

Summary of Prosecutor Alberto Nisman's accusation

In a very strong and serious report of almost three hundred pages filed before an Argentine federal court of justice, General Prosecutor of the AMIA case, Alberto Nisman, accused Argentine President Cristina Fernández de Kirchner and some high-ranking members of her government of deciding, negotiating and arranging the impunity of the AMIA bombing's Iranian fugitives, so as to invent Iran's innocence. Commercial and geopolitical interests of Fernández's administration were to be benefitted with Iran's fabricated innocence regarding the dreadful terrorist attack that killed eighty five people and injured more than a hundred in 1994.

Mr. Nisman has revealed the existence of a sophisticated criminal plan, aimed to illegally aid and to fraudulently and definitely exonerate the Iranian suspects of the AMIA bombing. Besides, he proved that this maneuver began two years before the Memorandum of Understanding's signature –dated on January 27, 2013- and immediately after the death of former President Néstor Kirchner –October 27, 2010-, and it involved staff from the Secretary of Intelligence and also included direct negotiations with one of the main defendants in the AMIA case, former Iranian Cultural Attaché in Argentina, Mohsen Rabbani.

This criminal plot was decided by Argentine President *Cristina Elisabet Fernández de Kirchner*, and was mainly implemented by her Minister of Foreign Affairs *Héctor Marcos Timerman*. Also, the report filed by the prosecution demonstrated the active criminal involvement of others, namely: National House Representative *Andrés Larroque*; *staff from the Secretary of Intelligence* –under the Office of the President-; local leaders *Luis Ángel D'Elía* and *Fernando Luis Esteche*; former federal prosecutor and former criminal judge *Héctor Luis Yrimia*; and the local Iranian community leader *Jorge Alejandro "Yussuf" Khalil*.

Therefore, the prosecutor has requested the judicial interrogation of all the above-mentioned defendants in his report and a preventive freezing of property up to the amount of two hundred million Argentine pesos, for being authors and accomplices of the aggravated cover-up and obstruction of justice regarding the Iranians nationals accused of the AMIA terrorist attack, perpetrated on July 18, 1994, which has been judicially declared a crime against humanity and genocide.

By the time this cover-up was plotted and executed, Argentina was undergoing –and still is- a very serious energy resources crisis and, besides, there was a will to generate a geopolitical rapprochement with Iran and the reinstatement of full commercial relations between both states. According to the evidence presented in the report, these were the main reasons which prompted Cristina Fernández’s tragic decision to carry out a plan to provide impunity to the Iranian suspects, sacrificing the pursuit of justice in the AMIA case.

The exposed plot had a unique and criminal purpose: to assure final impunity to all the Iranian defendants and to cease all prosecution against them, as a mean to avoid any criticism within the Argentine society against the geopolitical rapprochement with Tehran and, also, the reinstatement of full commercial relations between both states.

General Prosecutor Alberto Nisman specified in his report that commercial and/or geopolitical relations between states have no criminal relevance and –consequently- are not subject to judicial review. Nonetheless, in this case, there is an obligation to indict and prosecute, since it was proved that the government authorities involved in this plot had incurred into criminal actions to pursue those political irreproachable objectives, sacrificing an ongoing criminal case, disobeying the judicial findings and plotting a criminal plan to fraudulently erase the serious accusations against the Iranian fugitives, in order to obtain their final impunity.

Several pieces of evidence confirmed that the yearning for Iranian oil was one of the driving forces which propelled the criminal actions described in the prosecutor’s report. The purpose was to reinstate commercial relations between both states, besides the exchanges that -so far- have been taking place between individuals within the private sector.

First of all and before the signature of the MOU with Iran, when it was public knowledge that Iranian and Argentine diplomats were meeting in Switzerland regarding the AMIA case but nobody knew what was really under negotiation; Fernando Esteche –one of the accomplices in this plot- said: “...these guys want to reinstate relations...that they will do it...in a multidimensional way. At a government level, I’m telling you, at a state level... in connection with establishing relations between the two states...”

Second of all, in May 2013, a few days after returning from Iran, the Iranian regime’s local contact, Jorge Khalil, asserted: “...the issue that

Argentina needs is oil...there is a real interest in starting and initiating commercial relations from government to government, with public officials from the Argentine government, a delegation from Iran would travel to Caracas or the Gulf or better Beirut ...to initiate direct relations from public officials to public officials....” A few days later, Luis D’Elía stated: “*...I spoke to Julio*”, in reference to Architect Julio De Vido, Minister of Federal Planning, Public Investment and Services, and added: “*...here, there is a pressing need for energy...*”

Afterwards, on May 20 and following orders from Cristina Fernández, there was a meeting between Minister De Vido and Luis D’Elía, who later conveyed to an Iranian agent: “*...they are willing to send people from YPF, accompanied with us, to do business there...*”, alluding to Iran, “*...he is very interested in changing that for grains and meat...*”, referring to oil. And added: “*...the meeting took place because it was requested by the boss jeh! ...We are at the highest level...*”

Later on, that same day, Jorge Khalil reported to Iran the negotiations’ progresses: “*...the issue that Argentina needs is oil, all oil, and everything that is being bought...by Iran in grains can be given, that oil in exchange of grains....*” and added: “*...Argentina has a great necessity of oil and Iran has a great need for grains and things of the sort, to start to exchange...*”

The beginning of the commercial exchange between Argentina and Iran depended on the MOU’s ratification by Iran; this is to say, to the progress of the criminal plan. The agreement was a mean to enable trade. The prosecution’s judicial writ proved that meetings and contacts executed under direct presidential orders took place so as to press for the Iranian ratification of the MOU, in order to move forward with the trade exchanges between both states.

About it, after meeting with Minister De Vido, D’Elía informed Iran: “*...he has a political problem, they need the memorandum to be approved...*” To answer such claim and explain the reasons that halted Tehran’s internal approval of the agreement, Khalil replied: “*...De Vido has to know that Timerman did not comply with certain things, this is very clear, he did not comply with certain things...*”. Besides this explanation, Khalil reported to Iran the needed requirement demanded by Cristina Fernández throughout here Minister of Federal Planning, Julio De Vido: “*...Here, there’s a green light to do the transactions and send people, the issue is that they want to rush the*

memorandum... De Vido considers that in order to move a step forward with this...this is, to make it official, from state to state, the memorandum must be signed. If not, only the private sector will continue...as it's has been so far...This is to say, first the memorandum must be signed, in order to start trading between both states, because so far the exchange is only working within the private sector...”

Besides, the evidence presented in the accusation shown that Mohsen Rabbani, one of the Iranian fugitives of the AMIA case, participated in these negotiations. By phone, he received regular reports on the progresses within the argentine government. To mention one of the many examples verified in the prosecutor's writ, one of the reports received by Rabbani through a telephone conversation stated: “...today we finished a meeting with the Minister of Planning De Vido...he is willing to send YPF's highest authorities to negotiate with the Islamic Republic and the transaction can be through grains and through other things...”. And Rabbani replied: “Send it to me so that I assess it” and after the evaluation, he asserted: “Iran was the first buyer of Argentina and, now, it barely buys...but this can be changed...here, there are several sectors within the government that told me they are ready to sell oil to Argentina...and, also, to buy weapons...”

This option of buying weapons to Argentina was communicated by Mohsen Rabbani to a man within his inner circle, Adalberto Assad, who -that same day- was returning from a meeting with a high-ranking official within the argentine government, who was going to intermediate in order to procure him with a personal meeting with President Fernández.

In this criminal plot, Jorge Khalil is Rabbani's trusted person, who has kept him informed from Buenos Aires: “...Sheik, stay calm, tonight, when I get home, I will send you a report of everything, everything I'm doing...”. Thanks to Khalil, Rabbani was better informed than the victim's families, than the survivors of the terrorist attack, than the Jewish local leadership and, also, more and better informed than the argentine judicial authorities, none of whom, by May 2013, knew of these transactions.

In other words, meanwhile the argentine judiciary accused on solid grounds certain Iranian officials of having decided, planned and executed the terrorist attack against the AMIA building and while the Argentine President and her Foreign Minister publicly assured that their actions were exclusively motivated in the pursuit of justice for the AMIA case and that the MOU was

the only viable solution for it; one of the defendants, Mohsen Rabbani, secretly and clandestinely negotiated with the Argentine authorities throughout intermediaries and hidden channels the exchange of oil for grains, the sale of weapons and, what is even more grievous, his impunity.

In sum, the prosecution's presentation underlined the following sequence. On July 18, 1994 a terrorist attack hit Buenos Aires. A judicial investigation established that certain Iranian citizens had criminal responsibility in the decision and planning of the bombing. So far, these people have been protected by the regime they belong to, which rules the Islamic Republic of Iran. The Argentine government negotiated an agreement with Iran and, with complete disregard for our justice and the National Constitution, set the legal frame required for the full and fraudulent exoneration of the Iranian suspects. Under these circumstances, one of the fugitives of the Argentine justice and beneficiary of the illegal agreement, Mohsen Rabbani, encouraged by the current position of the Argentine government, instead of answering for the serious accusations against him, negotiated his impunity, decided the steps to follow, controlled the progress of this criminal plan and, in addition, even planned to "*buy weapons*".

The facts exposed by the prosecution have serious and extraordinary institutional implications, because of the high public positions held by several of the subjects involved in these criminal actions and, also, due to the legal qualification of the covered crime, this is to say, the "previous crime" object of this cover up is –none the less– the terrorist attack against the AMIA building, which has been judicially declared a crime against humanity and genocide by the case's judge, Mr. Rodolfo Canicoba Corral.

In the AMIA file, it has been already established that the Iranian highest authorities in 1994 were the ones to decide the terrorist act and plan its execution, entrusting it to the Lebanese terrorist organization Hezbollah.

As a result, the Argentine justice issued national and international warrants for the arrest of Iranian Former President Ali Akbar Hashemi Bahrami Rafsanjani; former Minister of Foreign Affairs Ali Akbar Velayati; former Minister of Intelligence Ali Fallahijan; former Chief of the Revolutionary Guard Mohsen Rezai; former Chief of the Al Quds Forces and former Minister of Defense Ahmad Vahidi; former Cultural Attaché of the Iranian Embassy in Argentina Mohsen Rabbani; former Third Secretary of the

Iranian Embassy in Argentina Ahmad Reza Asghari and former Iranian Ambassador to Argentina Hadi Soleimanpour.

Due to the issues brought before Interpol by Tehran, a lengthy procedure was initiated within the police organization. In such proceedings, Interpol's Office of Legal Affairs differentiated the arrest requests of Iranian citizens introduced by former judge Juan José Galeano (denominated AMIA I) from the arrest warrants issued in November 2006 by judge Canicoba Corral (named AMIA II), advising the issuing of red notices for five of the eight accused Iranians.

Moreover, about the presentation given at Interpol by the General Prosecutor of the AMIA case, Alberto Nisman, the Office of Legal Affairs and the then General Secretary of the organization, Mr. Ronald Noble, both asserted: “...*the highly professional explanation in connection with each accused provided by the Argentine prosecutors in charge of the investigation of the case was significant for the conclusion drawn by Interpol's Office of Legal Affairs in that the request for red notices by NATIONAL CENTRAL OFFICE Buenos Aires had no predominant political implications that might render effective the provisions of Article 3 [Charter of the International Criminal Police Organization - INTERPOL]...*”

As a result of these efforts, in November 2007, Interpol's General Assembly decided to issue red notices for five Iranian defendants: Fallahijan, Rezai, Vahidi, Rabbani and Asghari; who –therefore- have been assigned the highest priority for their arrest under the international police force.

Since this indictment, Argentina has been requesting for years –so far, with no favorable result- that the Islamic Republic of Iran arrests the accused Iranian nationals for their extradition.

Actually, during his administration, former President Néstor Kirchner not only took this case to the United Nations General Assembly, but also rejected outright and bluntly every offering from Tehran, always directed to find a politically negotiated exit to this entirely judicial issue. Several testimonies –from former Chief of Cabinet Alberto Fernández, former Ministers of Foreign Affairs Rafael Bielsa and Jorge Taiana and former Vice-Minister of Foreign Affairs Roberto García Moritán- agree to describe various pacts offered by Iran and, also, the blunt rejection by the former Argentine president. About this, the abovementioned García Moritán asserted that the Iranians had offered an agreement that “...*also had nine clauses and was very*

similar to the current one...” and that “*...with its nuances, it had the same spirit...*”, comparing it to the one signed by Timerman.

Néstor Kirchner understood that all these proposals entailed an inadequate interference of the Executive in the realm of the Judiciary. The former president’s approach towards this issue was such that he decided to remove Luis D’Elía from his public position at the government when, in November 2006, D’Elía led a protest against the court’s decision to indict the Iranian nationals for the AMIA bombing. D’Elía publicly argued that: “*...the judicial decision that accuses the Islamic Republic of Iran for the AMIA case is deeply contaminated with world issues, alien to the pursuit of truth...*”. Then, public officials within Mr. Kirchner’s government explained to the press that, according to the president’s opinion, D’Elía had traversed “*...an uncrossable line: never ever, a government official should pass judgment about open judicial cases, especially with such a sensitive issue as the AMIA bombing...*” Moreover and also regarding this incident, President Kirchner contacted his peer from Venezuela, Hugo Chavez, who a few days later ceased Ambassador Roger Capella’s diplomatic mission in Argentina. Capella was the promotor of the controversial demonstration led by D’Elía.

