

TRADUCCION PUBLICA [CERTIFIED TRANSLATION] -----

[At the top of all pages there appears the following:] There appears the National Emblem of the Republic of Argentina followed by: Attorney General's Office; on the left there is a signature followed by a seal that reads: Alberto Nisman. Attorney General; and on the right hand margin there is a signature followed by a seal that reads: José Pablo Vázquez. Clerk for the Attorney General's Office.-----

OPINION -----

I, ALBERTO NISMAN, Attorney General in charge of the Attorney General's Unit, investigating the terrorist attack against the AMIA premises, *in re* 8566, "*Pasteur 633 - atentado (homicidio, lesiones, daño) - Damnificados: AMIA and DAIA (Asociación Mutual Israelita Argentina and Delegación de Asociaciones Israelitas Argentinas)*" [Pasteur 633 Terrorist Attack (homicide, injuries, damages) Injured Parties AMIA and DAIA] being heard by Federal Criminal and Correctional Court in and for the City of Buenos Aires No. 6, Court Clerk's Office No. 11 -Annex AMIA-, respectfully represent as follows: -----

CHAPTER ONE -----

a. Backgrounds to the Case -----

On July 18, 1994 approximately at 9:53 am; a vehicle made "Renault Trafic" driven by Ibrahim Hussein Berro -active member of the Lebanese terrorist organization Hezbollah- and loaded with explosives in a quantity equivalent to 300-400 kilograms of ammonium nitrate, aluminum, a heavy hydrocarbon, TNT and nitro-glycerin, exploded on the front of the building located at 633 Pasteur Street, in this City of Buenos Aires, where the premises of the Asociación Mutual Israelita Argentina (AMIA) and the Delegación de Asociaciones Israelitas Argentinas (DAIA), among other institutions, were located. As a result of the blast, the front of the building collapsed, and eighty-five people were killed while at least one hundred and fifty-one individuals suffered slight to severe injuries and there was great material damage to properties within a range of about 200 meters. -----

From its beginning, the criminal investigation conducted to elucidate the attack, considered numerous hypotheses about the authors and co-authors of the terrorist attack. Thus, in 1999, many individuals suspected of having taken part in the attack were subject to prosecution to elucidate, after an oral and open debate, their responsibility in what was considered the largest attack of Islamic terrorism on the Continent. -----

Once the oral and public trial was concluded, the Federal Criminal Oral Court No. 3 issued a verdict of innocence with respect to all the individuals who had been subject to criminal proceedings and among others, the court also ordered to open a new investigation to clarify irregularities, deviations and obstacles that had taken place and had been encountered during the preliminary evidentiary stage of these proceedings.

(Verdict dated September 2, 2004, *in re* No. 487/00 "Telleldín, Carlos y otros s/ homicidio calificado... -atentado a la AMIA-" and legal grounds for the decision publicized on October 29, 2004) -----

Accordingly, the *Procuración General de la Nación* ordered the creation of this General Attorney's Unit to carry out not only in the investigation into the bombing that made the AMIA premises collapse but also in respect of all proceedings related to the concealment or hindrance of any actions taken by courts from which evidence to clarify the case may arise. (Decision MP 84/04 issued by the *Procuración General de la Nación* on September 13, 2004) -----

And, after the case was assigned to a new judge - Rodolfo Canicoba Corral, sitting in Federal Criminal and Correctional Court in and for the City of Buenos Aires No. 6- the investigation and, clearly, the clarification of the attack against the AMIA premises, came under my charge. Thus, from February 8, 2005, we undertook an arduous task involving the analysis, investigation and collection of information to elucidate who were the authors and accessories involved in the outrageous attack that resulted in the bombing of the Jewish Association in the City of Buenos Aires. -----

The task to be fulfilled was difficult, not only because the Federal Criminal Oral Court No. 3 had disclosed a series of irregularities, deviations and obstacles during the previous preliminary evidentiary stage of these proceedings, but also for the size of the file - considered by the Argentine Federal Supreme Court of Justice as the "*most complex case in the court history of the country*"-, which abridges hundreds of thousands of pages of proceedings and an equivalent number of annexed documents, among which, it is worth noting here in view of their significance, over 1700 folders containing information gathered by the then State Secretariat (currently, the Secretaría de Inteligencia de Presidencia de la Nación (Intelligence Secretariat of the Argentine Presidency)¹. -----

