliers to that country. Some dealers involved in the business will have tried to maintain their position in the*

*market after Khomeiny's victory putting Portugal in between. There was or not contacts, through English people, with the Portuguese Government, namely in the to gain holdings in our war material companies, namely the Trafaria Explosives?*

- 2. Is it true or rumor that there are several opinions on the matter, possibly a of Minister Pinto Balsemão?*
- 3. To whom (specifically) Portuguese weapons or other weapons acquired by Portuguese entities after January 1980?*
- 4. What is the truth with the passage in Portugal of planes of the company "African Air Charters"?*
- 5. Which airplanes foreign to the Air Force landed at the base of Montijo last month and which landings are scheduled for the current month?*

The article prompted a joint unofficial note from the Ministry of National Defense and the Ministry of Foreign Affairs, whose content was reproduced by the newspaper Portugal Hoje, on November 12, 1980, the day after the publication of the article "Portuguese weapons for Iran?".

According to what was reported that day by the newspaper, the Government's unofficial note was quoted in full:

*«Regarding several questions raised in today's edition of Portugal Today about ma hypothetical sale of Portuguese arms to Iran, the following is reported:*

- a) The Government has not authorized, nor will it authorize, any sale of arms or ammunition to Iran.*
- b) The Government has not authorized, nor will it authorize, transit through Portuguese airports of military aircraft of any origin carrying weapons or ammunition with destination to Iran.*
- c) No foreign entity has taken, or will take, shares in the company Portuguese explosives.*

*The fears advanced by Portugal Hoje are totally lacking in these.*

*Takes the opportunity to clarify that, if there is any inflection in the Portuguese attitude regarding the conflict between Iraq and Iran, in the field of defense material, it never could be favorable to the latter country, taking into account the Portuguese position vis-à-vis Iran resulting from the imprisonment of American hostages ".*

Following the official note, Portugal Today wrote the following:

*«What this is about is quite different from whether they were Portuguese weapons for Iran, even that by interposed person. Nobody sells weapons without knowing where they are going ...*

*(...)*

*We also did not ask whether the Government has authorized the use of national airports or not for arms transits to Iran. If the elements confirmed we have the supplies that would leave Portugal for a third state. And is*



*precisely why, to ascertain the veracity of recent information, we asked "what aircraft foreign to the FA landed in the last month at the base of Montijo, and which*

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*landings are scheduled for the current month ". After we raised the hare we would like to know which planes in these conditions have landed or will land on others military airports.*

*The Government says in its note that it has not authorized "military aircraft of any origin transporting weapons or ammunition to Iran ". That was never in question. Up until because according to our information the ammunition would be transported on an airplane (in aircraft), possibly from African Air Charters and in the flight plan would not be included as destination airfields in Iran.*

*We also did not ask if any foreign entity took or will take holdings at the Portuguese Explosives Society. Foreign interests may well be taken care of by national entities.*

*What we wanted (...) was to know if foreign interests, namely Israeli ones, form were the subject of talks related to the Portuguese arms industry and ammunition. And more: if there are several opinions on the subject "possibly a Minister Pinto Balsemão "taking into account, namely, the interest in exploring the Iranian market '.*

The reason why both articles from Portugal Today are practically in full is due, precisely, with the fact that the course of the CPI's work confirmed some of the events reported by the daily, namely the export of military material to Iran, in 1980, by the interposition of a third state. In addition to what resulted from the of the IGF audit of the EMGFA Office accounts - which confirm the dispatch of military material to Iran five days after the death of the Prime Minister and Minister of Defense - some of details cited by Portugal Today were revealed by Commander Alpoim Calvão, whose testimony then dissects.

According to the Commander, Explosivos da Trafaria was dedicated to the manufacture of explosives and had present in the governing bodies, personalities such as General Fernando Pinto de Resende, Engineers Diogo da Fonseca and Carlos Pardal, in addition to a representative of a Spanish partner, whose name Alpoim Calvão did not recall:

*«I want to remember his name, but I only remember him being the Minister of Health at the time from the previous regime... I lack one, but I don't remember who it is ».*

Regarding the company's activity, the Commander stated the following:

*«The company's activity was essentially the manufacture of explosives. It was created for that and, more later, to meet the needs of the Armed Forces and because the State understood it - gave the necessary impetus for that - started to dedicate itself to the manufacture of ammunition the company did the final phase, the so-called lapping-loading, assembling and packing, that is,*

*load, assemble and pack. That was, say, a final extension of the assembly line for ammunition. We received raw materials from abroad, we worked there, we made shipments and then either delivered to the Portuguese Armed Forces or were sold abroad ».*

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Once arms and ammunition exports were confirmed, Alpoim Calvão was asked about the fate of export:

*«I must tell you that, as I recall, we exported to Syria, to Iraq, not directly but through a society that existed, which was COMETNA. We exported to Rhodesia, if I'm not mistaken, and we also exported to Iran ».*

Regarding Cometna's role, the following was stated:

*«COMETNA was a company that made metal casings for aviation bombs. They are had the contracts but asked us to do the final part, and we would deliver the metallic wrappers, we loaded and returned them to COMETNA, which exported. There was even the coincidence, at some point, that there are two companies in which the Portuguese State had interest: one exported to Iran and the other to Iraq ».*

After these introductory data, the Commander was asked about his role in raising foreign customers, namely following what had been stated in the Commission by Juzarte Rolo - that Alpoim Calvão was the person who brought the most business to the company. Alpoim Calvão confirmed this fundamental role for countries like Syria, Rhodesia and Iran, but for Iraq:

*«Regarding Iraq, no. As I say, Iraq was more for COMETNA and SPEL, which was the Portuguese Explosives Society. For Iran it's true, I got some openings for that country, as, indeed, for Syria and Rhodesia ».*

The Commander was then asked if he had ever sent weapons to Iran via Israel. The question and its sequence took the following form:

To the question " Have you ever sent weapons to Iran through Israel?" Commander Alpoim Calvão answered:

*"No. Israel sent us through Iran.*

*(...)*

*What happened? Obviously, our armaments industry was very limited. Per Therefore, to buy metal, to buy ... We, for example, did not do 155 caliber artillery ammunition, we had to buy the metallic ones abroad. And who he offered to sell metals, knowing perfectly well where he was going, it was Israel, that is, it was Israel's Military Industries, IMI ».*

Regarding the procedures for the export of war material, the Commander described it as always depending on the authorization of the Portuguese Government:

*"First, we got a contract, or a contract promise, or something, and, then we had to raise the problem with the Directorate-General for Armament, which belonged to the Ministry of National Defense. The Ministry of National Defense normally asked the Ministry of Foreign Affairs what did you think of the business, if it was interesting or not, the Ministry of Foreign Affairs, as a rule, gave an answer of "neither yes nor no", and then it was the Ministry of Defense that had to make the final decision.*

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*As, in fact, the armament factories belonged to the Ministry of Defense, and only us, for For example, we had 600 workers, we had to pay wages at the end of the month ».*

Regarding the arms trade embargo to Iran, Alpoim Calvão stated not only never having been warned by the Government as having always been authorized by the Ministry of Defense to export arms:

*«I could know, because I read the newspapers, but I never received a communication, say, formal the Directorate-General for Armament, or something like that, saying that they couldn't export weapons here, there and there! It was always case by case!*

*(...)*

*All sales we have made have always been authorized by the Ministry of Defense »*

Alpoim Calvão also confirmed an increase in the billing of the company Explosivos da Trafaria, as as it had been conveyed by Juzarte Rolo. According to the commander, there was a year, or 1980 or 1981 in which around 7 billion escudos (35 million euros) of armament. At the same time, the importance of Iran and Iraq was confirmed for this increase in turnover: in 1980, with the year already running, Lisbon received a mission from both countries that came to buy arms, quite possibly at a time when the trade embargo on Iran it would already be in place.

Asked about the concrete export to countries like Syria and Iran, Alpoim Calvão recalled an episode that occurred in 1980, when ammunition was transferred from an Israeli plane to a plane from Iran, at Lisbon airport. However, beyond that episode, only after 1981 war material was marketed to Iran:

*"I believe that some cannons have been sold without recoil, therefore, material not explosive, which, by the way, came from Israel and passed through Lisbon airport for a Iran Air, who came to Lisbon to pick them up for their final destination. It was, as I say, inert material. Were some 100 cannons without recoil (I no longer remember how much they cost at the time, but maybe some \$ 20,000 / each or so) that made the transfer here, but came from Israel, they transhipped here and were sold there. An Iran Air plane came, purposely, get them here.*

(...)

*Therefore, I am actually telling you what happened. I'm sure that ammunition was only sold... It takes a long time to...! You need to buy the raw materials, metals, in short, buy everything and then you need to load and still we need to inspect, and Iranian inspectors came here. The inspectors came here to inspect and they entered through the normal door, they did not come secretly, nor did they come in disguise! Entered through the normal door, they went to the factories, saw and accepted, or not, because they could refuse! They could Do not accept. This time they knew perfectly well, for example, that the metals came from Israel, They knew perfectly well! We did not manufacture those metals. Metallic 155 or 203 came from Israel. We only remembered to buy a forge for that when there was no more necessity, and the forge stayed there, at INDEP, as another proof of the ineptitude of the planning. Well, that's another thing!*

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*Now, what I can say is that inspectors came in, saw, went to watch the shipments...! Want something clearer and cooler than this ?! I dont know!*

(...)