In conclusion, during all his tenure and, it could be said, as long as he lived, former President Néstor Kirchner was consistent in his position on the AMIA case. Three were the pillars of this positioning: first, the strong claim against Iran for its lack of cooperation with the investigation; second, the firm resolution to reject all the Iranian proposals aimed to disregard the findings of the Argentine judiciary; and third, the invaluable support to the judicial investigation.

In the prosecutor’s accusation, it has been documented that Iran has always attempted to favor a negotiated and political solution to the AMIA case, in order to avoid confronting with the formal accusation of the Argentine judiciary or, even better, to dismantle it. Thus, in April 2005, Iran offered to answer a rogatory letter issued in the AMIA investigation as long as the local authorities comply with the following conditions: “*...If we assist the Argentine judiciary: a) ¿Are we going to be seen as defendants or suspects?, b) Assuming that we receive and answer the rogatory letters...¿will the judge be willing to announce and emphatically state that there is no connection between Iran or its citizens and the AMIA bombing? c) If we answer, ¿will the*

judicial case remain open? d) ¿How can we know whether the judge is going to persist with the case or close it?...”

And added: *“...the main issue is that, somehow, we have to be convinced that if we decide to cooperate, the case judge will conclude that Mr. X or Mr. Y are not and were not involved in the AMIA bombing. Remember that since July 19, 1994 we expressed our will to cooperate with the Argentine judiciary, and this position and offer still stands. If we had objective guarantees, tangible things (tangible results), we would not object to: a) receive all the rogatory letters, b) answer them, c) even more: conduct further investigations in Iran...”*

Another example of the Iranian attitude regarding these false offerings to cooperate with the judicial case appears in a “*non paper*” handed over by the Iranian to the Argentine diplomacy, in which they proposed: *“1. The parties agree that there has been no accusations against Iranian nationals in relation to AMIA case, nevertheless, the proceedings conducted by Argentinean investigative judge in regard with Iranian nationals has just been directed to a mere collection of information.2.- The parties...will refrain from making any direct or indirect criminal implication or accusation against other party and its officials.3.- ...the rogatory letters issued by Argentinean judge will be amended in a way no explicit or implicit allegation or accusation is made against Iranian government and its nationals...4.- Upon the implementation of paragraph 3, the Iranian Ministry of Foreign Affairs shall officially receive the rogatory letters...5.- The Argentinean party...will nullify all arrest warrants issued by its investigative judge against the nationals of the Islamic Republic of Iran...”*

The historical position adopted by Iran concerning the AMIA case is originated in a long-standing strategy of the Iranian regime consisting in the complete denial of any involvement of its nationals in the terrorist attack and, also, the denial of information for the judicial investigation, in order to avoid any responsibility for terrorist acts.

This was revealed by two Argentine former Ministers of Foreign Affairs. Rafael Bielsa declared that Iran offered to buy Argentina four billions US dollars in corn and wheat if the AMIA case was disregarded. About the Iranian diplomacy stated: *“...it was a coercive attitude...They were always cheating... We used to tell them that we were going to follow them even under the bed, that it was not possible to negotiate a solution to this case and that*

they had to reply the rogatory letters. One of their arguments was: you are losing four billion dollars...At no time there was the slightest concession...they wanted one provision to suggest that it might have been some mistake by the argentine judiciary in the request for the Iranian dignitaries...". Jorge Taiana asserted that Iran "...never showed any indication of having the slightest will to assist in the elucidation of the attack..."

Besides, this same strategy has been replicated by Iran when facing other accusations of terrorism, such as in the "Mykonos" case and in the assassination of Chapour Bakhtiar; and it was also acknowledged by the then Iranian Foreign Minister Ali Akbar Salehi, who described it as a "successful" strategy of the Supreme Leader. Therefore, the accusation discloses that the Iranian regime has decided to guarantee the impunity of those who participate in the AMIA bombing, a terrorist attack planned and ordered by members of that same political regime.

Anyway, the political approach regarding the AMIA case adopted under Néstor Kirchner's presidency lasted during the first years of his wife's first term. However, the unshakeable Iranian refusal started to –somehow- erode the expectations of Cristina Fernández's government on this matter. Nonetheless, at least initially, the aim pursued –that Iran subdues the indicted Iranian nationals to argentine jurisdiction- remained unchanged. An example of this "erosion" was the offer presented by Argentina in 2010 which entailed to carry out the trial of the AMIA case in a "*third country*" and under the supervision of international observers. Such offer was rejected by the Islamic Republic of Iran through a letter from its Permanent Representative to the United Nations, Ambassador Mohammed Khazaei, in which he stated that the argentine accusation had no grounds and that the current investigation was "*treading down the wrong path*" which will not lead to the "*real perpetrators*" of the crime. Ambassador Khazaei described the accusation against the Iranian nationals as false, arbitrary and groundless, and asserted that the legal proceedings in the AMIA case were beset with irregularities, violated fundamental rights and did not pursue truth and justice. Also, he maintained that: "*The Government of the Islamic Republic of Iran has made sure that no Iranian citizen was involved, directly or indirectly, in the AMIA explosion*". And he accused the argentine authorities of collaborating and financing terrorist groups, such as the Mujahidin Jalaqi. In sum, the argentine eroded

offering of a trial in a third country was rejected by Tehran, through a falsely argued and provocative response.

Therefore, for a long time, the bilateral relationship was marked by the Iranian indifference towards the Argentine justice claim, which had its counterpart in Buenos Aires' strong resolution to avoid moving forward in any political front without obtaining first the long-awaited judicial cooperation from Tehran, that is to say, the surrender of the individuals accused of the AMIA bombing in order to try them before Argentine courts.

The, for years, consistent Argentine positioning on the AMIA case suffered a radical change when President Cristina Fernández decided to execute a criminal plan to aid the Iranian defendants in eluding and evading justice, in order to enable –among other goals- trade exchanges with Iran, at state level. Former Argentine Foreign Minister Rafael Bielsa underlined the change of position within Ms. Fernández's administration, by expressing: “...she tells the families [of the victims] that only private companies trade [with Iran] and not the state [i.e., Argentina]. To me it's an idiotic reasoning and it bothers me very much because it [the AMIA case] was a sacred matter to Néstor [Kirchner]...When I was Minister of Foreign Affairs, talking about selling or buying to Iran was *casus belli*...”

The judicial presentation introduced by General Prosecutor Alberto Nisman explains that this accusation does not entail any condemnation or assessment regarding Argentine foreign policy, a matter which is not subject to judicial review since it pertains exclusively to the domain of the Executive Branch. This report was motivated on the fact that to pursue a certain foreign policy, the authorities involved in the maneuver decided to follow a criminal path: to illegally obliterate a judicial indictment and an on-going investigation.

The prosecutor's document shows that, within a certain historical context and taking into account several circumstances, between October 2010 and January 2011, the AMIA case suffered a 180° turn under Cristina Fernández's administration.

Moreover and according to certain indications, until August 2010, there are no traces of changes in the Argentine policies regarding the AMIA case, in other words, so far, the decision to pursue the criminal plan had not yet been made. Evidence of such is the meeting between Minister Timerman and United States State Secretary Hillary Clinton on August 11, 2010. After this summit, Minister Timerman publicly stated: “...I could connect the terrorist

plot to blow up JFK airport in the United States, which involved Mohsen Rabbani, who was Cultural Attaché to the Iranian Embassy in Buenos Aires. Hillary Clinton did not know and neither knew the people who investigate here. Now there is a connection between the frustrated attack in the United States and the AMIA bombing...”

Former President Néstor Kirchner died on October 27, 2010. The AMIA case ceased to be a state policy and it was turned into an adjustment variable, a disposable matter. And then, impunity began to be negotiated. Its most important objector had passed away. The criminal path decided by his wife was cleared. For more than twenty years Iran have been protecting the defendants and obstructing the investigation. But now there was something new: this time, the historical Iranian protection was complemented by the decision to provide impunity orchestrated by Argentine highest authority, Cristina Fernández, and her Foreign Minister, Héctor Timerman.

Thus, the criminal plan was activated by January 2011, when Héctor Timerman arrived to Aleppo, Syria, and secretly met with –at that time- his Iranian counterpart, Ali Akbar Salehi, to whom he communicated that the political Argentine authorities were willing to give up the investigation on the AMIA case and any claim for cooperation and justice in so far as Iran accepted a geopolitical rapprochement with Argentina and the reinstating of commercial relations between both states.

On January 23, 2011, Timerman arrived to Damascus, where he met his Syrian counterpart Walid al-Mohalem. Later, he travelled to Aleppo, where he convened with President Bashar Al-Assad. No press release was issued by the Argentine Ministry of Foreign Affairs to inform about these meetings. However, a public cable message by Syrian official news agency –SANA- informed that, on January 23, the Syrian Foreign Minister met with his counterparts of Argentina and Iran, one after the other, and that the following days both foreign representatives went to Aleppo. Evidence introduced in Nisman’s presentation proved that there was a “*face to face meeting between Salehi and Timerman to approach*” the AMIA case.

Also, the report shown that Minister Salehi acknowledged the offering presented by Timerman and communicated it by writing to the –at that moment- Iranian President, Mahmoud Ahmadinejad: “...*Argentina is no longer interested in solving those two terrorist attacks...instead, they prefer to improve economic relations with Iran...*”.

On this subject testified journalist José Ricardo Eliashev who stated under oath that he had accessed to a copy of the secret document written by the Iranian Foreign Minister. And as if all these evidences were not enough, Ali Akbar Salehi later admitted that: “...*to settle the case, we held meetings for two years with argentine foreign minister (Héctor Marcos Timerman)...*”. This statement literally dated the beginning of the negotiations in January 2011, precisely, by the time of the Aleppo’s summit. With such acknowledgement, Salehi exposed what Timerman was vigorously trying to hide: the beginning of the criminal maneuvers.

Aleppo’s summit was the first corroborated fact which confirms the existence of a decision made by the high-ranking argentine authorities involved in this plot, to abandon the claim to bring to justice the Iranian nationals judicially indicted for the AMIA bombing. It was the first time that an attacked state practically implored its aggressor to sign an agreement to provide the attackers with impunity.

And that was the beginning of a period of secret negotiations between Iran and Argentina, which lasted up to September 2012, during which there were clear manifestations that, by then, the agreement was already under negotiation.

The first manifestation was the government’s reaction generated by an article published in March 2011 in the argentine journal “*Perfil*” by José “Pepe” Eliashev. He revealed the existence of the Aleppo’s meeting and its actual purpose. Instead of explaining the serious implications contained in the article, Minister Timerman personally questioned Mr. Eliashev, simply arguing that the information was false and that it was aimed to damage his almost contemporary visit to Israel. In his words: “...*that information was false, it was a set-up against my relationships, this is to say, my trip to Israel...It was the opportunism of a pseudo-journalist who did not hesitate in saying anything to offend myself...*”

Another manifestation occurred in July 2011, when the argentine government described as “*very positive*” a letter sent by the Iranian diplomacy when, actually, the document offered to cooperate with the investigation but to follow a different criminal hypothesis from the one concluded by the argentine judiciary.

A third signal was dated on September 22, 2011, when President Fernández instructed Ambassador Jorge Argüello, at that time, Argentine

Permanent Representative to the United Nations, to remain on the floor of the General Assembly while the then Iranian President Mahmoud Ahmadinejad was giving his speech at the General Debate's opening. President Fernández's decision contrasted with the attitude adopted in the previous years, when she ordered the Argentine delegation to leave the floor of the assembly during Mr. Ahmadinejad's speeches, not to witness his allocutions.

Another signal detected is dated in September 2012 when, for the first time in years, the Office of the President decided not to invite any of the leaders of the local Jewish community entities to be part of the delegation accompanying the President to the 67th United Nations General Assembly. This was admitted by one of these leaders: "...*this last year, regrettably, we were not invited. And it was when, for the first time, it came up the presidential proposal to maintain a dialogue exchange...*", in reference to the presidential announcement to "begin" negotiations with Iran which, and now its public knowledge, by then had been actually taking place secretly for—at minimum—a year and a half.

The fifth indication of this hidden understanding with Iran was the "accomplice silence" of the Argentine authorities implicated in this plot, as a response to the public statements of Iranian officials who accused "*agents from Tel Aviv*" of the AMIA bombing and described Mr. Nisman as a "*Zionist*". Never before did the Argentine government remain silent facing such expressions. In fact, Néstor Kirchner always condemned this type of disqualifications, demanding -through the proper diplomatic channels- due explanations. Example of this was Kirchner's reaction, in 2006, to the circulating information that, by then, asserted that the Iranian judiciary was going to request the arrest and extradition of Prosecutor Alberto Nisman for the indictment issued by the Argentine judiciary against former Iranian officials, later endorsed by Interpol.