However, all the efforts to thoroughly analyze the elements of evidence recorded in these proceedings, and to gather abundant evidence that had been utterly omitted before, led to the elucidation through strongly convincing evidence, of many questions about the investigation which, up to then, had remained unanswered. -----

In fact, as the very core of that task, we could prove that the terrorist attack carried out on July 18, 1994 against the Republic of Argentina - materialized in the AMIA premises

¹ Declassified material by order of the then President of Argentina, Néstor Kirchner, by Executive Order No. 787/03 dated September 18, 2003, made available to the General Attorney's office in 2005 through Resolution SI R 119/05 issued by the Intelligence Secretariat of the Argentine Presidency) Hereafter, whenever such material is quoted, it shall be simply referred to as "Folder" followed by the relevant number. -----

– was decided, planned and prepared by express instructions of the authorities at the highest levels of the Government of the Islamic Republic of Iran then in office, who commended the final stage of the operation to the Lebanese terrorist organization Hezbollah which – as in all and any actions carried out outside the borders of Lebanon – acted as proxy for the achievement of the goals set by Teheran's Government. -----

The foregoing has been thoroughly considered and duly evidenced in the Opinions issued to the referring court on October 25, (pp. 122.338/122.738²) and May 20, 2009 (pp. 127.369/127.417), which had provided legal support to the national and international arrests ordered by the Judge – on November 9, 2006 (pp. 122.775/122.800) and on June 9, 2009 (pp. 127.478/127.485) – of Ali Akbar Hashemi Bahrami (at the time of the attack, he was President of the Islamic Republic of Iran), Ali Fallahjani (Iranian Minister of Information at that time), Ali Akbar Velayati (Iranian Minister of Foreign Affairs at that time), Mohsen Rezai (then head of the Islamic Revolutionary Guard Corps "Pasdaran"), Ahmad Vahidi (then in charge of Iran's elite "Al Quds" force of the Islamic Revolutionary Guard Corps, and current Minister of Defense of the Islamic Republic of Iran), Mohsen Rabbani (at the time of the attack, Cultural Attaché of the Iranian Embassy in Argentina), Ahmad Reza Asghari or Mohsen Randjbaran (then, Third Secretary of the Iranian Embassy in our country), Hadi Soleimanpour (then Ambassador of the Islamic Republic of Iran in Buenos Aires), Imad Fayezi Moughnieh (then in charge of Hezbollah's Foreign Services) and Samuel Salman El Reda (active member of the abovementioned Lebanese terrorist organization) for their responsibility in planning and carrying out in the terrorist attack that made the building located at Pasteur 633 in the City of Buenos Aires collapse. In turn, the referring judge ruled that the crime under investigation is a Crime against Humanity. (Articles II and III of the Convention on the Prevention and Punishment of the Crime of Genocide and Articles 6 and 7 of the Rome Statute for the International Criminal Court) -----

Now, for the purposes of this Opinion, it should be noted that one of the facts that were evidenced in the Opinion issued in October 2006, the conclusions of which – noteworthy – were adopted as his own by the judge in his ruling dated November 9, 2006; – was that the Government of the Islamic Republic of Iran then in office, took advantage of the resources of an undercover structure of intelligence and espionage that had been previously established in our country modeled after the "export of revolution," to serve to the operation that concluded in the bombing of the building of the Jewish Community in Argentina, to such an extent that, without the logistic and operational benefits derived

² From now on, the mere reference of pages, unless expressly stated, shall be deemed as referred to the main proceedings. -----

from the existence of such structure, the successful execution of such a huge terrorist operation as the one under investigation could have been impossible. -----

In turn, as regards the specific reasons for which Argentina became a target for a terrorist attack, this Attorney General's Office proved that the unilateral decision of the Argentine Government then in office to terminate the agreements for the supply of nuclear materials and technology executed with the Islamic Republic of Iran in previous years played a significant role. This was a determining factor for the adoption of the decision to carry out an attack against the Republic of Argentina; the decision was made by the so-called Special Affairs Committee, whose members were at that time Ali Khamenei - Iranian Spiritual Guide- and the abovementioned Ali Akbar Rafsanjani, Ali Akbar Velayati and Ali Fallahijan, at a meeting held on August 14, 1993 in the Iranian City of Mashad. Two individuals from our country were specially called to attend the meeting and they not only played a significant role within the intelligence structure which had been by then established by the Iranian Government in the Republic of Argentina, but also played an essential role in the terrorist operation. These individuals were Ahmad Reza Asghari and Mohsen Rabbani.-----