*I'm almost sure, but anyway, I can't guarantee you that we never sell directly nothing for Iran, except from 1981. The only thing I remember before 1981 is the departure of 100 cannons without recoil, that came from Israel here and that the transfer was made here to Iran Air, which also entered legally, landed legally at the airport and took them! It was something they were looking for and couldn't find, and what perhaps triggered the great business chain they did with us was the fact that we solved a little problem they had! ».*

Regarding the Government's concern with the issue of arms exports, Alpoim Calvão stated that strict control of procedures, both bureaucratic and logistical, but recalled that there was a specific concern on the part of the Government about the illicit export of weapons, which he himself says he does not know exists in Portugal:

*«Even by the tight legislation that existed, it was seen that the Ministry of Defense had this worry. The legislation was very tight and required many licenses.*

*For example, for the transport of ammunition from the Explosives factory in Trafaria to Setúbal, which was the normal port of embarkation, police escorts were required, rules of security, scouts ahead, the port practically closed... It was important logistics and complicated!*

(...)

*Notice, I, in order to be an administrator at Explosivos da Trafaria, I had to pass the National Security Authority and to be accepted by the Directorate-General for Armaments. No there was reason not to go through the National Security Authority, which was very demanding. Anyway, they asked lots of questions, such as if you had ever visited a country in the East,*

*I didn't know how many and such...! There was a certain care in these things.*

*From a technical point of view, we were even under the purview of an entity that was the Explosives Commission, and I no longer remember whether it belonged to the Ministry of Administration Internal Affairs or the Ministry of Defense, but one of the main functions they had was check our technical capacity, check how the shipments were made, if the security measures were taken... this for both military explosives and for civilian explosives, for civilian purposes, such as quarries, etc. In fact, I think these functions are now even performed by the Public Security Police, but I'm not sure; already is many years have passed!*

With regard to the Overseas Military Defense Fund, Alpoim Calvão claimed to have heard of the fund, but without giving it too much relevance, having also declared never to have received, as representative of Explosivos da Trafaria no payment through the FDMU:

*«Of relevance? I didn't find anything relevant. You know I'm very cautious about the news. I always cut the news, even today, I classify it. I still classify the news today:*

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*if something is very silly, what is the... Excuse me talking about this, which is a little thing side, but the news is classified according to its origins and likelihood and only after having a lot of news together is that you can cut them out, and that's where the information comes from. Information is a series of clippings from various news items that you can see later if you have any substance, or not.*

*At that time, I didn't care about these news, nor do I care about any importance ».*

### 3.4. The death of José Moreira

One of the issues addressed by the CPI was the death considered to be accidental by José Moreira and Elisabete Silva, in January 1983, just before the first CPI testimony was given by of José Moreira, owner of an airplane that he had placed in the service of the presidential campaign Soares Cameiro and who will have financed, at his own expense, a private investigation to what happened in Camarate. José Moreira and Elisabete Silva were found dead in a Carnaxide apartment in early 1983, the cause of his death being due, according to the Judiciary Police, to accidental inhalation of carbon monoxide. In view of the doubts between deputies, relatives of the victims of the Camarate attack and their representatives, X CPITC decided take steps to ascertain the nature of the death of José Moreira and Elisabete Silva. The two objectives of this approach were related to i) whether or not the death thesis was confirmed accidental and, ii) if proven death by homicide, establish a relationship between that fact and the attack that victimized, among others, the Prime Minister and the Minister of Defense in 1980.

In this sense, the Institute of Legal Medicine of Coimbra was asked for a new analysis of the tissues to confirm the accidental death thesis.

At the same time, police officers involved in the investigation were heard at the CPI, as well as two

Deputy Attorneys General authors of a disciplinary inquiry into the investigation of José's death  
Moreira and Elisabete Silva.

### 3.4.1. Accidental death or homicide?

On November 5, 2013, Professor Doctor Duarte Nuno was heard in the Commission  
Vieira, President of the Board of Directors of the Institute of Legal Medicine and Forensic Sciences and the  
Professor Rosa Henriques de Gouveia on the causes of death of José Moreira and Elisabete  
Silva.

In the form of an introductory note, Duarte Nuno Vieira stated the following:

*«The Institute was in fact requested by this Commission to reassess the studies  
histological tests performed about 30 years ago following autopsies that were carried out  
in 1983 to two victims who, in principle, would have died as a result of poisoning  
by carbon monoxide. It took us some time to answer, because we had to  
find the starting blocks of the samples that had been taken at that time and that,  
fortunately, they were shelved. although the law even allows the Institute, two years after  
have done the studies, may destroy the samples if the courts do not give indications for*

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*that these samples are preserved. Fortunately, we kept this estate and therefore  
after a few months of searching the archives it was possible to detect the original blocks.*

*These blocks were processed again, were studied again by Professor Rosa  
Gouveia, who is one of our anatomopathologists who works at the headquarters and delegation  
from the center of the National Institute of Forensic Medicine, and new preparations were made. Were  
studied and, therefore, the report was issued, which they will have received with the possible conclusions,  
than it is possible to extract from these new analyzes ”.*

Affirming that it is not up to forensic medicine or autopsies to make a differential diagnosis between  
homicide, suicide and accident, Duarte Nuno Vieira revealed, however, the existence of some  
relevant indications arising from the autopsy result.

Regarding the cause of death, the inhalation of carbon monoxide was confirmed as having been  
the fundamental vector for the death of José Moreira and Elisabete Silva:

*«The death was certainly due to carbon monoxide poisoning because autopsies  
well done, complete and have unmistakable signs of poisoning by  
carbon, namely a very characteristic aspect, which almost allows making the diagnosis,  
which is the carmine color of the corpses and this results in fact from the huge amount of  
carboxyhemoglobin that is present in the blood and gives this very typical color to the bodies  
of the people who die intoxicated by this substance ”.*

However, there were elements that generated some perplexity to the technicians of the Institute of Medicine  
Legal when re-analyzing tissues:

*«It also showed some elements that create some perplexity, namely a rupture pulmonary alveoli, which we have now been able to verify again, and which does not part of the usual picture of carbon monoxide poisoning. In fact, the diagnosis of carbon monoxide poisoning is almost a diagnosis of exclusion, when we exclude other causes of death and when we detect these typical colorations in the body and then the concentrations laboratories, in laboratory, that justify a death by the product. Otherwise, no they leave nothing more specific, or they tend to leave nothing more specific ».*

Having described part of the picture he encountered, Duarte Nuno Vieira characterized intoxication by carbon monoxide as follows:

*«To also tell you that death by carbon monoxide has some ubiquity; that is, the levels carboxyhemoglobin mortals vary slightly from person to person, naturally depend on the person's previous health status, depend on their physical characteristics, depend on the concentration in the environment. A normal citizen may begin to experience symptoms carbon monoxide poisoning from 2 - 20%, but usually from 10-20% is when they become clearer, and carboxyhemoglobin levels above 60% already they are necessarily deadly. Death occurs because there is no more oxygen supply to the tissues, carboxyhemoglobin has an affinity for hemoglobin 250 times higher than that of oxygen. And therefore, hemoglobin instead of transporting oxygen to the tissues becomes transport this chemical agent, the tissues cease to be sufficiently oxygenated and the person dies asphyxiated so to speak, because he does not have enough oxygen supply ».*

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The context of habitual carbon monoxide poisoning, however, varies from person to person. person, which made the technicians of the Institute of Legal Medicine question the simultaneity of the death of José Moreira and Elisabete Silva:

*“But, as I was telling you, the speed at which this death can occur will, of course, vary from person to person, and right away one of the things that caused me some perplexity in this case concrete was the fact that the two people appeared dead at the same time, as if the product would have done the same action on both people simultaneously, which is not normal. Because they are people with totally different physical characteristics the product would be expected to have also different performance levels, that one of them had died first and the other one a little later or even if he realized that something wouldn't be right when he saw the another person loses consciousness ».*

In short, in addition to the simultaneous death, the analysis of José Moreira's tissues showed a rupture pulmonary alveoli, a fact that the technicians of the Instituto de Medicina Legal perpetual. According to Duarte Nuno Vieira, this can only occur in two situations:

*«(...) In mechanical asphyxiation, when they result from an occlusion of the airways to drown out shouting or trying to kill the person by covering the mouth and nose with your hands, where efforts Respiratory conditions actually cause the pulmonary alveoli to rupture; in drowning, because the person, first, holds his breath and then, when he can't do it anymore, he makes a*

*forced inspiration, the water jets into the lungs and blows up the pulmonary alveoli; or when some substance is forcibly instilled through the airways ».*

Excluding the possibility of drowning, Duarte Nuno Vieira enunciates the two possibilities for José Moreira's death:

*«If it was caused by an occlusion of the respiratory orifice, we cannot say whether it was or not, we these elements, nor was any dissection made at the time, at least it is not written in the report the autopsy, which would eventually be justified if that hypothesis has been anticipated at first, which was to remove the skin to see - because sometimes there are aspects at the level but they can stay internally and you can see when you hit and when you remove the skin from the head - underneath the blood infiltrations and the signs that could reveal this type of situation. Now, it may really be a forced administration of this type of chemical substance, which turns out to be arguably what caused death ».*

Asked about the high amount of carbon monoxide, Duarte Nuno Vieira confirmed the unusual fact, but it was less perentious as to the conclusions that could result, as far as where "toxicological analyzes and methodologies used were not as sensitive as they are today day". It further states the fact that, however, these two possibilities do not imply inconsistencies with the accurate result of the autopsies: the cause of the death of José Moreira and Elisabete Silva was carbon monoxide poisoning. This result, as well as the rupture of the pulmonary alveoli, a consistent line of investigation should have been matched, with the collection of new data, namely the results of the histological exams that will not have been made available to the doctor tanatologist, Fernando Fonseca.