All in all, the press informed of the secret meeting that Héctor Timerman held in Aleppo and the Argentine minister harshly questioned the journalist that spread the news. From one day to the other and with no justified reason, in July 2011, Iran declared its will to negotiate on the subject of the terrorist attack and the Argentine government applauded, despite the fact that the proposal was conditioned to a crime hypothesis different to the one discovered, proved and sustained by the Argentine judicial authorities in charge of the investigation. The Argentine government witnessed, through its

ambassador and after two years of refusing to do so, the public speech of President Ahmadinejad before the United Nations General Assembly. For the first time since she took office, President Fernández failed to invite the Jewish community entities to accompany her annual appearance before the United Nations General Assembly, which coincided with her announcement of the “beginning” of a negotiation with Iran regarding the AMIA bombing. The prosecutor’s presentation discarded that all these manifestations could be taken, simply, as mere coincidences. It concluded that all these circumstances describe, unmistakably, friendly gestures between two partners negotiating a secret pact.

In effect, by September 2012, when the secret negotiations that contributed to this criminal plan had progressed sufficiently, Cristina Fernández decided to make an official announcement and before the United Nations General Assembly said that the Islamic Republic of Iran had expressed its will to negotiate on the AMIA case and that, consequently, she had instructed her Minister of Foreign Affairs to follow that offer. Then, it became clear why for the first time ever, the President decided not to invite the Jewish community entities to accompany her to the General Debate’s opening. This announcement was agreed beforehand and with a different purpose to the one publicly proclaimed.

The announcement was staged and made official “*a fait accompli*”. It was a *mise en scene*, which was going to be followed by many more in the execution of this criminal plot. Actually, the plotters were trying to hide the fact that the rapprochement was initiated and promoted by Argentina, and not by Iran, as it was publicly affirmed. Also, they were trying to make everyone believe that the dialogue with Iran was just about to begin when, by then, the negotiations had –at least- a year and a half. To prevent the public from knowing the existence of previous encounters and, later on, the actual matters that were being discussed, they resorted to the full denial and/or the distortion of facts, and they even questioned and discredited the sources which were informing the public.

While it was public knowledge that there were diplomatic negotiations under way, the criminal plot was also silently progressing, in parallel, through unofficial communication and negotiation channels with Iran. By then, a vital part of the criminal plan was being executed: the making of the false hypothesis aimed to change the course of the current judicial investigation, to

incriminate other people and, mainly, to exonerate the Iranian nationals who have been indicted according to judicial evidence.

The visible result of these negotiations, both secret and public, was the Memorandum of Understanding signed with the Islamic Republic of Iran on January 27, 2013 in Ethiopia. When the decision to provide impunity was made, when the false lead was being created, when the parallel diplomacy was fully operative, then, in January 2013, the agreement was signed. It was not the beginning but the culmination of the criminal maneuver that had been executed for more than two years.

The Argentine government's official version stated that the MOU was the legal document which was going to enable the Argentine judiciary to question the Iranian fugitives. As a matter of fact, this agreement was one of the means chosen to enable the criminal plan that had been negotiated for two years. Its content was useful to the criminal plot.

In other words, the agreement between Iranian and Argentine authorities is bigger than what was written on that document. The criminal plan consisted in eliminating the judicial indictment against the Iranian officials, and the best way to do it and provide impunity to the suspects was to deceive everyone by covering the whole maneuver under this bilateral agreement. The document had to be written in a certain way, as to allow the authorities involved in the plan to present it as an instrument to procure justice when, actually, it was clearly designed to obstruct and impede it. Here lies the thorough sophistication of this criminal plan.

The presentation by the prosecution explains that the MOU's clauses contain mechanisms to allow the removal of the Interpol's red notices issued against the Iranian suspects. Also, the report shows that the document has several consecutive stages with no agreed deadlines, and therefore, its execution can be indefinitely protracted in time, without actually progressing, until the case ceases to exist. Besides, the evidence introduced in this judicial presentation proved that the findings of the "*Truth Commission*" were "arranged" in advance and its performance enables the introduction of the new hypothesis, fabricated with invented false evidence.

In fact, the only obstacles to the almost total impunity enjoyed by the Iranian suspects are the red notices issued by Interpol, which might have hindered so far their international mobility. A clear example of this limitation was the incident started by the –at that moment- Iranian Minister of Defense,

Ahmad Vahidi, who in June 2011 had to leave Bolivia rushed due to the international tension generated by the fact that there was a red notice in force issued against him. Such situations built the Iranian interest to push for the removal of these alerts and –therefore- the issue was included in the agreement. This explains the actions stipulated in the seventh article of the memorandum. It is the only clause of the agreement that can be immediately applied and executed without waiting for the due ratification of the document and its bilateral communication between both countries. This is to say, article seven is the only self-executing provision of the treaty, ready to be applied after its signature. To cease the red notices was the first and fundamental step secretly agreed upon between Salehi and Timerman in the way towards the final exoneration of the Iranian suspects.

This was also corroborated by the document mentioned and described by Mr. Eliashev in his testimony, in which Minister Salehi explained President Ahmadinejad the importance of authorizing the request to remove the international arrest warrants endorsed by Interpol's red notices, pointing out the special interest in improving the judicial situation of the –at that time- Iranian Defense Minister, Ahmad Vahidi, one of the Iranians accused for the AMIA bombing with a red notice in force. According to the document referred by this witness, the Iranian diplomacy recommended: “...to move forward with an important agreement with Argentina because...the conditions are now right for the argentines to turn the page...”

Besides, the prosecutor's report proved the existence of, at least, one antecedent of this agreement with Iran, dated in 2006, which was written by Fernando Esteche and delivered to the Iranian authorities by Jorge Khalil. About this, Khalil confessed: “...we made that plan with Fernando Esteche six years ago...when I took it to Baharvand, he said no...”, in reference to an important Iranian diplomat who was, at that time, the Iranian Chargé d' affaires in Argentina. Now, it can be deduced that the Iranian rejection to that early proposal for an agreement might have been motivated in the fact that, back then, Interpol had not yet issued the red notices against the Iranian officials and, consequently, there was no interest from Tehran in moving forward towards an agreement, as eventually happened. Before the red notices, Iran had no interest in signing this kind of agreements with Argentina.

The argentine government assumed that provision number seven was going to, automatically, remove the red notices. Meanwhile, its spokesmen

denied such prospect. However, the survivors, the families of the victims and the Jewish community entities affected by the terrorist attack warned the general public that this provision could lead to the elimination of the notices and, subsequently, they favored an annex to the MOU in which specify – among other issues- that the alerts were not to be ceased. At first, it was informed that Minister Timerman agreed on the idea to further this annex, but later Timerman himself publicly denied having promised such course of actions.

At the end, the victims were right. One month after the MOU was signed, an intelligence agent identified in the report as part of this plot, communicated Iranian contact Jorge Khalil: *“There is a rumor...I was told there, in the “house” [referring to the local Secretary of Intelligence under the Office of the President]...that Interpol is going to lift the arrest warrant against our friends [indicating the Iranian fugitives]...it will be lifted now...”*. This is to say that the red notices’ removal was an awaited result and it was about to happen.

The Iranian interpretation of provision number seven appeared extremely clear in an article published by the Iranian official news agency IRNA under the title: *“Iran-Argentina agreement on AMIA. A major breakthrough for Tehran’s diplomacy”*, which consisted of a legal analysis of the agreement by Mohammad Hossein Mahdavi, an Iranian expert in international law, who asserted that: *“The main goal of this article [number seven] is that both countries should announce to the Interpol that bilateral differences over the AMIA case, which had already led to the issue of Interpol red notice, will be solved through cooperation of the two countries. Therefore, the Interpol can take action to revoke the red notice it has already issued for a number of people whose names have been mentioned in this case...”*

Such interpretation was indisputably endorsed by Minister Salehi himself –cosigner of the treaty- when, as it was informed by Iranian news agency IRNA, he affirmed: *“...according to the memorandum of understanding signed by Iran and Argentina to help with the investigation of the deadly 1994 bombing of the AMIA Jewish community center, Interpol (International Police) must eliminate the charges against the Iranian authorities...”*. It was expected that, even without entering into force, the pact would enable the removal of Interpol’s red notices. Without these warnings, nothing would force the Iranian suspects to surrender to the Argentine courts.

To fully understand the role played by the MOU in this criminal plan, it must be taken into account that it was the excuse used to request Interpol the removal of the police alerts. To communicate the signature of such agreement to an organization exclusively oriented to police work, such as Interpol, which lacks the authority and/or the interest over the treaties or settlements among its members, had an only and unique purpose: to remove the alerts.

However, this purpose was truncated when, on March 15, 2013, The International Organization of Criminal Police –Interpol– sent a letter to Minister Timerman, signed by Jöel Sollier, Legal Adviser of the organization, in which he stated, speaking of the MOU, that: “...*The Office of Legal Affairs of Interpol’s General Secretariat expresses that this agreement do not imply any sort of change in the status of the red notices issued in relation to the crimes investigated in the AMIA case...*”

For the authors of this criminal plan, Interpol’s sudden resolution to maintain the red notices became an unexpected obstacle. Timerman was unable to comply with what he had promised in the secret negotiations with Iran. Such circumstance triggered complaints by the Iranians. Then, as it was mentioned before, Salehi criticized Interpol for having kept in force the red notices. But Interpol stood firm and since its decision, the Islamic Republic of Iran withdrew the agreement from its parliamentary agenda and up to the time of Mr. Nisman’s report, so far, there has been no official communication of the Iranian ratification of the treaty through verbal note.

In other words, the Iranian interest regarding the pact’s ratification disappeared when the red notices were not removed. On March 10, 2013, the MOU had been sent to the Iranian Parliament seeking congressional ratification. A few days later, on March 15, Interpol communicated the decision to keep in force these alerts. The following day, Minister Salehi publicly expressed his dissent with the decision adopted by the International Organization of Criminal Police and stated that, according to the text of the agreement, Interpol had to remove the red notices only with the signature of the document. It was a discouraging setback for Iran and, consequently, so far, the pact has not been treated by the Iranian Assembly and it seems to have been left aside of its agenda, despite the fact that it was once registered and assigned a priority. Without the option of removing the red notices, the Islamic Republic of Iran had lost interest in the memorandum.

The reasons of such a setback appear clearly in the evidence introduced by the prosecution. In May 2013, one day after returning from Iran, Khalil informed the Argentine authorities about the actual reasons behind the Iranian delayed ratification: “...*there is some unease there, there...there is unease...I believe that the fucking Jewish screwed it up*”, in reference to Héctor Timerman. And he added: “...*something was signed, that included the issue of the restrictive orders...*”, alluding to Interpol’s red notices.

After the meeting of May 20, 2013 between Luis D’Elía and Julio De Vido and regarding the local claim for Tehran’s delay to ratify the MOU, Khalil asserted: “...*De Vido has to know that Timerman did not comply with certain things. This is very clear. He did not comply with certain things...*”. Minister Timerman promised to remove the red notices and did not comply. Not because he did not want to, but because Interpol impeded it.

In September and November 2013, Timerman endured in his attempts to repair the unexpected subsistence of the red notices. With such purpose, he met with –at that time- Interpol’s General Secretary Ronald Noble, in order to convince him to change his mind and authorize the elimination of the police alerts, arguing that the agreement between both countries kept on progressing. Fortunately, his attempts were unsuccessful again.

However, this setback did not dismantle the criminal plan created by the already identified Argentine authorities. According to Argentine criminal law, in order to be indicted with the aiding or favoring of a criminal, there is no need to prove interest or predisposition of the criminals benefitted from the cover-up actions destined to favor them in order to elude justice. In this case, there is no need to prove that neither Iran nor the Iranian defendants were interested in–or even that they knew of- the criminal plan decided and executed by the Argentine authorities and its accomplices to benefit the fugitives with definitive impunity.

The judicial presentation also underlines some statements made by the plotters: “...*something was signed, that included the issue of the restrictive orders...*” and “...*Timerman did not comply with certain things. This is very clear. He did not comply with certain things...*” These phrases, along with other evidence, revealed that, besides the MOU, there were other secret pacts between both countries.

When the chances to obtain what was promised to him disappeared and feeling betrayed by Timerman, Salehi did not hesitate in acknowledging that:

“...Interpol (International Police) must eliminate the charges against the Iranian authorities...The [content] of the accord between Iran and Argentina regarding the AMIA issue will be released publicly at the right moment and the issue [of the Iranian suspects] is included and we are following it up...”. Being such statement dated in March 2013, it is obvious that Salehi was not referring to the MOU, but to another agreement that -by then- still was not publicly known.