Proofs confirmed also led us to conclude that the proposal discussed and approved at the meeting dated August 14, 1993, was devised by the so-called "Intelligence and Security Office" presided over by President Rafsanjani himself and made up by the Minister of Intelligence and Security Ali Fallahijan, the Chief Official of the "Al Quds" force, Ahmad Vahidi and the Chief Official of the Islamic Revolutionary Guard Corps (PASDARAN), Mohsen Rezai, and Ali Velayati, Minister of Foreign Affairs. The strong elements of evidence mentioned in the Opinion dated October 2006, allowed to conclude that the selection of our country as target for the terrorist attack using explosives, was the result of the analysis of various reports regularly sent to that office by agents of the Iranian Regime based in Argentina where, as it was established, a full intelligence station was operating at that time. -----

Specifically concerning the espionage network implemented by Iran in the Republic of Argentina, we proved that its origin dates back to 1983, when the Shiite cleric Mohsen Rabbani came to Argentina; as a frontage, he performed tasks as commercial attaché related to the meat business and was sheik of the "At-Tauhid" mosque in the City of Buenos Aires, although, according to the testimony appearing in these proceedings, he was already a member of Khomeini's intelligence bureau."-----

Under this coverage, Rabbani was the main artificer of the deployment of a wide espionage network which was transformed into an intricate intelligence base. In order to establish this base, the Iranian regime relied upon its Embassy and its Cultural Attaché in Buenos Aires and also on radical elements who regularly attended "At-Tauhid", "Al

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Iman" (located at Cañuelas) and "El Mártir" (located at San Miguel de Tucumán) Shiite mosques; it also made use of the frontage companies "G.T.C." and "Imanco," and relied on radical members of the Muslim community. This undercover structure installed in our country expedited and assisted in obtaining the necessary information and the development of local logistics operations that paved the way for the bombing against the AMIA premises. -----

Now, the fact that as stated above, the Iranian regime made use of and relied upon agencies, institutions and companies --whose purposes are originally legitimate-- for the development of the intelligence base, from the realm of secrecy and coverage, does not mean embracing within this concept the institutions as such (like the mosque), but to simply indicate, that their structure, relations and means were exploited based on guidelines drawn up by Teheran's Government to achieve the desired goal. In other words, these establishments were subject to a dual use: they openly carried out the legitimate activities for which they had been created; however, behind this frontage, in an undercover and overlapping manner, the Iranian agents deployed their resources -- among others-- to spread a radicalized view and to recruit individuals who adhered to their fundamentalist principles. -----

At the same time and in connection with the control of operations, as it arises from the Opinion dated October 25, 2006, it could be evidenced that the then Minister of Information, Ali Fallahijan, was the officer in charge of coordinating its different aspects from Iran while the responsible for the coordination of the strictly operative stage of the attack was Imad Moughnieh, who, at that time was head of Hezbollah Foreign Service. In this regard, evidence produced in these proceedings allowed to establish that it was Moughnieh who set up the operative group responsible for the execution of the attack, and that he came to our country on July 1, 1994, --as it arises from the analysis performed within the scope of this investigation. -----

And, as regards the final stage of the operation, another aspect that deserves mentioning is the decisive role played by a member of the Lebanese terrorist organization Hezbollah closely linked to Mohsen Rabbani (highest religious representative of the Islamic Republic of Iran in the region also charged for his involvement in the terrorist attack). The reference is to Samuel Salman El Reda, whose condition was thoroughly analyzed in another Opinion issued by this Attorney General's Unit dated May 20, 2009, and which provided the legal support for the national and international arrest warrant ordered against him by the referring judge on June 9, 2009. The truth is that in addition to other evidence which strongly implicated him, the analysis of telephone communications that was performed in these proceedings showed that El Reda held contacts and transmitted information essential for the execution of the attack and that he acted as link between the

other agents involved in the operation – who, like him, acted locally- and he did so from the “tri-border area” though a cellular telephone line registered in Foz do Iguazu to the name of André Marques. -----