*«Histological examinations, in fact, at the time, as far as I remember, were not totally considered by autopsies. But, I repeat, I do not have the exact knowledge of how*

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*things happened at the time, I'm just talking about what I had access to, the documentation that was provided to us. The expert at the time was even a good expert, as autopsies are well done, are detailed and well described, contrary to the autopsies of other victims in the Camarate case that I had the opportunity to appreciate earlier and that they had some shortcomings and shortcomings. The autopsies of these two victims are well prepared and are complete, are very well executed.*

*Now, I don't know if the expert had histology reports before completing these autopsies, should have had, but I think that, later, in the statements that I had occasion to read and that he paid at the time, he expressed his surprise when he noticed the rupture of the alveoli pulmonary, in view of the situation and the conclusions he had drawn up ».*

Regarding the work carried out in the examination of cadavers, Duarte Nuno Vieira stated that he would have concluded in the same way, but that could have possibly signaled, in a proper place in the report, the lack of consistency of the rupture of the pulmonary alveoli with the thesis of accidental death:

*«Anyway, let me tell you that, obviously, in terms of completing the autopsy and*



*in terms of the cause of death, I would have concluded anyway, if I were in the shoes of that expert, who I didn't know personally, but from which I have the best information and that, at the time,*

*worked at the Institute of Legal Medicine of Lisbon, for carbon monoxide. Now what not would have been neglected to point out in the autopsy report, namely in the chapter "Discussion", that there were data and, particularly from the histological point of view, that raised some perplexity and that came to pose problems and concerns as to how this monoxide of carbon would have entered that organism. This is because that rupture of the pulmonary alveoli is not at all consistent with a situation of accidental poisoning by carbon, makes, I repeat, think of either a forced administration or an occlusion of the respiratory diseases, which is usually the condition that leads to this type of rupture ".*

Finally, it is important to make a brief reference to the fact that José Moreira's body some abrasions on the knees and left shoulder, in addition to a deviated septum and hemorrhage nasal.

### **3.4.2. The death of José Moreira and Elisabete Silva and their investigation**

On January 5, 1983, the bodies of José Moreira and Elisabete Silva were found, in a apartment in Carnaxide. Following the alarm given by the gate, two elements of the GNR have will be directed to the apartment, followed by elements from the Oeiras Public Ministry, members of the Health Delegation, two agents from the Crime and Banditry Directorate and two agents of the 2nd section of the homicide department of the Judicial Police.

The two officers from the 2nd section of the homicide department of the Judicial Police who moved to the place were Mário Jorge Coimbra Mendes and Paulo Franco. At that time the idea was spread that whether he would have treated death by poisoning, since there would be indications of some gas smell. However, according to agent Herculano Morgado, also from the 2nd section and later tasked with investigating what happened, the amount of gas would not be lethal:

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*«Honestly, I don't know if the issue - as I mentioned here - was water heater, but I'm not a heater technician, I didn't feel any brutal smell, but also ... What did we expect? We hoped that it would be analyzed by a water heater expert, which would be the subsequent due diligence, and say, black and white, after making tests, whether or not it was a water heater problem ".*

It was also evident in the statements to agents Paulo Franco and Herculano Morgado that he was not adequate protection of the apartment. Both agents responded to Eduardo Dias Costa, responsible for both the 2nd and 3rd homicide section of the PJ.

On January 13 of the same year, the investigation of the case is attributed to agent Herculano. In that same day, the agent went to the Carnaxide apartment accompanied by three engineers - two from ESSO Gás, Lda., and the third from the Portuguese Petroleum Gas Association Liquefied. This visit to the apartment concludes the following, according to the resulting report

from the disciplinary investigation of the PGR to the procedures of the PJ and the Institute of Legal Medicine:

*«(...) Both the water heater and the stove were burning normally and there was no break either in the jars or in the tubes connecting them to those devices (...), noticing any gas leakage '.*

Five days later, on January 18, 1983, a new inspection of the site, namely the heater that was in the apartment, elaborated by techniques from the Ricardo Jorge Institute, found the deficient burn of the appliance, having the gas concentration values in the apartment reached about 110 ppm. This value was determined in the bathroom after an hour and a half of operation. According to the Prosecutor's order already mentioned, at this value correspond to possible symptoms of dizziness and headaches - the fatal dose will be greater than 1000 ppm. These techniques were accompanied, on that day, by agents Herculano Morgado and Paulo Franco.

As already mentioned, the victims had been found inanimate, with the cause of their death if due to carbon monoxide inhalation, a fact confirmed in the autopsy report performed by the Thanatologist Fernando Fonseca, dated January 19, 1983.

In parallel to the autopsies, histological examinations were performed on the cadavers, the result of which delivered by hand to Agent Herculano on April 11 of the same year. These results indicated, already in 1983, the rupture of the victims' pulmonary alveoli, and this fact was not transmitted to Thanatologist Fernando Fonseca, according to his statements.

On April 29, the agent Herculano Morgado presented the report that supports the thesis of accidental death of José Moreira and Elisabete Silva, report validated by Eduardo Dias Costa and sent by the latter to the Public Ministry.

The agent Herculano Morgado says he does not remember seeing the results of the histological examination, stating that, had it done so, it would have taken other steps:

*«(...), But I don't remember reading that, that histological report. I don't remember having received nothing after the autopsy report.*

*(...)*

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*I mean, if I saw it, if I read it, of course I did! I never spared any effort in the matter to investigate! I do not remember that in that exam it is said that the lungs burst ''.*

Thus, despite receiving the results of the histological examinations on April 11, 1983, it was not that fact in the filing order produced by the Judicial Police eighteen days later.

### 3.4.3. The PGR disciplinary inquiry

On November 28, 2013, the attorneys general were heard at the Commission deputies João Dias Borges and José Ribeiro Afonso.

Both prosecutors were involved in the elaboration of a PGR disciplinary inquiry into the performance of the Judiciary Police and the Institute of Legal Medicine. This inquiry took place in the following the deficiencies pointed out to the investigation by the V Eventual Commission of Inquiry Camarate accident.

The objective of the inquiry was, therefore, to determine disciplinary responsibilities to the Institute of Medicine Legal (João Dias Borges) and the performance of the PJ (in charge of José Ribeiro Afonso). The result of it, validated by the then Attorney General of the Republic, Dr. Cunha Rodrigues, concluded that it was not no disciplinary offense has been committed. It was 1992.

The report that resulted from that disciplinary investigation confirmed the fact that the results of the histological examinations on the tissues of José Moreira and Elisabete Silva were only completed on 7 April 1983.

X CPITC MPs showed some strangeness because the results of the examination histological findings, mentioned in the PGR report, did not precipitate the reopening of the process. On this topic, attorney João Dias Borges stated the following:

*«As the Honorable Member knows, the reopening of any criminal case has an own procedure. When making an inquiry into liability disciplinary action, this question passes by the respective inquirer. I, at least, didn't know that elements were in the respective criminal process, which probably existed, but there was a inquiry process at the time. In fact, I don't know if it was an inquiry or if it was an instruction preparatory, I no longer remember well, but there was a process that was opened. Now, all these elements to be carried was there, and we were conducting an inquiry about the disciplinary responsibility rather than making an inquiry or an assessment the way of deciding on that criminal proceeding ».*

In addition to keeping the disciplinary and procedural areas separate, the said attorney mentions, in the report, the contradictions between the different reports, in order to conclude the following:

*«The causes of death are shown to be correctly determined, in medico-legal terms, not appropriate to attribute any correlation to the medico-legal examinations to consider that the explanation of the death of José Moreira and his companion are inconsistent ».*

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For the preparation of the PGR report, the doctor's words were also taken into account Thanatologist to III CEIAC, in 1986, who, among other statements, said the following:

*«In the corpse's blood, the presence of carboxyhemoglobin reaching saturation was revealed 85%, much higher than the deadly limit. (...) There is carbon monoxide the victims, (...) carbon monoxide is a light, odorless, tasteless gas that rises and the fact that it went down, reaching such a concentration, is very strange ».*

Despite these doubts raised by Fernando Fonseca, the prosecutor, after analyzing the facts and testimony, affirms that there is no basis for excluding the accidental death thesis, as the demonstrate the following points taken from the PGR report:

- « *The percentages of carbon monoxide found in Eng. José Moreira and companion, are not liable to alter the medico-legal conclusions brought to the autoptic reports, not being a basis for concluding from them accidental death or not* ».
- « *Neither Dr. Fernando da Fonseca declared that the death could have been caused by introduction of a gas under pressure in the nose and mouth, as if it were a mask for anesthesia, nor this hypothesis (...) has the least basis in objective data* ».
- « *And what is clear is that neither the witness mentioned this, nor are there elements, even, to indicate that the death was caused by the introduction of a gas under pressure in the nose and mouth [note of the rapporteur: this excerpt appears in the PGR report, analyzing the statements by the Thanatologist, Fernando Fonseca, to the III CEIAC, in 1986. In these statements, Fernando Fonseca states the following: "If there were ruptures, there would be the same something that exists, for example, in the drowned, that is, small hemorrhages exactly by bursting of the pulmonary alveoli. (...) I must say that this pressure would provoke the bursting of the alveoli and, if the victims were alive, it caused hemorrhage. In short, the PGR report mentions part of Fernando Fonseca's responses to CEIAC, but it does not evidence what was said about the rupture of the pulmonary alveoli]* ».