These secret pacts were also exposed in another incident, when in February 2013 the –at that moment- spokesman of the Iranian Ministry of Foreign Affairs, Ramin Mehmanparast, asserted: *“...The issue of the judicial interrogation of an Iranian suspect [in reference to Vahidi] is completely false...Those who are unsettled by this agreement spread this kind of information...”*. In other words, Iran publicly affirmed that its former Minister of Defense, Ahmad Vahidi, was never to be interrogated, despite the fact that such issue was actually included in the memorandum’s provisions. About this, Jorge Khalil assured that the rumor was true, that the matter on Vahidi’s questioning *“...was already arranged beforehand...was within the frame...”* and that the agreement was *“still much more profound”*.

In other words, the Argentine Minister of Foreign Affairs Héctor Timerman not only signed a Memorandum of Understanding openly unconstitutional, which guarantees the impunity of the Iranian suspects, but also he sealed other secret pacts with Iran, much more profitable for the fugitives. Such serious facts reveal that it was never about two counterparts negotiating a bilateral cooperation agreement. It was always about two partners who had agreed on a sophisticated plan to procure impunity by destroying the legal accusations in the AMIA case. As a matter of fact, after signing the document, an argentine intelligence agent involved in the plot confessed to an Iranian counterpart: *“...Easy, we have already won, that is, we won one match, I told you so, and you wouldn’t have faith in me ...”*, exposing that both parts have always had the same criminal objective.

But, as it was pointed out before, Interpol’s timely intervention keeping in force the red notices did not frustrate or impede the protraction and progress of the criminal plan. The plotters have had the precaution of planning several alternative mechanisms to pursue their criminal objectives. And they incorporated such mechanisms in the MOU’s clauses, providing the plan with the needed flexibility to adapt it to different and unexpected scenarios.

The prosecutor's report explains that the red notices' removal can be achieved through other indirect methods, for example, through the mechanism set in article five. This provision stipulates audiences in Tehran for the "*Truth Commission*" to question the Iranian defendants with Interpol's red notices, that is, only five of the eight suspects.

If there had been a real will to surrender all the Iranian suspects to argentine jurisdiction, as it was presented to the public, all eight of them would have been included to attend these audiences and instead of stipulating mere interviews by the commission, the agreement would have required actual judicial interrogations as those especially prescribed within argentine criminal procedures. In the agreement's actual provisions there is no clause stipulating that argentine judicial authorities would be leading the questioning and there are no specifications guaranteeing that argentine procedural law will be observed during these meetings. According to the agreement, the argentine judge does not have the authority to arrest the defendants. Moreover, the accusation must be backed by an Iranian judge and such scenario is rather unlikely –if not impossible-, since the Iranian regime has already stated publicly that it has been checked and no Iranian citizen is involved, neither directly or indirectly, in the AMIA bombing.

All these circumstances converge to corroborate that the Tehran's hearings actually constitute an indirect path set to remove Interpol's red notices. Once the Iranian fugitives attend these mere interviews, it could be argued that the legal reasons that motivated the alerts had disappeared, thus enabling their removal.

However, it is a completely deceitful and misleading argument. The participation of the defendants in these absurd interviews does not entail that they have surrendered themselves to argentine jurisdiction and legal procedures. The agreement's vagueness and ambiguity and its multiple possible interpretations will necessarily prompt a debate, risking furthering such legal discussion with the red notices already cancelled. The whole document was structured to procure impunity, and several alternative mechanisms were set to achieve such end.

On the other hand, the MOU sets a very complicated procedure for its implementation which includes a series of several succeeding procedural steps, some of them which might be impossible to comply with, due to incompatibilities with the legislation of one or –perhaps- both countries.

Before the Iranian defendants face their charges, there are several steps that must be met beforehand, such as: 1) both countries must internally ratify or approve the agreement; 2) they must exchange verbal notes informing that the internal requirements for its approval or ratification have been exhausted; 3) each country has to select international lawyers with recognized legal character and high moral as candidates to become members of the “*Truth Commission*”; 4) the candidates for commissioners have to accept their designations; 5) both countries have to agree on and select the fifth member and President of the Commission; 6) the commission has to establish its rules of procedures, which also have to be approved by both parties 7) the commission has to request and receive information on the AMIA case held by authorities from either Argentina and/or Iran; 8) the information and the evidence has to be translated; 9) each of the commissioners has to read and analyze the evidence; 10) they have to meet, discuss, find common ground and issue the due recommendations; 11) the commission’s decision has to be notified to both countries; 12) the date for the Tehran’s audiences has to be set; 13) the defendants have to be subpoenaed; 14) they have to attend these meetings which –it has to be pointed out- do not comply with the minimum conditions to be considered judicial interrogatories according to Argentine procedural law. None of these sequential steps has a pre-established due date to be fulfilled. Two years had passed since the MOU’s signature and Iran still has not communicated its ratification through verbal note.

The prosecutor’s presentation proves that the agreement with Iran mirrors the reported underlying criminal activity and that the document was written as to allow its compliance’s indefinitely delay. The purpose was to favor and cover the Iranian defendants, in order to guarantee their impunity. And that is why the document does not guarantee legal rights and/or due process, and it only secures impunity.

Besides, the MOU also enables reaching total and final impunity through the “*Truth Commission*”, which was created to receive and assess new evidence and to introduce a new hypothesis of the bombing, without the involvement of Iranians, so as to redirect the judicial investigation. The future composition of the commission is irrelevant, since its conclusions were arranged beforehand, regardless of who ends up being eventually elected commissioner.

The agreement was written with the necessary vagueness, ambiguity and subtleness so as to insert all these mechanisms. Therefore, the commission's conclusions were stipulated in the agreement as "not binding", because otherwise it would have been too obvious and blatant. But in practice, it is as if the decision is binding, since both governments committed themselves to tie "their future actions" to the findings and recommendations of the commission. And to endorse the commission's role, even its name suggests that it has been created to unravel the truth. Therefore, the pact obliges the Argentine Republic and all its government branches, bodies, agencies and authorities to observe the commission's ruling.

The commission has the ability to dismiss all the investigation carried out by Argentine judicial authorities, generating an irreversible undermining effect. The same day the MOU was signed, Iranian agent Jorge Khalil said: "...*Someone is going to end up with a tainted face...*" and he was certain that it was not going to be Iran, because: "...*obviously, it has been already arranged...How it could be us, dumbass? We are sat at the table...*". Moreover and referring to the judicial conclusion that stated that the bomb was delivered by a "Renault traffic" van, Iranian agents pondered: "...*if the "traffic van" falls apart, forget it, everything falls apart...not only falls, but it turns over instead...*", and also: "...*it's done...Are you playing with me? It's done, I can't speak right now, disclose anything, but EVERYTHING IS DONE...*". These words corroborated that Iranian and Argentine intelligence agents were certain that the defendants were going to be exonerated from the indictment. This idea was reflected in this unequivocal expression: "...*In a year and a half we will receive the good news...*". Everything was settled.

Another section of the prosecutor's report confirms that authors and accomplices had planned and made significant progresses in the making of a false accusatory hypothesis, based on invented evidence, destined to redirect the investigation towards other people, setting them up for the bombing and, mainly, exculpating the Iranian defendants.

As early as November 2012, the Iranian agent Jorge "Yussuf" Khalil had already met with lawyer Héctor Yrimia, former prosecutor in the AMIA case and former criminal judge, who has connections with a sector within the Secretary of Intelligence, and had an active participation in this criminal plot. About it, Khalil said: "...*I had a talk with the prosecutor...the prosecutor of the case...the one who used to be, not the one that is now...The one who*

knows is this one...the prosecutor of the case...” And later, he explained that the contact with Yrimia was facilitated by Fernando Esteche: “...*and the one who sits me is Fernando...*”

They resorted to individuals who had access to the case’s file, such as Yrimia, for being highly useful as a source of information to feed the making of the new hypothesis. Yrimia was in a privileged position to contribute to this plan, since he was appointed prosecutor to this case the same day of the bombing, hence, he had direct contact with the case file. And this was the assessment regarding his contribution to the crime: “...*this can be useful in a very specific way for any of the different thesis of... a third country or whatever, any of the issues that are going to be solved, this will help because it’s information...*” And that is how the plotters were in a good position to choose the best false hypothesis, the most believable one, since they used information from the case to build it.

And since the decision to invent a “new defendant” for the case was already taken, it was vital to have information backed in data already incorporated into the judicial file, enabling the fabrication of the most believable of the false versions. About it, in December 2012, Fernando Esteche revealed: “...*they want to build a new enemy in the AMIA case, new people responsible for the AMIA bombing, it is a necessity that they have to build it...*” Also during the same discussion, it became clear that such task was assigned to especially appointed officials within the Secretary of Intelligence.

To create this “new enemy”, since they “*will not be able to say that the Israelis were responsible for it*”, because it would not be credible, then, they had to fabricate a plausible false hypothesis and even talked of implicating “*a connection of local fascists*”. Also, they speculated with: “...*if the “traffic van” falls apart, forget it, everything falls apart...not only falls, but it turns over instead...*”, in clear reference to the fraudulent dismantling of the judicial finding which states that a “*Renault traffic*” van was used to blow up the AMIA building.

In other words, already in November and December 2012, when neither the judicial authorities nor the survivors and the victim’s families of the terrorist attack knew what was actually happening, those involved in this criminal plan knew exactly that there was going to be a new hypothesis which was going to fraudulently redirect the investigation towards other people, new

defendants. They knew because they were in charge of creating the new false accusation.

The purpose of creating this new hypothesis and redirect the investigation has been: “...*the essence, the heart of the matter...is Iran’s innocence...*”. In spite of all the evidences, facts and its actual responsibility in the terrorist attack, the Iranian citizens were going to be exonerated in the case. Iran was going to be whitewashed and the cover-up was decided “*very high up*”, that is, it had presidential seal. The order to execute this crime came directly and personally from the Argentine President.

Everything was arranged. The AMIA case was going to be used as a pawn serving geopolitical interests in the new international chessboard. Almost ironically, when he signed the agreement with Iran, Minister Timerman released a communicate expressing: “...*The national government ratifies that its unique commitment is with the victims and the rights of their families to find due reparation in truth and justice. Argentina reaffirms that in attending this commitment there is no place for its own geopolitical interests or those of others...*” This was not true. The accusation’s report uncovered that, as a matter of fact, commercial and geopolitical interests were the actual motives for this secret criminal plan which has nothing to do with the pursuit of justice.

For that reason, the intelligence staff involved in this criminal maneuver asserted: “...*we are in different country, it’s another world and we must work in this new context...*” and “...*another hypothesis is coming with different pieces of evidence...*” that were going to throw the case’s prosecutor –Mr. Nisman- completely off, “...*since he never saw them, the pieces of evidence...what is coming now...*”. Of course, they were talking about false evidence, invented evidence.

Besides, the prosecutor’s report highlights the confidence and composure shown by the accomplices in this criminal plan, specially, the intelligence staff involved in it, who acted freely and without covering up their actions, despite the high sensitivity of the matter. They were acting under superior orders, under presidential directives; hence, they only have to conceal their activities from third parties, but not from their superiors or from their Iranian accomplices. The redirection of the investigation and the discredit of the judicial authorities in charge of the case had presidential seal. And, it was admitted: “*take it easy, everything is settled very high up*”.

Mr. Nisman's presentation also details the personal contributions made to perfect the criminal plan, both by the President and her Foreign Minister. Together, they participated in a political and media campaign characterized by false announcements, deceitful promises that they knew they were not going to keep, *mise en scenes* and several other misleading communicational strategies which only purpose was to gain public support.

The plotters lied about the time when the negotiations actually had begun, about the matters truly negotiated and about which of the counterparts had truly initiated and promoted the rapprochement. They resorted to clandestine mediators and official meetings as fronts to their secret negotiations. Accordingly, they denied and questioned the press when circumstances regarding the secret negotiation were published. They even confronted former government officials when they confirmed the existence of antecedents of the agreement that, given their illegal implications, had not prospered in the past.

Moreover, from the very beginning, they tried to make everyone believe that –among other falseness and deceptions- the investigation of the AMIA case was paralyzed almost from its initiation. As a matter of fact, in her speech before the 68^o United Nations General Assembly, on September 24, 2013, President Fernández asserted: “...*the case is stalled, it has not move for nineteen years...*” Such false assertion has been refuted by Mr. Nisman, the case's prosecutor, who detailed numerous and significant progresses within the investigation, since his Special Investigation Unit was created.

Among them, in 2005 and after complying with various legal proceedings and other evidentiary measures in the United States, following information provided by the Secretary of Intelligence and assisted by United States Attorney for the Eastern District of Michigan Barbara Mc Quade, it was finally determined that the van which exploded in front of the AMIA building was driven by a Lebanese national named Ibrahim Hussein Berro.