After having presented this brief review of the proven facts within the scope of this investigation, it is worth making an account about the international arrest warrants ordered in these proceedings as a result of the Opinion drawn up by this Attorney’s General Unit in October 2006. Upon completion of the process whereby the General Assembly of the International Criminal Police Organization (INTERPOL), issued resolution dated November 7, 2007, the strong support of the international community to further the investigation was evidenced. -----

As a matter of fact, subsequent to the international arrest warrants issued by the Judge in November 2006, and for the purpose that such action had the adequate transnational scope, the Argentine court entrusted INTERPOL with the arrest of the suspects and requested that such warrants be assigned as highest priority arrest warrants (red notices). As a result, the National Central Office based in Teheran, Islamic Republic of Iran, made a formal complaint. -----

In light of this situation, the Secretary General to the General Secretariat of INTERPOL called for a meeting which was held on January 22, 2007 in the French City of Lyon, at which representatives of both Argentina and Iran were present. Thereat, the Argentine delegation – of which I was part and speaker – provided strong legal bases for the issue of new “red notices” and requested INTERPOL authorities to promptly order the search of the individuals held responsible for the terrorist attack. -----

Then, after having heard the grounds submitted by the Iranian delegation, the General Secretariat of Interpol decided that the matter at issue should be solved by INTERPOL Executive Committee, at meetings to be held on March 14 and 15, 2007, also in the City of Lyon. Besides, Interpol’s Office of Legal Affairs was entrusted with the preparation of an opinion about the matter at issue. -----

The conclusions drawn by INTERPOL’s legal advisors –duly authorized by its Secretary General– were that highest priority should be assigned to the arrest warrants of the six accused individuals through red notices. And, as regards the allegations made at the meeting held in the City of Lyon, the opinion indicated that “*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].*” -----

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A point to note here is that the Executive Committee unanimously treated as its own both the recommendations made by Interpol's Office of Legal Affairs and by the Secretary General and, on March 14, 2007, it ordered the registration of the abovementioned "red notices", provided however, that if an appeal was lodged by any of the NATIONAL CENTRAL OFFICES involved in the dispute, the matter should be brought to the consideration of the General Assembly of the organization to be held in the City of Marrakech, Reign of Morocco, in November 2007. -----

Indeed, as a result of the appeal filed by the National Central Office based in Teheran the dispute was resolved at the Organization's General Meeting, where I was part of the Argentine delegation again. The resolution adopted on November 7, 2007 certainly inferred that the international community restored its confidence in the activity, uprightness and efficiency of the Argentine judicial authorities concerning this case. -----

As a matter of fact, after refuting the allegations posed by the Iranian officers and once we have filed the grounds for the immediate registration of the red notices disputed by Iran, the missions present cast their vote. As a result of the vote count, the Argentine position was approved by 78 favorable votes, 14 dissenting votes and 26 abstentions. Thus, the governing bodies of the International Criminal Police Organization fully supported the position held by the Argentine delegation and accordingly, it ordered the registration as "red notices" of the arrest warrants issued against the Iranian citizens Ali Fallahijan, Mohsen Rezai, Ahmad Vahidi, Mohsen Rabbani and Ahmad Reza Asghari, which were added to the already effective arrest warrant against the Lebanese Imad Fayeze Moughnieh, and to which the corresponding arrest warrant against Samuel Salman El Reda was subsequently added. -----

And this significant advance, which cannot be understood otherwise than as the international approval of the new direction of the investigation, provided an impetus which, far from exhausting the work developed by the Attorney General's Unit in my charge, not only entailed the renewal of efforts to collect elements of evidence for the disclosure of issues not elucidated in the investigation, but also served to further strengthen the grounds for accusation alluded in the opinions mentioned above. -----

Precisely, within the scope of the continuity of the investigation, in July 2010 we gained information about a criminal prosecution being heard in the City of New York (United States of America) against individuals suspected of planning a terrorist attack against "John F. Kennedy" International Airport in the City of New York. (pp. 129.381/129.386 and 129.444/129.455 and pp. 214/219 and 229/240, Docket 419) The information revealed that one of the conspirators, a Guyanese whose name was Abdul Kadir, had established repeated contact with Mohsen Rabbani -please be reminded- the core

individual for the local planning and execution of the terrorist attack against the AMIA premises. -----