In parallel, in the PGR report, two contradictory facts are stated, namely the access and lack of access to the results of the histological examination by the thanatologist - the statements in which Fernando Fonseca says he does not remember having seen the results, and simultaneously the following deduction is made:

*« It is certain that the reports of the histological exams must have been passed by the expert thanatologist, as was practical, and in such a way that he had the opportunity to check them.*

The PGR disciplinary inquiry further confirmed, once again, that the results of the examinations histological samples had been delivered, by hand, to agent Herculano.

The PGR report was discussed with Deputy Attorney General Dias Bravo and with Attorney General Republic, José Narciso Cunha Rodrigues and did not result in the determination of any liability disciplinary action by the PJ and Legal Medicine Institute involved. Also note that the following elements of the PJ were heard by the prosecutors: Paulo Bernardino, Lourenço Martins, Marques Monteiro, Herculano Morgado, Mário Jorge Mendes and Artur Mendes Pinto, this last of the GNR. Eduardo Dias Costa, hierarchical superior of Herculano Morgado in the 2nd section of homicides of the PJ, was not heard.

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In addition to the three main areas of focus for the aforementioned works, namely the FDMU, the export of arms to Iran and the death of José Moreira, X CPITC also carried out steps with the former secret services of the German Democratic Republic - to Stasi, in the sense to verify the existence of any references to the Camarate attack in the vast documentary collection existing in the city of Berlin.

The confessed perpetrators of the attack were also heard in the Commission, namely Fernando Farinha Simões, José Esteves and Carlos Miranda, as well as others individuals identified by these as having links to the Camarate attack.

Finally, X CPITC experienced some difficulties in carrying out its work, namely those created by RTP in the provision of images, as well as the resignation of some embassies in giving information to Parliament, facts mentioned in this chapter.

### 3.5.1. Other testimonials

It is also important to mention some facts revealed for the first time in this Committee of Inquiry into the throughout their work.

Among the most relevant facts are those brought to Parliament by Isabel Mesquita Veiga de Macedo, personal secretary of the then Prime Minister, Francisco Sá Carneiro.

Despite never being formally heard in court, Sá Carneiro's secretary revealed that the decision to go to Porto was taken "*a few days before*", with the appointment of Sá's flight Aries at TAP a *back-up* measure - usual procedure - if the weather conditions were bad. The initial idea was to use the Cessna provided by RAR, similar to the plane that would be targeted in Camarate. However, at the invitation of the Minister of Defense, Sá Carneiro he would eventually dispense with the RAR plane (which had meanwhile headed for Lisbon), boarding the flight fatal. A relevant fact from the aforementioned testimony is related to the unmarking of the trip de Sá Carneiro on the TAP flight: contrary to the version of Conceição Monteiro, advisor to the Prime Minister, and also reiterated in the present Commission, Isabel Mesquita Veiga de Macedo affirmed perpetually, it was the person who canceled the TAP flight, just before the *check-in* closing.

Relevant to the work of the Commission was also the testimony of Diana Andringa, a journalist from RTP.

According to the journalist, three RTP teams traveled to the site: the first team integrated the journalist Henrique Garcia, the second, the film team where Diana Andringa followed, accompanied by Margarida Marante, the third team was led by Joaquim Furtado. Upon arrival to the place, the journalist remembers that images had been captured and to have made a minimum of five interviews. Diana Andringa's work would appear in the *Jornal da Uma* on December 5, 1980, but not in the *Jornal da Noite* of the same day. Strange the fact, the journalist would end up trying find images captured by his team, having never been able to find them - it was the possibility of having disappeared or being used for new recordings mentioned.

However, Diana Andringa was convinced, in the commission, that the brutes of images he had captured, contrary to what he believed to have occurred in relation to the assembled parts and the brutes of the interviews. In addition to the work collected on the spot by Diana Andringa's team, other images had been collected, both by Henrique Garcia, still unaware of the plane crew, as by Joaquim Furtado.

Finally, it is important to give a brief note to a document written by the pilot Luís Garção and delivered to the Commission <sup>10</sup>, reiterating the enormous expertise demonstrated by pilot Jorge Albuquerque when Camarate attack, namely when trying to keep the plane under control, under conditions extremely difficult. The importance of this testimony clarifies, once again, possible doubts that have arisen, particularly during the investigation, about the pilot.

### 3.5.2. The Stasi

AX CPITC decided to send to the archives of the former secret police of the German Democratic Republic - the Stasi - a request for information regarding an existing reference in your estate to the attack on Camarate. The reason for the request was due to the fact that, over the years and the different Parliamentary Commissions of Inquiry, the possibility of Stasi's knowledge having been conveyed details of the attack.

However, the response from Germany was negative, and no relevant information.

### 3.5.3. The different versions on December 4, 1980

Having been the statements of Fernando Farinha Simões one of the foundations for the constitution of a new Parliamentary Commission of Inquiry into the Camarate Tragedy, it is important to reflect, objectively, the confessions delivered by Fernando Farinha Simões, José Esteves and Carlos Miranda to X CPITC, as well as its statements by the Commission regarding the preparation and perpetration of the attack that victimized, among others, the Prime Minister and the Minister of Defense.

Since the statements were made in different sessions with multiple differences, if by placing the elements common to the different testimonies, in a narrative without excerpts, without first making the reservation of the deponents' marked animosity, incoherence and bipolar stance, reiterating the fact that it is a very debatable version of the events <sup>11</sup>.

*Short version of the testimonies of Fernando Farinha Simões, José Esteves, Carlos Miranda, Elza Simões and Victor Pereira*

Fernando Farinha Simões, José Esteves and Carlos Miranda will have known each other in Luanda, before 1974, during military service. From 1975 they will have participated in CODECO (meaning

<sup>10</sup> See Annex 16

<sup>11</sup> In this regard, the majority of representatives of the victims' relatives signed a declaration joint action, as set out in Annex 15.

"Operational Commands for the Defense of Western Civilization"), an organization designed to defend, if necessary through guerrilla warfare and resorting to acts of violence, the "Western World Values", according to your own definition. Between 1974 and 1976, Fernando Farinha Simões, José Esteves and Carlos Miranda is said to have participated in the said bomb network.

Fernando Farinha Simões allegedly worked for the CIA from 1975, with Frank Carlucci as reference partner.

Between September and October 1980, Fernando Simões asked José Esteves for his collaboration in a concrete operation, necessary because there are elements within the AD that would be creating problems with arms transport. Fernando Simões says that this operation will have been paid and executed by the CIA. He also informed Carlos Miranda of the operation, indicating that in it Lee Rodrigues would participate, asking him to support José Esteves in the manufacture of an explosive device for this operation. Carlos Miranda will have accepted, having stayed several days working on this mill at José Esteves's.

Allegedly between September and November 1980, Farinha Simões had several meetings in the Sheraton Hotel, in Lisbon, with Gary Van Dyk, from South African secret services, but who also he collaborated with the CIA and with secret service Americans, including Frank Sturgis.

In early November 1980, Farinha Simões invited José Esteves to participate in a meeting on a boat at anchor in Cascais, where there are about eight people, including Lee Rodrigues, Frank Sturgis and four other American citizens. It has been said that it is necessary to organize an operation soon, in Lisbon, to bring down a small plane. For this purpose Frank Sturgis will have given José Esteves 200,000 USD, stating that they should be used in the manufacture of a pump.

Later that month, José Esteves and Farinha Simões went to Hotel Altis, in Lisbon, where Juanita Valderrama, wife of Major Canto e Castro, would have given them a package with material for the manufacture of a bomb to be used in the attack in preparation. José Esteves will have taken the referred material for his house at Rua Elias Garcia nº 111, in Cacém, where he will have manufactured a mill explosive. Farinha Simões and Carlos Miranda visited the apartment frequently.

João Pedro Dias, who dedicated himself to small thefts, will have succeeded, at the request of Fernando Simões, steal the card of Miguel Wahnnon, a TAP employee, in order to allow entry into the airport at José Esteves. A pilot uniform was also obtained for Sinan Lee Rodrigues

Around December 1, a meeting took place in a palace known as the Palace Roquete, in Lisbon, which, being normally frequented by returnees, offered conditions for that this meeting should be held discreetly. Farinha Simões, José Esteves, Major Canto e Castro, Carlos Miranda and Sinan Lee Rodrigues. Major Canto e Castro, heard by Commission via teleconference, permanently denied knowing any of the alleged agents involved in the Camarate attack. Fernando Simões will have revealed that the operation would take place days and that the target would be Eng. Adelino Amaro da Costa, who would be conducting an investigation on arms trafficking in Portugal. The referred operation would have the objective of protecting beneficiaries of said arms deal. It is referred by Farinha Simões that Lee Rodrigues he had been hired for this operation to place the explosive device manufactured by José Esteves.

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On the afternoon of December 4, José Esteves reportedly drove with Farinha Simões to the Portela airport, where they will have met Lee Rodrigues, to whom the mill is delivered produced by José Esteves. Farinha Simões will also have met Frank Sturgis in the airport, from where he will have contacted William Hasselberg, who would work at the US Embassy in Lisbon and who will have collaborated in the operation.