Then, in 2006, the argentine judiciary requested national and international arrest warrants of a group of defendants (eight Iranians and one Lebanese), which were backed by a wide majority within Interpol's General Assembly in November 2007. The following year, in 2008, the prosecution introduced a new criminal report revealing another cover-up maneuver in AMIA the case aimed to benefit defendant Alberto Jacinto Kanoore Edul. Currently, that case is heading for trial. Besides, by the end of 2008, the judge

issued an order for the preventive freezing of the defendant's properties, which resulted in Mohsen Rabbani's property restraint within our country.

In 2009, Mr. Nisman's Special Investigation Unit released a new indictment in the AMIA case related to the identification of the car bomb used in the attack. This writ also addressed a detailed explanation of the actual functioning of the Hezbollah's terrorist cell which executed the terrorist attack. In that indictment, it was also determined the identity and involvement of the terrorist task force's chief, a Lebanese national named Samuel Salman El Reda; who had coordinated the arrival and departure, the logistic operations and other activities unfolded by the terrorist task force in charge of executing the final stage of the attack. A national and an international arrest warrants and Interpol's red notice were issued to capture El Red. In that accusation, it was established that he was an active Hezbollah's member with proven connections with other prominent members of the organization settled in the Tri Border Area.

In 2013, an indictment of more than five hundred pages was released, due to new investigative activity carried out by Alberto Nisman's Special Investigation Unit, which this time included gathering and analyzing evidence –some even collected abroad- related to illegal activities of Iranian agents. In this new presentation by the prosecution it was established that the Iranian regime infiltrated several South American countries building local clandestine intelligence stations designed to sponsor, foster and execute terrorist attacks, according to principles to export the Islamic revolution.

The gathering of that information and evidence was crucial to put the AMIA bombing into context, both regionally and strategically. It also contributed with more details regarding Mohsen Rabbani's involvement in the attack, hence, strengthening the previous accusation. It was demonstrated that the AMIA bombing did not constitute an isolated event, but that it was part of a broader picture characterized by a strong Iranian infiltration of the region.

While creating the impression that the AMIA case was "*paralyzed*", the plotters also attempted to deceive the general public into believing that there was "*nothing to lose*" by signing the MOU. Such assertion constituted a new false argument destined to justify the agreement which, as the report shows, was a path to the Iranian defendants' impunity. It must be taken into account that, far from being innocuous as it was argued, complying with the agreement

entails the violation of constitutional principles and procedural laws, which might lead to nullifications and a further delay of the case.

It is not true that there are no risks. The Memorandum of Understanding includes in its provisions the obligation to render the entire judicial file of the ongoing case, not to the defendants -which would be pertinent by law-, but to the “*Truth Commission*” for its examination. Indeed, the possibility that Iranian authorities access the information, investigations, findings and secret data contained in this case file provided by different organizations and intelligence foreign agencies became a clear obstacle to the investigation since it triggered a severe disturbance to the international channels through which the AMIA case has received evidence and information of interest. In fact, there have been legal damages, because third countries had ceased to send new information since the MOU’s signature.

Actually, as it was stated in the prosecution’s report, the only thing to unblock in the AMIA case has always been the strong Iranian negative to extradite its nationals to render them before argentine courts.

Within this very same campaign, Héctor Timerman asserted that the negotiation with Iran did not include commercial matters and, in February 2013, publicly declared: “...*How can I do something that has been forbidden by United Nations! ...there cannot be economic interests....because there are economic sanctions imposed by United Nations, which have been signed by Argentina, that forbids trading with Iran beyond the exchanges that happen so far, which comprises grains, with no involvement of the argentine government...it is done by the private sector...I asked them not to do it...*” The truth is that, with the exception of some supplies related to the Iranian nuclear program, there are no legal impediments to commercial exchanges between Argentina and Iran. All the United Nations Security Council’s resolutions forbidding to trade with Iran only refer to products, materials, equipment, goods and technology associated to the enrichment and reprocessing of nuclear minerals or heavy water or to the developing of nuclear weapons’ vectors systems. Nevertheless, in April 2011 and in contradiction to the recently mentioned statements, while given a press conference in Israel with Foreign Minister Avigdor Lieberman, Timerman said: “...*There is no problem in trading with Iran... Argentina does not have any trade interdiction with Iran. Iran does not have any trade interdiction with Argentina...*”. And in a clear contradiction to Mr. Timerman’s assertions,

the report proved with irrefutable evidence that, secretly, Cristina Fernández de Kirchner ordered Minister De Vido to meet with Luis D'Elía in order to communicate Iran the Argentine government's interest in exchanging "grains for oil".

Besides and aiming to discredit the AMIA case's investigation, Timerman made completely inaccurate statements about former Iranian Ambassador to Argentina Hadi Soleimanpour's extradition procedure in the United Kingdom. Before a the Congressional Commissions' Plenary Session at the Senate, Mr. Timerman affirmed: "...*Argentina's extradition request for former Iranian Ambassador Hadi Soleimanpour was rejected by the British justice due to the lack of evidence...Interpol refused to issue a red notice considering that Soleimanpour had been already detained, absolved and released...*". Once again facts were distant from words. It was not a British court of justice but the United Kingdom's Home Secretary who decided to refuse Soleimanpour's extradition request. Actually, this Argentine petition was not fully litigated due to political reasons that were not mentioned in the decision, following a legal prerogative contained in the extradition treaty ruling the case. All in all, the failure to obtain Soleimanpour's extradition was only based on a political decision and not due to judicial or evidentiary reasons. Soleimanpour was never found innocent by a British court, as Timerman said. This "inaccurate" statement of Mr. Timerman was also noticed by the Argentine Federal Court of Appeals which in a ruling dated on May 15, 2014, declared that the MOU signed with Iran and the act approving it internally were both unconstitutional.

Moreover, within the prosecutor's report it was exposed the way in which President Fernández and Mr. Timerman had manipulated the survivors of the attack, the victims' families and the Jewish community entities; resorting to lies, fallacies and schemes. The emblematic example of these deceitful means has been the presidential promise, flagrantly broken, by which President Fernández committed herself to consult beforehand with the survivors of the attack and victim's families every single proposal or offering from Iran. In September 2012, Cristina Fernández asserted: "...*rest assured that this President will not make any resolution concerning any proposal [made by Iran], without PREVIOUSLY consulting with whom had been direct victims [of the terrorist attack]. And, at the same time, with all the political*

forces who have parliamentary representation in my country, because this matter cannot be decided by one political force alone...”.

Contrary to what was promised, nobody was consulted. Furthermore, the families and the victims of the bombing had to learn about the signature of the MOU with Iran through the mass media. The –at that moment- AMIA’s President, Guillermo Borger, claimed: “...*this memorandum surprised the whole society this last January 27. It was never consulted nor was it mentioned...”.*

Victim’s families and Jewish community entities were not listened, before the National Parliament, when they expressed their opposition –by a wide majority- to the agreement’s approval. Sofia Guterman, mother of a young woman killed in the attack, stated: “...*Nobody said anything to us. I was very surprised. I did not think they were going to rush the legislative procedures this much, but clearly the race was ending and they needed to reach the goal....I was disgusted when Pichetto said ‘let’s hurry up because the President ordered to end this affair...’*”, in reference to Miguel Ángel Pichetto, the Senate’s Majority Leader, who belongs to the government’s party. Laura Ginsberg, widow of another victim of the bombing said: “...*One should expect that the Congress would be a place for deliberation [instead] Timerman and some ruling-party’s senators created a poor, tricky and vulgar setting...”* and describing the congressional debate, she added: “...*the discussion was in hands of Timerman and the government, because their intention was to speed up the act...”.* Finally Ginsberg sentenced: “...*the only thing that the government wants is to approve, as soon as possible, this act, which entails a “full stop” for the AMIA case”.*

When Timerman faced the initial rejection to the MOU by groups of victims and the Jewish community entities, he tried to reverse the reactions resorting to a new manipulation tactic. On January 29, 2013, he met with these key players who, at that time, were encouraging an annex to the MOU.

After the meeting with Timerman, the –at that time- AMIA’s President Mr. Guillermo Borger, publicly asserted: “...*the Foreign Minister is willing to prepare an explanatory note....The Foreign Minister answered to all of our doubts and promised to personally sign, probably with the President as well, an attached document to clarify this doubts....The annex, which must be also approved by Iran, would have the signature of President Cristina Fernández, and must be, as well, ratified by the parliament...”*

The victim's group known as "*Memoria Activa*" (Active Memory), which also participated of this meeting, released the following communicate: "...On Tuesday 29th January, *Memoria Activa* attended the meeting convened by Minister Héctor Timerman at the AMIA building. In that meeting, the Foreign Minister clarified the terms of the agreement regarding the following issues, which now become non-negotiable aspects of it and must be ratified in by the argentine government in written: 1- The defendants will be judicially interrogated in Tehran according to argentine procedural laws, by the argentine case's judge and before the argentine case's prosecutor, 2- Interpol red notices and arrest warrants shall remain in force...". However, after the meeting, Minister Timerman denied having agreed to prepare any kind of annex to the agreement.

Overall, the accusation proved that to move forward with the MOU towards the Iranian defendants' impunity, they had to break the presidential promise of a previous consult with the victims as well as Timerman's commitment to prepare an annex to the MOU. They made everyone believe that they were going to build a consensus across the political spectrum before reaching any agreement with Iran but, in fact, all the different voices opposing the MOU were fully ignored.

It became clear that it did not matter what the survivors and victim's families had to say. The decision was already taken. The MOU was signed to secure a hidden purpose: to provide impunity to the Iranian defendants, thus enabling the reinstatement of commercial relations and a rapprochement with Tehran, since the issue that could have raised opposition within the argentine society and/or the international community would have been finally removed. Such was the reason for the MOU to be signed and approved at any expense: it removed the only obstacle impeding an association with Iran. It was strictly necessary for the execution of the criminal plan.

A President who has publicly boasted, before the victims, about her commitment with the pursuit of truth and justice; who has declared that her government will not allow the AMIA case to be used in the chessboard of world geopolitics; who claimed to have intervened in this matter because the judicial case was paralyzed; who celebrated the signature of an agreement that she described as "*historic*"; was, in fact, the main architect, along with Minister Timerman, of the fraudulent dismantling of the investigation and the

illegal aiding of the defendants. In other words, they spoke of justice and truth while, in fact, they granted impunity.

The accusation's report also reveals that the meeting between Argentine and Iranian Foreign Ministers, which took place in New York in September 28, 2013, was a "*mise en scene*" previously arranged and, actually, convened by Cristina Fernández as a scheme to deceive argentine public opinion.

On September 24, 2013, at the United Nations General Assembly, President Fernández strongly demanded the Iranian authorities to answer the argentine requests regarding the agreement signed several months before. Two days later, on September 26, Héctor Timerman informed that he had received a phone call from the Iranian Foreign Minister to convene a meeting for the following Saturday: "*Minutes ago, we have received a call from the authorities of the Islamic Republic of Iran requesting a meeting between both Foreign Ministers to discuss the MOU within the framework of the United Nations...*"

Minister Timerman explained the meeting's objective was: "*...to know the MOU's current situation according to Iranian legislation, that is, whether it was approved by their Congress or not. And if it was approved, then, to establish the time frame in which the Commission will be constituted and, at the same time, the estimated date for the argentine judicial authorities to go to Tehran...and if it was not approved, when will it be...*".

The "*mise en scene*" detailed in the report was intended to give the idea that argentine diplomats were getting results and that Iran was yielding under Cristina Fernández's harsh speech before the United Nations General Assembly. However, the real and illegal intentions of the Argentine President were actually conveyed through a parallel diplomacy composed of communication and negotiation channels specially created for this criminal plot, which operated to shape reality to meet the plotter's interests. Through these clandestine channels, Cristina Fernández contacted indirectly Iranian high-ranking authorities and even with Mohsen Rabbani.

Argentine messenger Luis D'Elía specified about the request: "*I have an urgent message from the argentine government to convey urgently there [in reference to Iran]...before tomorrow...I am at the Government House now...there is no other matter more important than this now, believe me. I need you to speak to the Sheik [alluding to Rabbani] what I have here is very*

big...” Once again, defendant Mohsen Rabbani was instantly informed of Cristina Fernández’s messages.

The Argentine Presidential Office wanted to contact Tehran urgently, one day before the meeting between both Foreign Ministers and through unofficial channels. The message was not sent from San Martín Palace to the Iranian Foreign Ministry. Héctor Timerman did not contact Mohammad Javad Zarif Khonsari, despite the fact that both of them were in New York at that time. It could not be done in such manner. Instead, the message was sent from the presidential office to Luis D’Elía, then to Jorge Khalil and after him, it reached the Iranian Chargé d’affaires in Buenos Aires before being sent to Tehran. Secret. Concealed. Completely unheard-of. Typical of the criminal plan that was on going.

In this particular case, Ms. Fernández wanted to obtain certain public announcements from Tehran, even if they were false, because they would be useful to the criminal plan. Jorge Khalil, who received the message from D’Elía and sent it to Iran, revealed: “...*She needs the Iranian government to announce tomorrow, together with the Argentine one, the constitution of the “Truth Commission”...and also to set the date, in January, for the Argentine judge to go to Tehran...*”.