Therefore, we established full cooperation with the prosecutors in charge of the criminal trial in the United States, and there was an abundant exchange of information including copies of several elements of evidence produced in such proceedings – documents seized from Kadir's house and other documents in his possession, wiretapping made by an undercover informant who infiltrated the terrorist cell that plotted the attack, transcriptions of a number of testimonies related to the case, particularly about the connection between Mohsen Rabbani and Kadir and the circumstances around such relationship, which, according to evidence already added to the case, dates back to the time of the bombing against the AMIA premises. -----

Now then, the conclusions reached after the analysis of abundant documents sent to us, by the evidence gathered by me and the evidence already produced in these proceedings (the joint analysis is submitted in this Opinion) have been fully enlightening. So much so, that they entailed giving a new meaning to several aspects of the undercover structure of Iranian intelligence which served to the bombing of the AMIA premises, and at the same time, we could put into context, in regional terms, the infiltration that culminated with the terrorist attack on July 18, 1994; therefore, we assert that the international terrorist attack carried out in Buenos Aires, far from being an isolated event, is part of a major scheme which is evidenced below. -----

Just as shall be noted, that infiltration for the purpose of intelligence and espionage deployed by the Iranian regime, which was proved in our country within the scope of the investigation into the bombing against the AMIA premises, was repeated in the Republic of Guyana, where it also served to a terrorist operation. The artificer of the infiltration in the South American country was Abdul Kadir, an intelligence agent to the service of Iran, and disciple of Mohsen Rabbani in his radical actions. -----

In fact, upon having identified common patterns of behavior both in Argentina and Guyana – where full intelligence stations were settled– and after this Attorney General's Office has reviewed abundant information collected by many countries –particularly regional countries- in light of the repeated coincidences - we considered the possibility that the infiltration devised by the Islamic Republic of Iran was replicated in other South American countries. In view of the risks posed by any such infiltration (taking into account the events that took place in our country and in Guyana) and pursuant to the multiple international treaties for legal assistance and international cooperation executed by the Republic of Argentina and in accordance with the rules and regulations governing State Members of the OAS and the UN, the relevant competent judicial authorities shall be informed about the facts herein revealed. -----

In this connection, it should be noted that the distinctive feature of these proceedings, is that they have a direct relationship with events that occurred in several places of the region. It is worth recalling, by way of illustration, the following: that, as evidenced, the suicide bomber who drove the van came to Argentina through the "tri-border" area; Samuel Salman El Reda carried out his activities in the tri-border area, in Colombia and in Argentina; the Iranian Ambassador in Argentina, Hadi Soleimanpour, also performed duties as representative of the Iranian regime in Paraguay; the coordinator of the operation outside the country operated from Brazil with a cellular telephone line registered in Foz do Iguazu, and Mohsen Rabbani also fulfilled duties in Uruguay, Chile and Colombia. -----

Hence, in light of the circumstances inherent to this complex investigation, this Attorney General's Unit could collect abundant evidentiary material sourced abroad and referred to Argentina by the competent authorities. The evidentiary material gathered abroad, in addition to being a valuable contribution to the Opinions dated October 25, 2006 and May 20, 2009, and being analyzed globally with the evidence produced in Argentina, offers a broad view of the different aspects in common between certain agents of intelligence stations corroborated both in Argentina and Guyana. -----

The fact is that this investigation includes countless reports, evidentiary proceedings and actions related to several countries at regional level, and certainly, worldwide,³ which constitute a strong bundle of evidence that not only strengthened the conclusions drawn as to the responsibilities for the attack against the AMIA premises, but has also facilitated largely perceiving the activities carried out by the Iranian regime and its proxy, Hezbollah in the region specifically through Mohsen Rabbani's activities, links, and contacts. The verification of several links among the members of the intelligence stations established in Argentina and Guyana, and the activities of the Iranian regime in other South American and Caribbean countries, led us to presume that infiltration structures are either established or under development; therefore it is strictly necessary