When, after 8 pm, the Cessna plane takes off, Frank Sturgis and Farinha Simões would be on the end of the runway, outside the airport, close to a Ford Transit van that they would use for their personal transport. A few seconds after the plane took off, Frank Sturgis will have activated a control that will have exploded the bomb placed by Lee Rodrigues at the bottom of the plane, causing its fall in Camarate. By the way it exploded, this bomb may not have been, however, the one manufactured by José Esteves and Carlos Miranda, but another one, more sophisticated, allegedly supplied by the CIA to Farinha Simões.

José Esteves would leave the airport meeting Farinha Simões and Elsa Simões in the hairdresser "Baeta", in the shopping center of Alvalade, where she worked. Then they will have gone on to home of Farinha Simões, in Odivelas, where they will have seen the news of the plane crash. José Esteves will have been surprised, since he was unaware that Sá Carneiro was on the plane. After seeing the news on José Esteves made some calls to Lieutenant Colonel Lencastre Bernardo, with whom would meet later. Lencastre Bernardo will have referred José Esteves to rest assured just because the investigation of the plane crash would have no consequences for him, but also because the device that José Esteves manufactured would not have been used in the operation, and therefore could not have been the cause of the plane crash. Lieutenant-Colonel Lencastre Bernardo repudiated, in Commission, all statements relating him to José Esteves and Fernando Farinha Simões.

In 1981 or 1982, Melo Alves, who worked with the Judiciary Police and who knew José Esteves for several years, he will have called José Esteves, putting him in contact with an agent of the PJ whom José Esteves would later identify as Victor Pereira. José Esteves will have revealed some details of the Camarate attack, asking in return for legal aid. It will also have counted have actively participated in the Camarate attack, asking what the possibility of not being accused for the act, if he showed repentance and confessed. The conversation was not followed up, since José Esteves will not have identified himself on the phone.

In 1985, as a result of a lot of noise around the Camarate theme, José Esteves will have gone to Brazil, counting on the help of 750 contos delivered to him by Farinha Simões, obtained from the US Embassy.

Later that year, Farinha Simões was arrested for drug trafficking and placed in the prison of Sintra, where he will have met Victor Pereira, now a prisoner. He allegedly confessed to him that participated in the Camarate attack, together with José Esteves. A year later, with eventual help from CIA elements, Farinha Simões manages to escape from prison in Sintra, traveling from then to Brazil, where he frequently meets with José Esteves. Then, Farinha Simões will have It is told, for the first time, that he knew that Sá Carneiro would be on board the plane, having the operation been approved by the CIA, through Frank Carlucci.

In 1994 Farinha Simões returns to Portugal. In 1995, he was arrested again, accused of drug trafficking.



damn it. That same year, José Esteves also returns to Portugal.

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While inmates in Portugal, both Fernando Farinha Simões, in 1995, and Carlos Miranda, in 1998, received visits from prosecutors or Judicial Police agents, aid was offered to them if they remained silent about the Camarate attack. José Esteves, in 1996, was also contacted by the Judicial Police in the same direction. The contacts made with Farinha Simões and José Esteves will have been made by the prosecutor of the Public Ministry, Fernando Vaz Ventura.

It is the declared belief of three of the deponents that Camarate was an organized crime by the CIA, with the collaboration of Major Bernardo Canto e Castro, with the objective of eliminating people linked to the Alliance Democratic, namely Eng. Adelino Amaro da Costa, who were hampering, in Portugal, arms trafficking and exports. As mentioned above, Major Canto e Castro, heard by the Commission via teleconference, perpetually denied any involvement in the attack on Camarate, as well as meeting any of the alleged agents.

Alan Webberman, author of the book *Coup in America: the CIA and the murder of JFK* and Jim Hunt, nephew of Frank Sturgis. Both Americans put Sturgis on CIA sphere, although formally outside it, a fact previously mentioned by Farinha Simões. The CIA, in response to the X CPITC, formally denied the possibility that Frank Sturgis worked for the agency.

It is unanimous opinion of Farinha Simões, José Esteves, Elza Simões, Carlos Miranda and Victor Pereira who, three of them, Fernando Farinha Simões and José Esteves participated in the Camarate attack as their material authors, although in different degrees.

These deponents also consider that both the Judiciary Police and the Attorney General's Office Republic never wanted to investigate the plane crash, intimidating anyone who defended the thesis of the attack, thus concealing evidence that pointed to an attack.

### 3.5.4. The difficulties of X CPITC

Throughout the work of the Commission, some difficulties were highlighted in the pursuit of works. Some of these difficulties originated from the deliberate concealment of information by several entities, others that resulted from the inexorable passing of time, with the consequent loss of references and memory in relation to the facts that occurred about 34 years ago. In some cases, the passage of time has also served as a comfortable alibi for the omission of information.

#### 3.5.4.1. MNE / MDN / EMGFA

Despite various efforts and insistences, it was not possible to locate either with EMGFA or with the MDN, nor with the MNE, certain very relevant correspondence, mentioned in the Audit to the Accounts of the Office of CEMGFA, in the period between the years 1974 to 1981 - this The audit was carried out by the IGF in parallel and in the context of inquiries about the FDMU.

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This correspondence is identified in the correspondence record book of the CEMGFA, corresponding to entry numbers 677 and 678, of December 2 and 9, 1980, and 42, January 22, 1981 - and was revealed by the auditors. All three of these sets of documents have been identified as respecting "EXPORT OF WAR MATERIAL TO IRAN", apparently, according to the entries in the quoted book, of cross-offices between those three organizations, as well as the relevant service notes and information, among other annexes.

This official file, the importance of which was already transmitted to the VIII CPITC, in 2004, however, was never found, apparently there are no more than the mentions in the aforementioned book of correspondence record.

AX CPITC deplored the disappearance and the impossibility of analyzing this important documentation, essential to fully clarify its meaning and content, especially when the correspondence occurs on dates of the greatest interest to clarify the attack: 2 and 9 of December 1980 and January 22, 1981. And its simultaneous disappearance - and any copy - of the archives of all three organizations (EMGFA, MDN and MNE), including the letter No. 319 of the SG / MNE of November 28, 1980.

The requesting parliamentary group, the CDS, requested, at the same time, that the Government proceeded to "a rigorous urgent investigation as to its possible deviation and disappearance". IS what will now be done when, unfortunately, according to the latest information received, that "despite all efforts, it was not possible to obtain elements referring to paragraphs b) and c) of letter 154 / XCPITC / 2013".

### 3.5.4.2. RTP

Following the testimony of Diana Andringa, X CPITC deliberated, based on the authorization of mentioned journalist in having his file regarding the fall of Cessna, requesting RTP the raw images captured on the night of december 4th, namely those collected in Camarate. According to the request submitted, it was requested to " *send the journalistic pieces of December 4, 1980, unedited, as well as all images collected at the accident site and not edited* '.

In addition to claiming freedom of the press and the absence of an obligation to disclose sources information, the public company appealed to the Justice, alleging the prescription of the crime that occurred in the skies from Camarate.

Having lost the case at the Lisbon Court of Appeal, which gave reason to the CPI [« *relevance of*

*unpublished images* ", " *respect for parliament's decision to set up the commission of inquiry* ", « *Documentary sources and not personal sources* » of information »], the public company appealed to the Supreme Court of Justice, and for these reasons it was decided to suspend the Commission's work.

The Supreme Court of Justice ruled in favor of the questions of the X CPITC, and RTP sent an set of recordings manifestly insufficient in relation to what is public has been shown in television that night. The set of images received did not correspond to the Commission's expectations, as they will not be able to match the footage collected,

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that night in Camarate. You can see, on *YouTube* , images captured by RTP reporters that were not sent to the CPI.

### 3.5.4.3. Embassies

Following the work of the CPI, namely the hearings held by Farinha Simões, it was set of requirements addressed to the US, UK and British embassies Federal Republic of Germany, in order to obtain some information that corroborates or deny the accusations brought by him to nationals or even to the authorities of those countries. Regarding the United States Embassy in Lisbon, information was requested if Oliver North had been in Portugal in 1980, as well as the whereabouts of William Hasselberg, who will have worked at the embassy that year. No response or information was provided to the Parliamentary Committee of Inquiry.

### 3.5.4.4. Witness number two

At the eighth Parliamentary Committee of Inquiry, a witness, known as witness number two, who came to testify under the legal regime for the protection of witnesses. The said witness, whose work would have passed through Explosivos da Trafaria, claimed to have seen company, a report by the Ministry of National Defense on arms trafficking, taking into account also heard General Pinto de Resende say that the matter was serious and that something would have to be done. These words were spoken on October 16, 1980. The witness also stated have encountered Lee Rodrigues and José Esteves, at the Explosivos da Trafaria facilities.

In view of public reports and also addressed by the present Commission, it seemed relevant to hear witness number two again, namely to access a document that it would have delivered to the Supreme Court of Justice on arms trafficking in Portugal, namely in 1985.

AX CPITC was unable, however, to contact witness number two, frustrating the numerous attempts and steps in this direction.

#### 3.5.4.5. Time and Memory

It is also important to make a brief consideration of the facts highlighted during the present Commission of Inquiry.

More than thirty years after the Camarate attack, it is natural and understandable that memory on the facts that occurred is sparse or even non-existent. However, it was notorious in the work of present Commission the existence of three types of testimonials: the testimonies of those who remembered, the testimonies of those who little remembered and the testimonies of those who everything had been forgotten.

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Considering that the three postures are understandable given the breadth of the time horizon, it is not even legitimate the attitude of many deponents who, not remembering, did nothing to study on the topic - even when, for example, there were self-made reports about the events, as the evident lack of accountability of some deponents for acts performed by them is not legitimate with the argument that a long time has passed.