The evidence presented in the accusation’s report proved three points. First and once again, the perpetrators’ imperative interest in furthering the plot which, on the contrary, was not in the New York’s Iranian agenda: “...*the meeting has been convened on the spur of the moment at the request of Cristina...*” and “...*take notice, Rohani has not even mentioned the AMIA issue in his speech...*”. The Argentine attitude of publicly “urging” the Iranians was simply “*pour la galerie*” or to the gallery.

Second, it was exposed that there were things that had been discussed and previously arranged without informing the public, which was intended to be deceived through “*mise en scènes*”, false negotiations, secret pacts, etc. Beyond the natural discretion with which sensitive matters are usually managed, in this particular case, confidentiality had the one and only purpose of deceiving and hiding illegal activities. It was an instrument for pretending and not being discovered.

Third, these evidences revealed that, from behind and while nobody knew, everything was arranged and, actually, there was no secret or expectation because the Argentine authorities knew what was going to happen

in the summit. Through the parallel channel used to perpetrate this cover-up, Luis D'Elía called his friend Jorge Khalil, Iranian agent in Argentina, to convey a message to Tehran explaining the sort of announcement that President Fernández expected from the Iranian authorities in this meeting, so as to deceive, once again, the general public about the actual state of affairs in this matter.

The meeting held in New York by both Foreign Ministers on September 28, 2013 was a *mise en scene*, that is, a staged summit, designed to give the idea that something was being negotiated and/or that the Argentine diplomats were getting results in response to Cristina Fernández's harsh speech before the United Nations General Assembly.

As it was credited in the report, the Argentine authorities requested – through unofficial channels- a joint announcement by both Foreign Ministers and, also, definitions on several matters. Perhaps, it was far too ambitious. But the Iranians, in what could be considered “...a gesture...towards the Argentine government in the eve of elections...”, agreed to let Mr. Timmerman announce, publicly but not jointly, that Iran had approved the MOU through its Superior Council on National Security with the support of the Supreme Leader, whether it was true or not. Again, “*pour la galerie*”. Nothing was actually true.

That Saturday, September 28, the Foreign Ministers of both countries had two meetings, between which they both consulted with their respective presidents. They did not exchange verbal notes. The agreement did not enter into force. They did not set a time line for either the “*Truth Commission*” or the Tehran's hearings. There was no joint announcement. No Iranian authority gave any official statement.

In fact, within Iran, the alleged MOU's approval was merely informed by the “*Tehran Times*” which cited TELAM, the Argentine official news agency, as its unique source of information on this matter. Unprecedented. One of the most important Iranian newspapers, the “*Tehran Times*”, in order to inform on a decision adopted by the Iranian government cited the official news agency of a foreign country-Argentina- as its only source. Nisman's report remarks this fact as quite suggestive: How could it be that the source of information was not Iranian? How could it be that for government's act decided and implemented in Tehran, the source of information of the “*Tehran Times*” was Argentine Telam?

This incident ended up being an example of the actual existence of secret channels of communication and negotiation with Iran, parallel to the official ones. This event also revealed that many details of the criminal plan were secretly settled in advance through these channels and that the public statements made by President Fernández and Minister Timerman were only a communicational set up directed to deceive the general public about the true situation in the AMIA case. This was essential to the criminal plan since the perpetrators have always needed to count with the greater possible support within Argentine society so as to ease the plan's implementation.

So, mendacity and double speech ruled this criminal maneuver. So serious and terrible were the actions to be concealed –the cover-up of fugitive terrorists- that the plotters resorted to any mean to that end. The concealment of the criminal plan went beyond any limit: publicly lying to the Parliament and deceiving the survivors of the attack, the affected Jewish entities, the victim's families and the whole society. Meanwhile diplomatic negotiations were taking place, the criminal plan secretly moved forward through parallel communication and negotiation channels established with Iran.

To be implemented and move towards the impunity of the Iranian defendants, the plan's illegality required these secret unofficial channels as efficient and reliable ways of communication. The channels' activity constituted a *de facto* diplomacy, that is, a parastatal activity which, from the shadows, allowed furthering the criminal plan, under direct and explicit orders of President Fernández.

In fact, several pieces of evidence confirmed the existence of these secret channels, parallel to but interconnected with the official ones, which facilitated contacts between Tehran and Buenos Aires. As an example of these secret messages, the prosecution's report cited Khalil's words: "*...I'm coming from La Matanza, I've just had a meeting with Luis D'Elía and 'Cuervo' Larroque, the one who belongs to 'La Cámpora'...they called me early because they wanted to talk to me, they had a message to give to the government....and now I'm leaving to Martínez, to deliver the message, to the Ambassador's house...*", referring to the Iranian Chargé d' affaires in Buenos Aires, that is, the highest Iranian official authority in Argentina. Khalil also said: "*Larroque...he sat with me and gave me the message that I have to deliver to the embassy. I went to the embassy and conveyed what I had to*", and added: "*....they sent me to do that, I am the nexus...*"

These secret channels were also used to communicate updated information to Mohsen Rabbani regarding several aspects of the criminal plan destined to cover him up. Besides, these channels contributed to actions led to invent the false alternative theory created to explain the terrorist attack, which had to be plausible to the general public since it was aimed to divert the judicial investigation towards new defendants.

The fact that Iranian authorities were informed of what was being decided within the Argentine government was a new sign to prove that the MOU, far from being an instrument to help with the AMIA case -as it was falsely stated-, it was the legal disguise of a much broader illegal pact.

Therefore, the perpetrators of this crime have always had in mind that it was important to count with a good predisposition of the Iranian authorities and their local contacts, because their acquiescence or -even better- their support would help to move forward with the plot. Actually, the prosecutor's report verified a series of specific favors done to benefit the Iranian regime's local contacts, such as: help in administrative public procedures, job promises and access to important government officials.

The gathered evidence revealed that, since the beginning of the secret negotiations and the alliance with Iran -built over eighty five casualties that they decided to leave unpunished-, it began a relationship of support and protection provided by the Argentine government to the local Iranian contacts. These local agents began to have access to several governmental offices under Cristina Fernández's administration. For example: intelligent agents involved in this plot promised Khalil some jobs for the Iranian local community, within the Customs General Directorate and in the Interior and Transportation Ministry. And Luis D'Elía secured direct access to the Federal Public Revenue's Administrator, Ricardo Echegaray, so as to solve some tax problem's mentioned by Khalil.

As it was said, everything was instantly reported to Mohsen Rabbani, even this favors and the Argentine government's good predisposition: "*...we are seeing many nice things...met with the minister....because the minister told me today that he will talk to the President so I can see her....I want to see her, the President...*". On these matters, Rabbani said: "*...we...have spoken with Argentina....Iran was Argentina's first buyer and now it buys almost nothing...but...this situation can change because of you and the*

government...”, in reference to the Iranian contacts in Argentina, such as Khalil, and the current government authorities.

Along the same line must be understood, for example, the incident which took place in November 2012, before the MOU was even signed, when Luis D’Elía and Andrés Larroque asked Khalil not to go to a demonstration organized by left-wing political parties in support of the “Palestinian Cause”, because that kind of actions could affect the – at that moment- new bilateral relations with Iran. Khalil accepted the request explaining: “...*I imagine the ‘Troskos’ will begin with messages against the government, which I don’t want...we don’t want to do something annoying...We don’t want to annoy the argentine government...I won’t do anything to annoy the argentine government...we are solving a major problem for us...*”, in obvious allusion to the accusations against Iranians for the AMIA bombing. And he added: “*Besides, it was a request from the government. I was talking to D’Elía and “Cuervo” Larroque and they asked me that. And I communicated it to the ‘Safir’ and the ‘Safir’ told me the same thing: ‘let’s not do something that might annoy...’*”.

The prosecutor’s report states that while the argentine society was being told that the Iranian historical reluctance to collaborate with our judicial system has been broken and that Tehran will finally cooperate; the truth was that the message received in Iran was quite different: President Fernández had decided to procure impunity to the Iranian suspects as a preface to commercial exchanges aimed to obtain Iranian oil. And she was willing to ingratiate with Tehran’s regime at any price.

That was the message received in Tehran, which was –as well-expressed by the local Iranian contacts: “...*because the government is in favor now...*”, meaning in favor of Iran; and “...*the government is backing us...*”. Even more, those who participate in this crime began planning new projects assuming that the Iranians were going to be exonerated and that, consequently, the local Iranian community was going to rebuild its reputation. As it was explained by an intelligence agent involved in the plot: “...*there are lots of things we have to put together...wisely...we are very good now and we have to work with calm...from now on, we have to do a ten-year job...Are you following me? In a year and a half we will be having the good news, but here we have to do a long term job...*”

The perpetrators and accomplices of this elaborated criminal plan have been identified and accused in Mr. Nisman's report, and their personal attributes, roles and contributions to the plot were also described.

Firstly and most importantly, it was proved that Argentine President Cristina Fernández deliberately ordered the preparation and execution of a plan to cover up the AMIA bombing, illegally aiding the Iranian suspects to obtain their final exculpation from the case, thus securing their definitive impunity. In several opportunities the accomplices involved in this criminal plan have mentioned Ms. Fernández involvement in it, asserting that *"everything is settled very high up"*, and decided *"at the highest level"* because *"it was requested by the boss"* and her obedient Foreign Minister implemented the plan, following *"order, order and order"*.

Such was Ms. Fernández's commitment in this criminal plan that she carefully selected some of her accomplices. Essentially, she delegated most of its implementation to her Foreign Minister Héctor Timerman. Besides, many actions executed to further the plot, being notoriously criminal, could not have been carried out by high profile government officials. For that reason and to avoid implicating these officials with certain public interactions, she resorted to intermediaries who operated as nexus between plotters and executors. The President was assisted by certain actors and sectors within the Secretary of Intelligence, by the local leader Luis D'Elía and by National Representative Andrés Larroque.

As it is stated in the prosecutor's report, in January 2011 and under a presidential order, Héctor Timerman left the official delegation which was visiting several Middle Eastern countries and went to the Syrian city of Aleppo where he secretly held a meeting with his –at that moment- Iranian counterpart, Ali Akbar Salehi, to whom he communicated the following message: *"Argentina is no longer interested in solving those two terrorists attacks, instead they prefer to improve economic relations with Iran..."*. Besides, other presidential orders included: the elaboration of a mechanism to remove Interpol's red notices; the authorization to seal secret pacts with the Iranian representatives; and the building of a false theory based on fake evidence to implicate others in the AMIA bombing and –fundamentally- to exonerate the Iranian suspects.

Another remarkable contribution of President Fernández was her announcement at the United Nations General Assembly on September 25,

2013, when she informed that, answering a request from the Islamic Republic of Iran received the previous week, she had instructed her Foreign Minister to start a negotiation process with Iran. This contribution was essential to the plot because it concealed the prior secret negotiations held with Iran for a year and a half and the fact that those negotiations were prompted by her administration and not by Iran, as it was publicly alleged. She could not publicly acknowledge that she had actually ordered Minister Timerman to offer the Iranian authorities impunity for their nationals –accused of the AMIA bombing- in exchange for a geopolitical and commercial rapprochement between both countries.

In spite of publicly denying any trade interest behind these negotiations with Iran, secretly, President Fernández tried to put into practice her decision to trade with Tehran, entrusting the matter to her Minister of Federal Planning, Architect Julio De Vido. The commitment with the victims of the bombing was nonexistent, to the point that in May 2013 –following President Fernández’s orders- the Executive Branch was holding secret meetings with Iran to exchange oil for meat and grains and, as the report irrefutably confirmed, fugitive Mohsen Rabbani participated in this concealed commercial negotiations.

Another presidential contribution took place on September 27, 2013, a day before the summit of Foreign Ministers of both countries in New York, when she ordered Luis D’Elía to convey a message to the Iranian agent Jorge Khalil, who –later- explained Cristina Fernández’s request: “...*She needs the Iranian government to announce tomorrow, together with the Argentine one, the constitution of the “Truth Commission”...and also to set the date, in January, for the Argentine judge to go to Tehran...*”. While Timerman publicly asserted: “...*we have received a call from the authorities of the Islamic Republic of Iran requesting a meeting...*”, the local Iranian agents acknowledged: “...*the meeting has been convened on the spur of the moment at the request of Cristina...*”

President Fernández decided, ordered and constantly controlled the execution of the criminal plan; whether giving direct orders to her accomplices or leading the media and discursive campaign which was crucial to cover the perpetration of the crime. She selected some of her accomplices, involving –at least- one of her national ministers and a congressman. She constantly controlled the plan’s progress. Indirectly, that is, through

intermediaries, she negotiated with one of the Iranian fugitives and personally performed some needed actions to conceal this sophisticated plot.