³ Among these, worthy of mention is the exchange of information made with the Swiss Judge Jacques Antenen (who was then in charge of the investigation of the murder of the Iranian dissident Kazem Radjavi, committed by agents of the Iranian Ministry of Intelligence and Security); more recently, with the Prosecutor before the Special Court for Lebanon then in office (a court created by resolution of the United Nations Security Council to investigate the murder of the former Prime Minister of the Republic of Lebanon, Rafik Hariri), Daniel Bellemare; or, the work meetings held with the General Secretary of Interpol, Ronald Noble, to establish mechanisms to maximize or make viable the arrest of suspects and eventually, to go forward with the proposal submitted by the President of Argentina, so that the *imputados* for the terrorist attack against the AMIA premises be judged in a third country, made before the United Nations General Assembly, within the scope of the 65th period of sessions, on September 24, 2010 ----- (<http://www.caserosada.gov.ar/discursos/3952>) -----

that we inform each and every competent authority about the conclusions drawn by this Attorney General's Unit. -----

b. Purpose of the Opinion. Facts to be evidenced -----

In order to accurately put into context the different topics to be addressed in this Opinion, it deserves mentioning that from as far back as the revolution that took place in February 1979, the Islamic Republic of Iran adopted a theocratic system of government which, by a constitutional amendment established the "export of the revolution," that is, to extend its political religious view beyond its borders, as one of its primary goals. -----

To that end -as shall be subsequently evidenced in this Opinion- the regime leaders devised an action plan which involved creating a political, cultural and religious expansion that served its purpose. -----

On this subject, it shall be evidenced that a Seminar on Ideal Islamic Government conducted in Teheran early in 1982 -- attended by 380 clerics from 70 countries- was a turning point as to the method to be applied to fulfill their goal; after that seminar, the Islamic regime could allegedly rely on terrorism -as long as required- to remove any obstacles encountered in striving for the attainment of its goals. In other words, the seminar provided the Iranian leaders with the justification of violence as a useful tool for their revolutionary expansion program. -----

In turn, it shall be proved that the investigations conducted and the experts who addressed this issue coincided in that the seminar held meant "launching a crusade" aimed at "drawing Islamic world from Western and Eastern Satanic influences that prevented its progress." Recruitment of followers and indoctrination in those radical principles took place in environments called 'death schools,' where, according to an expert, "*the terrorist tactics became a curricular program of these educational institutions.*" -----

In this regard, the words proclaimed by the Spiritual Guide -- highest Islamic authority- and leader of the revolution, Ruhollah Khomeini during the days on which the seminar was held are revealing: "*The weapons in our hands are used to realize divine and Islamic aspirations,*" while one of the founders and Commander of the Islamic Revolutionary Guard Corps, Javad Mansouri, expressed "*our revolution can only be exported with grenades and explosives*" and he "*called to turn each Iranian embassy into an intelligence center and a base to export the revolution.*" -----

It shall be evidenced that such guidelines were put into practice through a cultural, religious and ideological expansion policy in other countries; and in the cases under study, in parallel, they implied an undercover establishment of an intelligence and espionage structure capable enough to support terrorist operations. In these cases, the

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abovementioned undercover bases served to what has been referred to as "terrorist matrix" in the Opinion issued in October 2006 by this Attorney General's Unit. -----

And another aspect of the Iranian deployment is reflected in the reaction of its leaders when the undercover and unlawful activity of the "intelligence station" was discovered and was subject to criminal accusations. In these cases, -specifically as their involvement in the bombing against the AMIA premises was evidenced, or when the involvement of highly ranked Iranian officials in the murder of Kurdish dissidents in "Mykonos" restaurant in the City of Berlin in 1992⁴ was proved-, the answer of the Iranian regime was identical: the Islam is attacked, its disclosure is curtailed, freedom of religion is attacked and Muslims are discriminated and demoted. These reactions - which are undoubtedly previously instructed - are intended to nothing but hiding behind such a sensitive issue as is religion, to divert the focus of attention. -----

Its practical consequence has been reflected in the denial of Iranian authorities to provide the assistance requested by Argentine authorities. This stance has also been warned in the report issued in 2012 by one of the top human rights organizations in the world, awarded the Peace Nobel Prize, Human Rights Watch. Indeed, the foregoing confirms that the reactions of the regime leaders prove to be mere excuses intended to conceal what is fully evidenced: the proof - supported by strong evidence- that high officials of the Iranian nation have been responsible for crimes, -some of which classified as crimes against humanity- committed within the scope of the Iranian Government program to progressively expand its radicalized view throughout the world. -----