Unfortunately, time, combined with a lack of will, may end up not allowing clarification unequivocal of what happened on the night of December 4, 1980.

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**4. Conclusions****4.1. The Parliamentary Commissions of Inquiry into the Camarate Tragedy**

- I. The CPI reproduces the conclusions of the previous commissions, namely those of the V, VI and VIII Parliamentary Commissions of Inquiry into the Camarate Tragedy.

**4.2. Initial considerations**

- II. Although the work of the present CPI did not focus primarily on the technical details of the attack, testimonies of Professors José Cavalheiro and Henrique Botelho de Miranda concludes and reiterates, once again, that it was due to an attack the fall of the Cessna on the night of December 4, 1980.

**4.3. The Overseas Military Defense Fund**

- III. The FDMU, designed to satisfy charges originated by the Portuguese military forces in the Overseas, continued to operate after the end of the Overseas War.
- IV. The annual accounts of the FDMU were not approved in the years 1978, 1979 and 1980 by CEMGFA, General Ramalho Eanes.
- V. Decree Law 548/80 of 18 November refers to the formal extinction of the FDMU, but not the materially extinguishes, having occurred the acts that were in progress after the entry into force of that law.
- SAW. Although formally extinguished, the FDMU balance did not integrate the general state accounts, having been transferred to a private fund created in EMGFA, which had it until 1993.
- VII. It is possible to say that the FDMU was only extinct, from a material point of view, in 1993.

- VIII. The final balance of the FDMU, coinciding with the initial balance of the private fund of EMGFA, reached approximately 510 million escudos, a value that, today, would correspond to about 27 millions of euros.
- IX. The final balance of the private fund of EMGFA reached approximately 29 million escudos, in 1993, which today corresponds to around 25 thousand euros.
- X. General Ramalho Eanes' answer to the questions asked by members of the X CPITC presented some inconsistencies regarding the facts verified by the audit to the FDMU carried out carried out by the IGF, namely as regards compliance with the financial regularity of the bottom.
- XI. Between 1982 and 1992, the annual management accounts of the private fund of the EMGFA, with undocumented expenses on works and constructions, others.
- XII. Between 1982 and 1988 there are references to expenses arising from the EMGFA private fund. Of these expenses, we highlight transfers to autonomous funds belonging to entities in the branches of the Armed Forces (117 million escudos in 1982 and 8 million escudos) escudos in 1986), for the Army Staff (25 million escudos in 1982), as well as expenses with construction and major repairs, by EMGFA (19 million euros). escudos in 1982 and 2 million escudos in 1986).

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- XIII. It was not possible to document the veracity of expenditure on works and repairs by the EMGFA.
- XIV. The Revolution Council took the decision, in its own favor and in disagreement with the opinion Constitutional Committee's non-binding legislation on article 3 of DL 548/80, of 18 November, of not declaring the unconstitutionality of this statute by itself prepared and approved.
- XV. Under the terms of this DL 548/80, of November 18, the Revolutionary Council proceeded to extinction of the FDMU, transferring its balance to a private fund managed by the Board of Directors EMGFA Administration.
- XVI. It was not possible to establish a causal link between the FDMU and the Camarate attack.

### 4.4. Arms exports

- XVII. In the late 1980s, arms exports needed government approval, namely by the Minister of Defense and the Minister for Foreign Affairs.
- XVIII. Usually, the Ministry of Foreign Affairs would not pronounce itself in favor or in against arms exports, referring that decision to the Minister of Defense.
- XIX. The Government led by Francisco Sá Carneiro asked for further clarification regarding arms exports to countries such as Guatemala, Argentina and Indonesia.
- XX. Ammunition was transferred from an Israeli aircraft to an Iran Air aircraft in the Portela airport in 1980.
- XXI. This occurrence may have been at the origin of the news published in *Portugal Today*, entitled "Portuguese Weapons for Iran".
- XXII. Following this news, the Portuguese Government issued a joint note stating that

neither authorized nor authorized the export of arms to Iran.

- XXIII. It was also confirmed that a commercial embargo was in force on April 21, 1980 Iran, which would include arms, and which would have been in force until January 1981, when other European countries lift the said embargo.
- XXIV. Alpoim Calvão, called to CPI for his role in the company Explosivos da Trafaria, said he had ammunition overflow has already occurred. It also confirmed that the legal export of arms to Iran in 1981.
- XXV. Adelino Amaro da Costa asked for further clarification on the arms expedition to the Iran, two days before the attack.
- XXVI. From the analysis to the entry of correspondence in the CEMGFA Office, it is possible to arms dispatch to Iran on December 9, 1980, five days after the attack.
- XXVII. It was also possible to verify the sending of military material to Iran on January 26, 1981.

#### 4.5. The death of José Moreira

- XXVIII. José Moreira and Elisabete Silva were found dead on January 5, 1983, having the cause of death was by carbon monoxide inhalation.
- XXIX. José Moreira's testimony was scheduled at the I Commission of Inquiry into the Tragedy of Camarate, testimony that did not happen.
- XXX. The death of José Moreira and Elisabete Silva was considered accidental by the Judiciary Police.

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- XXXI. The analysis of the tissues, elaborated at the request of the X CPITC by Nuno Duarte Vieira and Rosa Henriques Vieira, from the Institute of Legal Medicine and Forensic Sciences, would end up showing ruptures in the pulmonary alveoli of José Moreira and Elisabete Silva.
- XXXII. The rupture of the pulmonary alveoli, in situations of death by carbon monoxide, results of two situations: drowning or mechanical asphyxiation.
- XXXIII. Excluded the possibility of drowning, the explanation for the rupture of the pulmonary alveoli José Moreira lives only and only in a situation of mechanical asphyxiation.
- XXXIV. The disposition of the bodies, as well as some marks found on the corpses and the virtual one impossibility for the high levels of carbon monoxide to come from the water heater, indicate that it was not a suicide.
- XXXV. Adding to this fact the high levels of carboxyhemoglobin, the simultaneous death José Moreira and Elisabete Silva, the high probability that, even though all the gas taps open, there are not enough carbon monoxide levels to justify the values found in the victims, it is concluded that the death of José Moreira and Elisabete Silva not only was it not accidental, it was caused by others.
- XXXVI. The autopsy of both corpses, prepared by the Thanatologist physician Fernando Fonseca, and whose report was presented on January 19, 1983, has been well done.
- XXXVII. If this information had been cross-checked with the results of the examinations histological findings, which demonstrated rupture of the pulmonary alveoli and which would only come together to the process on April 11, 1983, it would have been possible to exclude, already in 1983 and to a high degree

- of probability, the accidental death thesis.  
 XXXVIII. The results of the exams will not have been made available to the Thanatologist.  
 histological, a fact whose responsibility is attributed to the Judiciary Police.  
 XXXIX. The investigation of the Judicial Police failed to investigate the causes of José Moreira's death, namely by not taking into account relevant elements of the histological examination to the victims' tissues.  
 XL. The disciplinary investigation conducted by the PGR did not identify any relevant flaws in the Judiciary Police and Legal Medicine Institute.  
 XLI. The disciplinary investigation produced a report that blatantly omits facts that could not only confirm a deficient performance by the police Judiciary as resulting in the possibility of excluding José's accidental death thesis Moreira and Elisabete Silva.  
 XLII. The report concludes that this omission was deliberate, having as its sole objective, the corroboration of the initial thesis put forward by the Judiciary Police.  
 XLIII. The disciplinary investigation and its results were endorsed by the then Attorney General of the Republic, Cunha Rodrigues.

#### 4.6. Other testimonials

- XLIV. The disappearance of the RTP's collection of images captured by the team that confirmed was part of the journalist Diana Andringa on the night of December 4, in Camarate.

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#### 4.7. The Stasi

- XLV. The German authorities replied that they were unable to find, in the archives of the former secret police of the German Democratic Republic, any data relating to the attack which victimized, among others, the Prime Minister and the Minister of Defense.

#### 4.8. The different versions on December 4, 1980

- XLVI. It is not possible to remove from the testimonies of the confessed perpetrators of the Camarate, namely Fernando Farinha Simões, José Esteves and Carlos Miranda any coherent, unambiguous and irrefutable element that allows a better clarification of the occurred on December 4, 1980.  
 XLVII. The right to the good name of the people involved in the accusations of the confessed perpetrators leads the CPI to affirm that the successive statements by Farinha Simões and José Esteves are, above all, an incoherent and unproven version of the tragic events that would lead to the Camarate tragedy, and may be relevant only for the attribution of its



their own responsibilities, and not with respect to third parties, since they lack other objective elements of support, confirmation and proof.

#### 4.9. Final conclusions

- XLVIII. The plane crash in Camarate on the night of December 4 was due to an attack.
- XLIX. The Overseas Military Defense Fund was formally extinguished, but remained active under the form of a private fund until 1993, with approximately 481 million escudos in this period without any scrutiny. The opening balance of the private fund, in 1981, and calculated to the present day, would be equivalent to about 30 million euros. The final balance, in 1993, would correspond to about 25 thousand euros.
- L. The transfer of arms to Iran in 1980 and the export of arms to the same country, at least, in 1980 and 1981, even after the cut of commercial relations with Iran and with the lack of authorization for arms exports by the Minister Defense.
- LI. The Minister of Defense, Adelino Amaro da Costa, was shown to be concerned about the irregularities in the operation of the Overseas Military Defense Fund and the possible arms trafficking in Portugal.
- LII. Governments led by either Diogo Freitas do Amaral or Francisco Pinto Balsemão failed to take the necessary steps to address concerns expressed by Adelino Amaro da Costa.
- LIII. The dispatch of military material to Iran in the 1980s and 1981 is referred to in the audit of the IGF to the accounts of the EMGFA Office, namely as having occurred on 9 December 1980 and on January 26, 1981.
- LIV. It was evidenced that José Moreira and Elisabete Silva were murdered in the beginning of January 1983.