Without any doubt, the accusation points to Foreign Minister Héctor Timerman as the main implementer of the plan. From his position, he personally conveyed to Iran the decision of the Argentine President to relinquish any justice claim regarding the AMIA case; he secretly agreed to cease Interpol's red notices and tried –unsuccessfully- to influence Interpol's General Secretary to do so; he sealed secret agreements with Iran which were later publicly acknowledged by Ali Akbar Salehi, the Iranian Foreign Minister himself; and he participated in the negotiations, writing and signature of the Memorandum of Understanding, which constituted his central contribution to the plot, because it was a decisive action within the criminal plan. Besides, to reach this goal, Timerman led several meetings with the Iranian representatives, both secret and public, performing a main role in these negotiations to procure impunity to the Iranian fugitives and to cease Interpol's red notices.

His involvement in this crime also arises boldly from the words of the Iranian agents who, talking about the secret pacts sealed with Iran, conveyed Tehran's disconformity for the failure to cease Interpol's red notices: “...*there is some unease there, there...there is unease...I believe that the fucking Jewish* [in reference to Héctor Timerman] *screwed it up...something was signed, that included the issue of the restrictive orders* [alluding to Interpol's red notices]...” and added: “...*Timerman did not comply with certain things. This is very clear. He did not comply with certain things...*”.

In addition, the judicial presentation details that Minister Timerman abused of the confidentiality typical of diplomatic negotiations to conceal the progress of this criminal plan and issued press releases from his Ministry to deceive the general public about the actual content of these negotiations, to secure that nothing disturbed the plan's criminal course.

Also, he was personally involved in the discredit and deception campaign aimed to destroy the credibility of the judicial case, in order to deliberately portray the pact with Iran as the only possible solution to the AMIA case. To discredit the judicial investigation he affirmed: “...*For the first time ever there is a written commitment with Iran...so that the AMIA case would leave the state of 'total paralysis' in which it has been immersed*”, and

added later: “...*the on-going judicial investigation...has not had any kind of progress in the last years...*”

Timerman’s role in the “*mise en scene*” dated in September 2013, set to deceive the public, was another of his reported contributions to the illegal plan. Then, he asserted that the meeting was held due to a request from Iran, in response to President Fernández’s speech before the United Nations General Assembly, when –actually- it was proved that: “...*the meeting has been convened on the spur of the moment at the request of Cristina...*”.

Summarizing, the person who should have watched over argentine foreign interests is actually involved in the execution of this dreadful criminal plot aimed to procure final impunity to Iranian defendants in the AMIA case.

To fulfill this criminal role, Timerman failed to comply with his state official’s duties as required by his high-ranking cabinet position and stipulated in the Ministries of State Act. He furthered several illegal actions, thus infringing the criminal code. He ran over the last eight years of the argentine judicial investigation by making concessions that destroyed the achievements accomplished in this extremely complex case. He lied and deceived the Jewish community leaders, the groups of victim’s families, the survivors of the terrorist attack, the National Congressmen, the press and the entire argentine society, without hesitating in distorting and twisting facts, so as to conceal the criminal plot in which he took part.

Another main participant of this plot was Luis D’Elía. He has always been a vehement advocate of the Iranian regime and the Fernández’s administration, to the point of defining himself as an unconditional “soldier” of the President: “...*I have to play the Casa Rosada’s game...If I had the order not to go...I am a soldier here...*”

He operated as a hidden interlocutor of the argentine authorities, sending and receiving clandestine messages to the Iranian counterpart, to further the plan and remove the obstacles that appeared in its illegal path. He also was in charge of conveying Tehran’s unease regarding the fact that Interpol’s red notices remained in force. In this matter, he spoke for Cristina Fernández. His background supported him in occupying this role, which was demonstrated –for example- in the “*mise en scene*” of September 2013. It was also established in the prosecutor’s report that he participated in the commercial negotiations associated to the plot, which involved defendant Mohsen Rabbani, to whom he has been related to for many years.

Completely identified with the ideas and politics of both the Iranian and Argentine counterparts, he visited Iran several times, invited by the regime. In his visits, he met with high authorities and it was established that he held meetings with, at least, two of the Iranian fugitives in the AMIA case: Mohsen Rabbani and Ahmad Reza Asghari.

At the beginning of 2007, when D'Elía returned from a visit to Iran, he publicly stated that he had received evidence and documents which indicated that Iran had no involvement in AMIA bombing and that the prosecution's accusation was supported by false evidence. However, after the documents presented by D'Elía were entirely analyzed and investigated, it became clear that his assertions had no support in facts or evidence, not even in the pieces of evidence and/or lines of investigation he suggested himself. Consequently, such line of inquiry had to be ended, concluding: “...*the version suggested by Luis D' Elía, which has shown itself orphan of any evidence's support, ended up being an irrational and capricious theory that collapsed under its own weight and does not merit further analysis...*”

At the beginning of 2010, this time accompanied by Jorge Khalil, Luis D'Elía returned to Iran under a regime's invitation, where he was offered a pact of similar characteristics to the one signed three years later by Héctor Timerman, which also included the removal of Interpol's red notices. Khalil said in this regard: “...*It's similar to the one they offered us on our first trip to Tehran...do you remember?...*”. So, D'Elía was invited to Iran to be informed of this offering for a political solution to the AMIA case aimed to disassociate Iran from it, relinquishing the judicial accusations and ceasing Interpol's red notices, as it has been historically proposed by Tehran.

Within his circle, some people stand out, such as former Venezuelan Ambassador to Argentina Roger Capella who, in November 2006, incited Luis D'Elía to organize a demonstration against the Argentine justice for its resolutions in the AMIA case. D'Elía lost his position within Néstor Kirchner's administration because of this action. However and in spite of having lost his position at the government, he stayed very well-connected to the government, operating from a civil organization named “*Federación de Tierras y Viviendas*”, which answers to him. His enduring influence in these matters was corroborated by Khalil, who asserted: “...*I have just left Luis' ...I requested him some hectares for us, he is going to give them to me now...for us to build a facility...*”

Among the different proved facts enumerated in the prosecutor's presentation, it was established that the very same day in which the MOU was signed, the then Presidential General Secretary, Oscar Parrilli, as well as personnel from the Secretary of Intelligence, both informed Luis D'Elía of the agreement's signature and conveyed the presidential order for him to remain strategically silent before the media for ten days to avoid disturbing the local Jewish community. He was specifically told: "...*In case the media or someone else contact you today, keep a low profile, for ten days at least...*", and D'Elía answered: "*Sure...Parrilli just told me the same...*".

The fact that D'Elía was instantly informed of the MOU by the Presidential General Secretary, without being a government official, along with the fact that he received a direct presidential order to remain strategically silent, reveals that he was part of the plot. Besides, such personalized notification on the MOU's signature turns out to be absurdly paradoxical when taking into account that the victim's families found out about it through social networks and mass media.

In August 2013, on a ceremony held on the occasion of Al-Quds Day, Luis D'Elía vindicated Hezbollah and bragged about his contacts within that terrorist organization, which has been indicted for executing the AMIA bombing. That day he spoke about his trip to Lebanon of March 2012, where he visited Hezbollah's locations and met with its leaders. His militancy in favor of this organization reached the point of asking Jorge Khalil to provide him with contacts within Hamas' and Hezbollah's leaders, claiming a journalistic interest: "...*that you provide contacts there with Hezbollah and Hamas...*"

The accusation's report confirmed that Luis D'Elía is not just aligned to President Cristina Fernández due to their common view regarding the AMIA case, but it established that he is one of her political operators, who works for her interests, receives instructions and answers without questioning. President Fernández did not choose anyone to act as her intermediary in the negotiations with Iran, she chose a "soldier". D'Elía was already involved in this plan when the agreement was still undergoing a negotiation stage, when the MOU was signed, when it was approved by the Argentine Parliament, when it was hindered due to Iran's lack of interest and when, in September 2013, a "*mise en scene*" was staged to deceive the public pretending both parts were trying

to diplomatically find a solution by dialogue to their disagreements. D'Elía was involved all the way.

According to the prosecution's evidence, D'Elía made fundamental contributions in different stages of this sophisticated criminal plan. He received instructions from Congressman Andrés Larroque; he communicated countless times with the Iranian agent Jorge Khalil; he contacted and met Iranian diplomats and publicly advocated in order to enable the plan's progress. This is to say; from his position he constantly contributed to further the criminal plan.

Jorge Alejandro "Yussuf" Khalil has been the most important local contact of the Iranian regime in Argentina on this matter, with preeminence over the Iranian Chargé d' affaires, about whom Khalil contemptuously said: "*...I don't give a shit about Pakdamán...*". Another time, he asserted: "*...I passed him over, because I was told I have to do the stuff, and well, I do it. Besides, I spoke to his boss, if he has any issue, he has to talk to his own boss...*". Moreover, Pakdamán's successor obtained his position due to Khalil's influence and consent: "*...This is an ambassador that I chose... When they asked me about various possible candidates I chose one...and I told him: 'Do you know that I hand-picked you?' He said: yes, yes, yes, I want to express my gratitude to you for having spoken for me...*"

Full-time militant of the Iranian interests, he has been the voice and ears of Iran in Argentina. In such role, he worked as a nexus between Iranian and Argentine officials involved in the plot, acting as the key player in the parallel diplomacy connecting Buenos Aires and Tehran. Khalil has always been aware of his position. He even acknowledged that he obeys entirely the directives and indications from Tehran, explaining in his words: "*...I told him I am an agent...I was given an order from there: I don't have to move a finger...[and therefore] I don't move a finger...*". He has been considered "*...the Embassy's interlocutor...*" and, characterizing himself, he affirmed: "*...I'm not operating for them, I'm operating for us, for the embassy....they sent me to do one thing, being that I'm the nexus...*", in clear reference to his obedience to Tehran.

Another important feature to fully understand Khalil's relevance in this criminal plan is his close relation with defendant Mohsen Rabbani, which dates back to 1994, that is, the year of the terrorist attack, as he put it: "*...I'm talking about 1993, 1994, when the bomb exploded...*". Khalil has been

frequently contacting Rabbani by telephone and/or electronic mail. While the MOU's approval was being discussed in our National Congress, Khalil told Rabbani: "*...We will defend you, in the Congress, inside or outside jail, everywhere, if God allows. Because we are the same, you and this community are the same. If they accused an Iranian, they will have to accuse the whole Islamic community in this country, as simple as that...*"

The accusation has conclusive evidence which show that Khalil has sent to Rabbani all kind of information, including public and private data that Khalil gathered from his local sources, whether from those who have access to the presidential office, as National Representative Larroque, from important agents within argentine intelligence service and/or from Tehran's local historical allies, such as D'Elía and Esteche.

After the previously mentioned meeting with Minister De Vido, Khalil reported: "*...today we finished a meeting with the Minister of Planning De Vido...he is willing to send YPF's highest authorities to negotiate with the Islamic Republic and the transaction can be through grains and through other things...*". And Rabbani replied: "*Send it to me so that I assess it*" and Khalil added: "*...I will send you an e-mail, very serious, explaining how was the meeting and you asses it...Agha, stay calm that we are working well...*". On other opportunity, he said: "*...Sheik, stay calm that tonight, when I get home, I will send you a report with everything, everything I'm doing...*". Through such expressions, Khalil has brought solace and reassurance to one of the AMIA case's fugitives.

Along this same line, Rabbani's trust in Khalil has also been verified by the evidence presented in the report. For example, after an argument between them and to soothe Khalil, Rabbani apologized saying: "*...I mistreated you because of my trust in you, because you are responsible of everything...*". Or when Rabbani stated: "*...do not mix things up, you work with me....*"

Concerning the reported crime, Khalil had a key role in the fabrication of the false lead aimed to redirect the investigation. He was constantly in contact with personnel of the Secretary of Intelligence specially assigned to this particular task. Long before the MOU was signed, Khalil was already working in this matter, along with Fernando Esteche who contributed with ideas to create the false theory aimed to –deceptively but plausibly- explain the bombing. Khalil knew, since he had worked in it, that "*...another hypothesis is coming with different pieces of evidence...*" that will completely

throw the case's prosecutor off and ridicule the ongoing judicial investigation, resorting to false evidence, alien to the case file. He also knew that the "*Truth Commission*" was not created to investigate anything, but to exonerate the Iranian defendants: "...*Someone is going to end up with a tainted face...obviously, it has been already arranged...How it could be us, dumbass? We are sat at the table....*"

In sum, the accusation confirmed that both Luis D'Elía and Jorge Khalil were accomplices carefully selected to act as clandestine nexus in the criminal plan. Actually, they both share one characteristic which is that, despite their profound identification with the governments they represent, and the confidence they inspire among their superiors, they are not government officials. They do not hold any public position and have no visible political responsibilities within the governments they serve. Nonetheless, also coincidentally, they operate very close to the sources of political power; they are trusted by those in power and, also, they have a great deal of power of their own.