In this connection, another aspect that deserves further repetition is the clarification provided in the Opinion dated October 25, 2006: this Attorney General's Unit does not question the Islamic faith in any manner whatsoever. Religion, whether it is Islam or other, awakes spirituality of men and women and is utterly alien to the purposes of this Opinion. Therefore, we openly adhere to the religious freedom established by our Constitution for all inhabitants of the Argentine Nation. -----

However, this fact cannot make us lose track of the actions carried out by certain fanatical zealots who, under the pretext of fulfilling the duties imposed by their faith, appeal to religious precepts to promote extermination of other human beings. In such cases, as shall be stated in this Opinion, religion is merely an excuse under which utterly unlawful actions are concealed which, in many instances, serve to terrorist attacks. -----

Having explained the foregoing, we shall prove in the following paragraphs the expansionist program stepped in Argentine led by the Shiite cleric Mohsen Rabbani, who

⁴ In re "*Amin y otros por homicidio y complicidad para la comisión de homicidio*," in respect of which judgment has been rendered by the High Regional Court of Berlin; hereinafter referred to as the "Mykonos case."-----

was the main artificer not only in the establishment of an undercover intelligence and espionage structure for the Iranian regime but also for coordinating and defining the revolutionary expansionist program throughout South America. The task carried out by Rabbani to establish an intelligence station in our country, was later a key contribution in logistic and operational terms for the attack against the AMIA building. As a result, he was ultimately considered as one of the primary responsible individuals for this bloody attack and his national and international arrest was issued and requested by INTERPOL through a "red notice."-----

Within equal context is the undercover infiltration by the Iranian regime verified in Guyana as well as in other Caribbean countries as a result of the tasks performed by Rabbani's disciple and close cooperator, Abdul Kadir. On his part, Rabbani was significantly involved in this undercover infiltration by reason of his role at regional level. On one hand, this Iranian agent in Guyana undertook the establishment of an intelligence structure that served to the interests of the Islamic Republic, and on the other, he was in charge of expanding its effects and influence to neighboring countries. And similar to the contribution by the intelligence base established in Argentina to the attack against the AMIA, the intelligence station based in Guyana was also an essential support for an act of international terrorism: the plot to bomb John F. Kennedy Airport in the City of New York, for which Kadir - like two of the five individuals accused for the plot- was sentenced to life imprisonment by the Court having jurisdiction in the United States of America.-----

Also, it shall be conclusively proved, from the abundant evidence gathered, how the infiltration of the Iranian regime operated and how it was developed and strengthened both in Argentina and Guyana. -----

The deployment of these intelligence structures established by the Iranian regime in several countries has common patterns of behavior which consist at least in: financing and indoctrination by the Iranian state; complete amalgamation of politics and religion in speeches and activities performed by the representatives of the regime; extensive activity focused on recruitment and training of agents who endorse the fundamentalist cause; preparation and delivery of intelligence reports; dual use of embassies and diplomatic representations that act as an integral part of the intelligence bases; use of commercial businesses as frontage for illegal activities; and dual use of cultural centers or mosques which, in addition to their task of disclosing Islam or Islamic culture, may serve to terrorist activities through alleged study trips, pilgrimages or financial transfers. -----

And specifically in connection with the so-called "dual use" of certain institutions to undercover activities serving to terrorist actions, it should be noted that the United Nations within the scope of its strategy against terrorism, warned about the "undue use of

organizations, groups or associations including those involved in charitable, social or cultural activities, by terrorists who resort to them to undercover their own activities.”⁵ --

On the basis of the foregoing, that is to say, having verified the infiltration program in third countries as a tool to overcome obstacles posed in the achievement of their goals, and having proved that the expansionist pattern was established in our country and in Guyana and resorted to violence – with remarkable similitude as to its inception, and how the undercover intelligence structure devised by the Iranian leaders was developed in both countries, we shall explain that the foregoing not only strengthens the conclusions reached by this Attorney General’s Unit in the Opinion issued in 2006 as to the involvement of the Iranian Government then in office in the attack against AMIA, but also reveals that the attack against the Jewish association in the City of Buenos Aires was not an isolated event; instead, it was part of a wider context, developed from the decision of the Iranian regime to “export the revolution” even resorting to violence and terror if any obstacle came across their way.-----