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- LV. Although it is reasonable that the reason for the double homicide is related to the revelations that José Moreira had said he would produce in his future testimony in Parliamentary Committee of Inquiry, it was not possible to establish a causal link between his death and the attack that killed, among others, the Prime Minister and the Minister of Defense.
- LVI. The role of the Judiciary Police in investigating the death of José Moreira and Elisabete Silva was deficient and presented unequivocal gaps, making it difficult to believe that it was only due to any carelessness.
- LVII. The role of the Attorney General's Office, namely in the disciplinary investigation of 1992 to the performance of the Judiciary Police and the Institute of Legal Medicine in the case of José's death Moreira and Elisabete Silva was also deficient, with glaring and evident gaps, being It is equally difficult to believe that it was only due to possible carelessness.

## 5. Recommendations

The tenth Parliamentary Committee of Inquiry on the Camarate Tragedy ends and after thirty-four years on the attack that killed, among others, the Prime Minister, Francisco Sá Carneiro and Defense Minister, Adelino Amaro da Costa, this report recommends to the Assembly of the Republic the creation of a digitized archive about Camarate, containing the entire documentary collection on the attack and subsequent placing of the entire collection on Parliament's official website.

Likewise, it is considered important to recommend to the Government to safeguard documents of the collection of the Overseas Military Defense Fund, whose historical importance will be assessed with greater temporal distance.

At the same time, X CPITC considers it of the utmost importance that the Government determines the opening of a rigorous investigation that will make it possible to fully clarify the disappearance of the EMGFA archives, MDN and MNE of the official cross-correspondence between these three bodies with reference to export of war material to Iran on 2 and 9 December 1980 and 22 January 1981. This correspondence was identified by the IGF in the correspondence record book of the EMGFA Office, with official news that all of the original documents have disappeared and any copies, including the respective attachments.

Assembly of the Republic, 23 June 2015,

The Rapporteur

(Pedro do Ó Ramos)

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### Attachments

Despite this final recommendation, a set of documents that are considered essential to understand the topic.

Thus, the following are attached to the report:

*About FDMU*

1. Final Audit to the Overseas Military Defense Fund (FDMU)
2. Minutes of the testimonies of IGF inspectors

*About the Export of Military Material*

3. Minutes of the statement by Commander Alpoim Calvão
4. News from *Portugal Hoje* , entitled "Portuguese Weapons for Iran"
5. Official note from the Government of Sá Carneiro on the news from *Portugal Today*
6. Audit Report on the Accounts of the CEMGFA Office from 1974 to 1981  
(pages 46/56 and 47/56)

*About the Death of José Moreira*

7. PGR Disciplinary Inquiry into the role of the Judiciary Police and the Institute of Legal Medicine in the scope of the investigation of the death of José Moreira
8. Minutes of the testimony of Duarte Nuno Vieira, then President of the Institute of Medicine Nice
9. Minutes of the testimony of the agent Herculano Morgado
10. Minutes of testimonies of prosecutors João Dias Borges and José Ribeiro Afonso
11. Report of histological exams to José Moreira

*About RTP*

12. Judgment of the Supreme Court of Justice
13. Minutes of Diana Andringa's testimony

*About the Camarate Attack*

14. Minutes of José Cavaleiro and Henrique Botelho de Miranda

*On the hearings of the confessed perpetrators of the Camarate attack*

15. Statement by the representatives of the victims' relatives, dated June 24, 2013
16. Tribute due to the Albuquerque Pilot



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## ESSAY | CHRIS HANI MURDER REVISITED

Chronicle #11 By [Thabang Mokoena](#)  
Reviewed by [Thabang Mokoena](#)



*Dubele September and Anton Lubowski*

Chris Derby, Levy's co-conspirator in the murder of South African freedom struggle hero Chris Hani in 1993, was once again denied parole for the third time in January this year. While Chris Hani's family and many old friends and comrades applauded the decision to let him rot in jail, how much Derby Levy actually knew about the murder? One of these voices is Evelyn Crook, who investigated the Chris Hani murder case and several others for years at Barrow and Biko. He researched and wrote about both the Hani and September murders, was published only in the *Black Agenda*, in a language largely foreign to the international community. The history of a case that could not be told.



*Chris Hani*

ANC representative Dudu Zephuribe was killed in Bulhoek in 1991 – when it was about future arms contracts between France and the ANC were on the agenda. SWAPO man Anton Lubekoet died in front of his Windhoek home in 1979, shortly after becoming a major – and diamond dealer – and the ANC's beloved Chris Hani was murdered in 1990 some years before the first democratic elections in South Africa, in the midst of massive by-the-officially-by arms-dealer-armed people in the ANC military.

In all three cases, I was told by people close to the victims, that they had been "obstacles". Dudu Zephuribe had been "fighting with important people". Lubekoet "had not wanted to do what certain business men wanted". Hani "could not allow the corruption of the ANC's ex-army MK". In the late eighties and early nineties when South Africa and neighbouring Namibia were isolated from open trade with economies and sanctions were piled down, of international businessmen had fled to the impending new ANC and SWAPO government, to buy up resources and cell phones.

In Namibia, Namibian President Hifikepunye Pohamba and South African President Mandela both referred to the poor – over 60% – living and earning less than \$2 a day, as "approaching the ANC in South Africa in 1994".

Zephuribe, Lubekoet and Hani all objected on respective – genuine – religious beliefs to the exchange of all diamonds – and a family light, the cap and the worn-out shoes. South African man, dead by the way, about these things "in 1991". On religion and also love.

Official police investigations identified all three murders as motivated by political hate and perpetrated by death squads within the case of Hani, right-wing activists

In the case of Choi Hani, former commander, claimed to me that he was in charge of the USD\$60 million arms deal that was being negotiated with the UN in the 1980s, right at the time of the police deal in the 1980s. He claimed that a crucial part in the Hani murder was played by Peter Lach, a chemical engineer, with arms trade connections, who was the employer of Hani's convicted murderer, James White, and who seemed to have been telling White what to do. The police had been put in a position of investigating Peter Lach, and he was written in to a letter from the Security Police that read: "Inflicting on Peter Lach all the responsibility and all the

All this I published. But only in Dutch, never in English, the South African publication was prevented through legal and physical threats to the publisher. In a lecture for the 40th anniversary of the Witwatersrand Academic publisher in 2008, I have mentioned the reasons why she was unable to publish. The question, 'are [I] about how truths can be covered up and how the interests of a few powerful constituency can shape our understanding of history'.

## I published several stories

I published my first article about the assassination and the link to the Bulcke September and Zintzen Lubesele murder, in the South African Mail & Guardian. The full story of all three murders, and their legacy, has gradually spread from my local Bulcke newspaper to his local newspaper, but published in 2004 in March in the *Hebdenand* – the only local newspaper in Ficksburg, and I was able to publish in South Africa's main published national version of the local newspaper available in South Africa on the Truth and Reconciliation Commission and the South African FDI, the *Spectator*. The Zintzen Lubesele story was captured in a South African news magazine journal in which I covered the Bulcke September investigation was published in the *Republiek* (School of Physics) University in Johannesburg and South Africa and the same month, my article in the *Mail & Guardian* was published in 2005 in the *Hebdenand* in 2005. But African police eventually the media are published, or discussed the following day. Hence The national monthly the same I published there, my same as previous, a police force pledged to cooperate in a case against a police officer, a newspaper of publication than nothing other a while, even in, including the official narrative. In 2010, when a new official publication was first published in September and Lubesele's story in 2010, I would research in the Bulcke September, and in 2010, in the



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University of the Western Cape isverted nearly back to the 'extremist death squad story'.

In 2011, the repeated admission by former foreign minister Aziz Pahad that September was killed over 'nuclear issues' first made to me in 1995 and now re-recorded by a French investigative documentary maker made it again to Mail & Guardian. Nevertheless, the Cape Times in 2012 again only spoke of 'apartheid death squads as the culprits'. The story 'The Fugbovaff files' published prominently by Mail & Guardian in 1999, cannot even be found on their website anymore.

## 'The world is a dangerous place, you know'

In the case of the Chris Hani investigation, South African publisher Jacana was made to fear bank robbery by arms dealer Gwerman, some of whom threatened a punitive pre-publication litigation. Military vehicles dealer Witold Walus, brother to James Walus, used to brag:

Violence was threatened by HIA operative Michael Buchanan who said he would 'slap me' and beat up the publisher. Interestingly, Buchanan also said he would 'bring Geric Hel and the Scorpion'. With whom he said he had a good relationship. If so, it might explain why Geric Hel, in spite of a promise to take up the Hani case again, never did.

Then there was former foreign minister Pił Botha, who was so upset about the claims by some sources that he had been party to arms deals that he'd get phoning Jacana for hours at the time, explaining how only a rich, perverse and criminal mind could think such thing. During one of these phone calls he also told Jacana's Maggie Davey sternly that 'the world is a dangerous place, you know'.

As a result, all important South African citizens now about the Chris Hani murder, is that 'no flight', 'fingers', 'police immigrant labors', 'Walus' and ultra conservative former Minister of Education Clive Derby Lewis, his rabbis. The rest are still in jail. There is a nationwide popular outcry every time even a mention is made of 'amnesty' or 'health parole'.