As a matter of fact, within this plot, such characters could not be seen directly associated with the highest official authorities of neither government. Therefore, in Argentina, there was mediation between the plotters and several of its implementers and accomplices. In this case, the plotters resorted to a key player, close to and trusted by the President and who –also- could easily explain fluid contacts with both plotters and implementers. This key player for the plan was National House Representative Andrés Larroque, who conveyed the presidential decisions to the plan's executors, knowing its criminal purpose.

In fact, the prosecution's report identified Congressman Andrés Larroque as one of the accomplices. He has been characterized as a key player in the coordination of the criminal maneuver, given his closeness to President Fernández and to the executors. Such position enabled him to operate as a nexus, delivering information and messages between the plotters and their accomplices.

The accusation enumerated several situations in which Larroque communicated presidential orders to Khalil as well as to D'Elía, about how they should move. For example, in November 2012, Khalil stated: "...*I'm coming from La Matanza, I've just had a meeting with Luis D'Elía and 'Cuervo' Larroque, the one who belongs to 'La Cámpora'...they called me*

early because they wanted to talk to me, they had a message to give to the government....and now I'm leaving to Martínez, to deliver the message, to the Ambassador's house...". The interaction between them was revealed. Larroque conveyed messages related to the criminal plan which came from the Argentine authorities involved in it, and Khalil delivered them to the Iranian authorities.

Andrés Larroque's role in the plan conceived by Cristina Fernández was to protect the negotiations with Iran from every unnecessary tension, mainly within the local political scene. Khalil confirmed it: *"...I was talking to D'Elía and "Cuervo" Larroque and they asked me that. And I communicated it to the 'Safir' [the Iranian Chargé d' affaires in Argentina] and the 'Safir' told me the same thing: 'let's not do something that might annoy...'"*.

Besides, Larroque participated in the communications regarding commercial issues, as it was mentioned by Khalil: *"...I went to talk to D'Elía and told him...all the proposals and about the Foreign Ministry, about the Foreign Ministry too...about what I was offered...And he presented it to "Cuervo" Larroque, the one from 'La Cámpora', the chief of 'La Cámpora' ...and they were going to talk to Cristina..."*

In sum and within the revealed plan, Mr. Larroque worked as a nexus between President Fernández and Luis D'Elía. He also conveyed messages and directives to the Iranian agent Jorge Khalil and stayed communicated with Fernando Esteche. He was a key player in the coordination of communications and negotiations which enabled the criminal maneuver. In addition, he participated in the commercial issues behind it and also intervened to avoid complications that could have damaged the rapprochement with Tehran.

Fernando Luis Esteche is the leader of a political organization named "Quebracho", with good rapport with some current government officials. For years he had positioned himself in favor of Iranian interests and he had even received economic aid from Tehran's regime. His involvement in this plan has been decisive, because he contacted the Iranian agent in Buenos Aires, Jorge Khalil, with Argentine intelligence agents and, also, he convened to participate in this plot former prosecutor of the AMIA case, Héctor Yrimia. Besides, he contributed with ideas to the invention of the false hypothesis aimed to replace the judicial conclusions. In December 2012, Esteche explained the steps that had to be followed within the criminal plan: *"...they want to build a new enemy in the AMIA case, new people responsible for the AMIA bombing, it is*

a necessity that they have to build it, they will want to begin building a consensus for this...they will not be able to say that the Israelis were responsible for it...”, suggesting they could implicate “...a connection of local fascists...”. When convening Yrimia, he said: “...Yrimia, the prosecutor of the AMIA case belongs to them [in reference to the Argentine intelligence service]. He was excluded from the AMIA case. He can generate information, I want information on the AMIA case, Is it possible or not? What are you willing to give?...”

Mr. Héctor Yrimia is a former federal criminal prosecutor who, the same day of the bombing, was appointed with other prosecutors to act jointly, alternatively or successively in the AMIA case. Therefore, he knows in detail facts about the investigation of the terrorist attack, since he had access to evidence, testimonies, expert’s and technical reports. His detailed understanding of the case turned Yrimia into a key player for the correct progress of the criminal plan. He had the following “credentials”: 1) a specific personal knowledge of the judicial file, because he was, among others, one of the case’s first prosecutors; 2) his relationship with the sector within the Secretary of Intelligence in charge of creating the false hypothesis; 3) a direct relationship with the Iranian agent Jorge “Yussuf” Khalil. Yrimia had “first hand” judicial information obtained while acting as a public official –federal prosecutor- and he placed at the service of the criminal plan to contribute to the invention of the false lead aimed to redirect the investigation. His knowledge contributed in making a plausible false lead, adapting it to the circumstances judicially credited in the file.

The first verified contact between Jorge Khalil and Héctor Yrimia is dated in November 2012: “...I had a talk with the prosecutor...the prosecutor of the case...the one who used to be, not the one that is now, the one who used to be...”. This was happening before the MOU was signed. It is reasonable that, by that time, those implicated in this plot were already working in the creation of the alternative lead, of the false hypothesis which would replace the accusation against the Iranian defendants. Yrimia joined the plot and began a fluent relationship with Tehran’s local agents due to Fernando Esteche’s mediation. Khalil explained that the contact with Yrimia was facilitated by Fernando Esteche: “...and the one who sits me is Fernando...”, who also suggested Yrimia as an information source: “...this can be useful in

a very specific way for any of the different thesis of...any of the issues that are going to be solved, this will help because it's information... .

Khalil even admitted that Yrimia and argentine intelligence personnel *“...are the ones who are adjusting the whole story...”* in reference to the creation of the false hypothesis to redirect the investigation towards another theory and new defendants.

According to the evidence presented in the report, the contacts between Khalil and Yrimia continued month after month and became much closer *“...Today I spoke to the former judge and former AMIA case's prosecutor, Yrimia...I had a two-hour meeting...”* Also, there is data that reveals that both of them used their meetings to camouflage the criminal plan behind religious matters: *“...We are talking of working, of doing work together between the [Catholic] Church and Shi'ism...those are the excuses. Now, afterwards, these guys managed the issue very much...one was...former judge of the AMIA case...Yrimia...Yrimia...I'm meeting with him today...”*. Although the meetings concerning religious matters remain completely alien to the accusation, it has been proven that they constituted mere excuses, as Khalil admitted, since the connection with Yrimia has always been about the AMIA case and the illegal aiding of the Iranian defendants.

While they met for a legitimate and legal matter, as it is the confluence of two religions, at the very same time and in the very same meetings, they were furthering the criminal plan led by President Fernández and Minister Timerman. This modus operandi was already exposed and reported by General Prosecutor Alberto Nisman in other judicial presentations, where he explained the way in which Iranian agents resorted to the “dual use” of certain activities to conceal secret and even illegal actions under legal and legitimate ones. They hide their criminal purposes behind religious and/or cultural activities. This new accusation's report states that such method has reappeared now replicated in this new cover-up maneuver.

The evidence revealed the indispensable participation of personnel from the Secretary of Intelligence -under the Office of the President- who, with access to the presidential inner circle as well as to restricted information, executed her criminal plan. In several occasions, these intelligence personnel acted favoring foreign interests at the expense of the national one and revealed secret information, protected by intelligence laws, to foreign spies. The impunity of the Iranian fugitives in the AMIA case was negotiated and, to that

end, not only a false hypothesis was created, but also public resources were used to favor a better rapport with the local Iranian community, providing these people with a special treatment and flattening any obstacle that might emerge during the plan's execution.

About the removal of Interpol's red notices, which the President and her accomplices thought to be imminent by February 2013, an Argentine intelligence agent very much involved in this crime confessed: "*There is a rumor...I was told there, in the "house"...that Interpol is going to lift the arrest warrant against our friends...it will be lifted now...*". He referred to the Secretary of Intelligence under the Office of the President as "the house" and to the Iranian fugitives as "our friends".

The access that these intelligence agents had of the president's inner circle has been also confirmed by the fact that they handled confidential and accurate information, even concerning President Fernández's health. While talking about a political event scheduled for May 25, 2013, one agent said: "*...Let me tell you, the "doctora" [in reference to the President] has the flu and she has a fucking high fever. So she is in a big fucking mess...to see whether she will deliver her speech tomorrow...if she gives her speech, she'll do it at last...after 4 or 5 pm...*". And with regard to Cristina Fernández's unexpected surgical intervention of October 2013, when publicly nobody knew anything yet, these intelligence personnel talked about: "*...She has a blood clot, you see, it's almost certain that she is having surgery...She realized last Saturday when she began her fitness exercises...You see, when your hand goes numb?...that it itches you. And they thought it was her heart and left in a fucking rush! Well, then, they made her go through a full medical examination at the health service of the presidential residence and gave her an anticoagulant, which is very good and stopped the damage...do you get it?...She is already hospitalized, has been there for an hour and a half now...*".

As soon as the MOU was signed, an Argentine intelligence agent told his Iranian counterpart "*...Easy, we have already won, that is, we won one match, I told you so, and you wouldn't have faith in me ...*". And in February 2013, also with regards to recently signed MOU, Argentine intelligence personnel shared with the Iranians: "*...We are very well and we have to work smoothly...we have a ten-year job from now on, do you see?...That in a year and a half we might have the good news, but here we have to do a long term job... Yes, but take it easy, everything is settled very high up...*"

Another essential contribution of intelligence agents to the execution of this criminal plan refers to the elaboration of the false hypothesis aimed to redirect the AMIA bombing's investigation, replacing the judicial accusations against the Iranians. About it, the spies admitted: "...we are in different country, it's another world and we must work in this new context..." and to work "in this new context" meant that the priority was the geopolitical rapprochement with Iran, which required abandoning the accusations against Iranian officials. With that goal in mind and talking about Nisman, the Argentine agents told the Iranian ones: "...He knows what's coming, that another hypothesis is coming with different pieces of evidence, and he will be fucked up since he never saw them, the pieces of evidence...". Thus, from their strategic position within the Argentine national administration, these intelligence personnel told their foreign agents that false evidence will be introduced to illegally divert the course of the judicial investigation, to discredit the current case's authorities and to cover up the crime and provide impunity for the fugitives.

Besides sharing secret and confidential information with local Iranian agents, this intelligence staff transmitted serenity to Tehran in different moments of the unfolding cover up maneuver. For example, on May 29, 2013, when the prosecution issued a new indictment in the AMIA case, with new evidence against the Iranian defendants, the Argentine agents calmed down their Iranian counterpart, Jorge Khalil, saying: "...It stops there...when it reaches the court...from there and upwards, how will he do?" expressing the certainty that everything was under control, that nothing was going to happen with Nisman's indictment because the last decision rested on several upper courts within the Argentine judiciary and it did not depend on the assertions of the Public Prosecutor's Office.

Therefore, Mr. Nisman's report is supported by conclusive evidence, among which there are records of judicially ordered wiretapped telephone conversations. The content of these phone exchanges turned out to be highly credible given that, afterwards, it was verified a strong and conclusive correlate between these talks and actual facts. Moreover, the taped conversations provide with answers to almost all the questions initially raised by the MOU, since its first reading alone raised serious and justified concerns.

As a matter of fact, circumstances and references that arise from the recorded conversations were later corroborated, because they became public

knowledge or because they concurred with facts or statements or expressions that, later on, also became publicly known. In other words, references, circumstances, dates, incidents, political alignments, that is, a mixed combination of data and issues mentioned in the taped conversations introduced as evidence in the prosecutor's report, found its correlate in actual facts and public information, and such coincidence strengthens the credibility of the these talks.

Consequently, the prosecutor's findings, far from being assumptions or conjectures, are based on facts and circumstances hard to dispute following logical reasoning and experience. Furthermore, the circumstances credited in the presentation, already extremely serious, barely constitute the starting point of the investigation launched by the report. The plot revealed by this evidence is far more serious.

On the other hand, the prosecutor's presentation assumes that those who have not hesitated in executing this criminal plan to provide impunity to suspected terrorists and to destroy the AMIA case, will not hesitate either in putting hands to every mean at their disposal to safeguard and protect their personal assets and avoid economic responsibilities derived from the reported crime. For that reason and taking into account the full extent of the damage caused by the terrorist attack and the multiplicity of victims, General Prosecutor Alberto Nisman required a preventive freezing order over the defendants' property up to the amount of two hundred million argentine pesos.

The accusation presented by Alberto Nisman has revealed a sophisticated plot to cover up the AMIA bombing and provide impunity to the Iranian defendants in the case, which was decided by President Cristina Fernández de Kirchner and implemented –mainly- by her Foreign Minister Héctor Timerman, with the assistance of many other people, among who stands out National House Representative Andrés Larroque.

It is paradoxical and certainly irritating that the perpetrators of this criminal plan, in order to reach their illegal goals, publicly claimed that they were only pursuing truth and justice while, at the very same time, they did not hesitate in aiming to destroy the argentine judicial accusation at the expense of eighty five deaths. Consequently, the accusation's report enhances the unusually serious institutional implications of this criminal plan, which not only aimed to destroy the judicial investigation of the bloodiest terrorist attack occurred in Argentina, but also involved in its planning and execution some of

the highest government authorities, including the head of the Executive Branch, the Argentine President.