So why not simply give up and accept the official dominant narratives? Nothing's all being the dead back to life. And why not blame apartheid and racism? There was apartheid, there still are violent racism, and both have inflicted trauma on South Africa and the world. What does it matter if they are blamed for all wrong things?

It matters, because the story of freedom fighters who stumbled upon corruption and wanted to stop it, is worth telling. The African continent is often perceived as endemically corrupt. How can that perception change if stories such as these are told? I recall a young woman in Cape Town who after I spoke about my book



to a small audience – looked at it meekly and sheepishly and asked – But where is that book? I want to read that book!

So here it goes one more time

## 'I want to read that book'

Dulcie September had been on the trail of nuclear military technology exchanges between France and the South African government. She had had meetings with sources in the arms trade whom she kept secret even from her private secretary, had phoned the highest ranking in the ANC to come and stop what was going on, had planned to inform the anti-apartheid international campaign and had been shot, very professionally, five times in the head, before she could go any further. Aziz Pahad had confirmed to me, in 1995, that she had 'tumbled on nuclear issues'. All this had been published in 1990 in the *Mail & Guardian*.

There was a ripple in the silence following this article when Truth and Reconciliation Commission investigator, detective Jan Ale Ejlberg (who had been seconded to the TRC by the Swedish government) tried to take the matter further. However, right after he had gone to France to follow up on the arms deal trail in the Dulcie September case, he was fired and sent home to Sweden. Ejlberg's reports are contained in boxes that have been moved to the National Intelligence Agency's custody, where they remain inaccessible to the public to date.

The same arms wheeler-dealer whom Ejlberg and I had investigated in the Dulcie September case had befriended SWAPO man Luboedi a few months before his murder. The arms dealer's name was Alain Guenen. He had high profile links with the presidential élite and families in France and had also, posing as a socialist supporter of ANC and SWAPO, managed to become an advisor to the ANC's Winnie Mandela and Polycarpe Rwale. Another friend who had become close to Anton Luboedi at more or less the same time as Guenen was Vito Pala – the Italian banker sought by Italian and other authorities for mafia links and money laundering.

## Casino rights

Dulcie never met Anton Luboedi however. Guenen and Polazzolo met each other, they were later identified by the international research agency Europol as long-standing business partners in a diamond mine in Angola. Both were also extremely good friends of the same – anti-apartheid – military commander.

Guenen was linked to Military Intelligence Directorate for Combat Collection (DCC) through official partnership with the DCC operative Rob Colclough in a team

company in Hamburg, Spectrum Furniture. The company was selling furniture to SWAPO for their new government offices. It was this furniture deal that came to the attention of the British Consul in Lubovoli. In a memo that was later passed on to our friends (from South Africa's military intelligence).

According to two independent sources in Windhoek, the facilitation fee was at the core of the financial issues that Lubovoli was sorting out on the day of his murder. Friends of Lubovoli also confirm that Pata-olo and Cuenen had demanded that the SWAPO leaders deliver certain business contracts in the field of a diamond, diamond and oil transport to them. They report that Lubovoli had told them in distress that he didn't want to do all that these people wanted from him. But how to say no when he had already accepted their "later" money to be tainted money?

Still, Lubovoli lived the entire day of his murder on the boat – that contained entire – related to the facilitation fee he had accepted – and he told his comrade fellow SWAPO leader Hage Geingob in a very private conversation about the financial issues. It was at the end of the day after the DCC's Rob Cole had visited his house to ask what time Lubovoli would be home, that the people's lawyer was shot dead in his front yard. Cole too would later surface again as a fellow director in a secret of South African arm and arm middleman John Bredendrup's company.

The TRC attributed both the September and Lubovoli murders to an apartheid "death squad" called the Civil Cooperation Bureau (CCB) and, in Lubovoli's case, specifically to individuals within this CCB who had been former policemen in South Africa. However, the former policemen who were named in the case (Chappies Horner, Sarel Burger, Galla Botha, Slang van Zyl, among others) had no record of ever having carried out or organised professional murders. Their records consisted of harassment, beatings, torture and other "dirty tricks".

## Skills of a certain kind

Durk September, Anton Lubovoli and Chris Hani and also David Webster, the academic who had, according to Hugh's Guardian's predecessor, the *Weekly Mail* quibbled on South African military intelligence smuggling operations near the Langebaan, and whose murder in 1969 was similarly attributed to the CCB, were cornered in a spot without witnesses – shot in the head and died immediately. Carrying out such a murder needs skill and experience of a kind that an average South African policeman simply did not possess.

Former military special forces operative Gys Rauben confirmed in an interview for [this site](https://www.zammagazine.com/chronicle/chronicle-11/202-essay-chris-hani-murder-revisited) that the other officers did not think highly of the CCB.

We were laughing at these CCB policemen. They were parading around, treating

and in 1993, in the heat of the frontline states. We knew that they were just a label for when an operation needed to be denied. South African Special Forces operatives were often mercenaries, and they were indeed used, sometimes privately, for operations that needed to be denied. Irish mercenary Donald Acheron, of Special Forces army battalion Force 2, was identified in a Hamibian inquest as *Lubowzi* (Lubowzi was his name).

He disappeared in 1991 and is now thought dead. An army buddy of Acheron's named Innocent Zolilela told a confidante that he was also involved in the Lubowzi murder and that the order came from a South African government minister who felt that Lubowzi was messing with his business.

Like the Afrifam policeman in the CCB, the man officially identified as the murderer of Chris Hani, Janusz Walus, was also a professional hit man. Witnesses who identified a second man on the scene of the crime, a man with actual secret service and gun running links – probably had something to say worth listening to. 'But police came at night to seize the children, mess up my place and tell me that I should stay away from trying to rectify', recounts a witness who saw the second murderer. 'I gave up after that.'

The Chris Hani murder dossier (how, to which extent the murder investigation was manipulated to result in the sole conviction of Walus and Peter Leys) not only did the investigating officers ignore witnesses like the neighbour quoted above, they also refrained from interrogating Janusz Walus' employer, a chemical technician Peter Jaelson. The Security Police (who were in charge of the investigation) according to Pretoria Murder & Robbery Squad's chief inspector Michael Holmes, told Holmes men not to bother exploring the man or his arms trade and secret service contacts. This even though a list of these contacts (including an arms contractor called Colin Stien) is also neatly contained in the dossier. 'Jaelson is cooperating fully and does not need to be questioned', the instruction to the police officers says. Another police instruction, on the authority of Security Police Captain H. de Waal, states that 'information about Peter Jaelson will not be followed up.'

Walus' diary prominently listing several reminders to 'Phone Peter' in the run up up the murder has disappeared from the dossier altogether, though a copy of it including the page of the text of the murder itself is still there.

## NIA assistance

What should not doubt on the police finding is the fact that the murder scene in the Hamibian was, within seconds of the shooting, professionally handled by a self-confessed operative of the National Intelligence Agency, Michael Buchanan, who happened to live right opposite Chris Hani's flat to which, in the words of the police shot in the world of secret service, 'his country then technically trained

operation – except the murder – came to prepare it for the police only to find – that they're supposed to – Buchanan, in a telephone conversation with me, and later in a far-etched written statement, did not go into his actual role at the scene, but stated clearly that he worked for the – now intelligence – service – and that he had helped avert civil war. It was also Buchanan who threatened violence and "Clerik" (el and the Scripps) against both Isama and myself.)

Chief Inspector Michael Holmes of the Brighton Murder and Robbery Squad was throughout (probably) happy with the assistance Isama had received from the Security Police. We didn't need to look at all the evidence, he told me – because the Security Police put everything we needed in a bag – for us to go get – with an important part of that evidence was the right wing gun that was used in the murder, that originated from violent right wing – recruits (Bert 'Slack' Rudolph's armory). The gun had been procured by Clive (Herby) Lewis upon Janus' 'Wahus' insistence. Clive was asked repeatedly by Wahu – to get him a gun, and that – what he did! Inspector Holmes told me.

There is no indication that Derby Lewis ever did anything else, and actually by procuring a right wing gun, Derby Lewis seemed to cement the cover story of a plot of a few right wing individuals, rather than to assist with the actual murder. Wahu didn't need a gun, according to the case dossier. He already owned four guns, at the time. His Wahu – successful insistence on getting a right wing gun went a long way to paint the hapless right wing fanatic Derby Lewis as the 'mastermind' of the Hanu murder. Ironically, Clive Derby Lewis may well be under the impression that he was, in fact, a mastermind. He did get the gun, after all.

## A big debt

The one who knows – if not the whole truth, at least more of it, is without doubt Janus – Wahu. So why does he talk? Perhaps because he knows that it wouldn't help him – after all he was still part of the murder plot and it would be unlikely that he would be tried. Or because he has a sister, other relatives – and friends in South Africa, among whom a brother who maintains excellent relations with the SA military? Or is it the debt that his family – according to Peter Lachman – still owes to Wahu's former boss? Lachman had helped the Polish immigrant – during the apartheid years – to buy and run a glass cutting factory in the Oud Oud banishment. The Wahu's family incurred a big debt to me in the process – Lachman told me, on the one occasion when I managed to pin him down – Wahu was paying it off to me on their behalf.

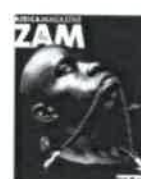
Maybe it is only Janus – Wahu – who could – (if he was this close) from falling into a big silence again.

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