And going ahead in this line of thought, that is to say by a comprehensive analysis of the activities carried out by the Islamic Republic of Iran –and its proxy Hezbollah– in South America, we realize that the regime has carried out deployment activities in many countries - mainly through the activities, contacts and links of Mohsen Rabbani– which have blatant aspects in common to certain elements of the “intelligence station” proved both in Argentina and in Guyana, a situation that – in light of the commitments undertaken by the Republic of Argentina on legal assistance and international cooperation – shall be informed to the judicial authorities of the relevant countries.-----

Now then, in a comprehensive analysis of the different facts that shall be evidenced in this Opinion, worthy of mention are the agencies and institutions which, in parallel with their specific and legitimate functions for which they were created, were assigned the mission to “export the revolution” of the Islamic Republic of Iran. These agencies and institutions, each of which shall be approached in detail below, are mainly, the Ministry of Intelligence and Security (Vevak), the Ministry of Culture and Islamic Guidance (Ershad), the Islamic Revolutionary Guard Corps (Pasdaran) and its elite forces “Al Quds”, the Ministry of Foreign Affairs –particularly through its network of embassies – and the Ministry of Construction Crusade (Jihad e-Sazandegi). The following paragraphs contain a comprehensive analysis of the duties fulfilled by each of them for the achievement of that goal as well as the terrorist acts in which their involvement was proved. -----

⁵ Article 3.d of A/RES/51/210 dated December 17, 1996. -----

In any event, it shall be proved that the infiltration program established by the Iranian regime in third countries, after the Seminar on Ideal Islamic Government had an intelligence structure that, under the appearance of cultural and religion spread activities and under the diplomatic or commercial frontage, was ready to provide logistic and operative support for terrorist actions if required. -----

It shall also be proved that this undercover structure –which on many instances served to the “terrorist matrix” has been repeatedly confirmed. This has been expressly described in judgments rendered in different countries, i.e., for the murder of Chapour Bakhtiar in France, in the so-called “Mykonos” case or even in this investigation for the bombing against the AMIA premises in Buenos Aires. -----

And based on evidence collected, the determination that a change in the strategy to facilitate the radical Islamic expansion in 1982 has permitted to redefine -already in 1983 and 1984- the beginning of activities performed at least by three referents of the Iranian regime (Mohsen Rabbani in Argentina, Abdul Kadir in Guyana and Mohamed Taghi Tabatabaei Einaki in Brazil) as spearheads of the expansionist program in South America; furthermore, the forgoing reinforces the conclusions arrived at in the Opinion issued in 2006 as regards the involvement of the authorities at the highest levels of the Government of the Islamic Republic of Iran then in office, in the attack against the Republic of Argentina in 1994. -----

The truth is that in the Opinion drawn by this Attorney General’s Office on October 25, 2006, it was conclusively proved that the “intelligence station” established in our country provided the logistic and operative support required for the attack. -----

On this issue, we shall review the conclusions arrived at by the Attorney General’s Unit in the abovementioned Opinion, in that the intelligence activity implemented by Iran in Argentina dates back to 1983 with the arrival of the Shiite cleric Mohsen Rabbani. In this regard, it should be noted that to uncover his true assignment, the Iranian agent carried out other business, such as a meat-business related commercial representation and also he was sheik of the “At-Tauhid” mosque in the City of Buenos Aires. -----

Also worthy of mention –as evidenced by this Attorney General’s Office in its Opinion issued in 2006- that Rabbani, shortly after arriving at the country in 1983, became a renowned member of the local Muslim community and he made sure that he held control over the main Shiite religious centers in the country. At the same time, the Iranian agent worked constantly to spread the most radical principles of the Islamic Revolution, with which he could not only conceal the establishment and development of an Iranian intelligence station on Argentine soil – of which he was one of the main referents- but also coordinate and organize the policy to export the revolution in the region. -----

It was under those guidelines that the Shiite cleric established an intelligence station and deployed its activities fostered by Teheran's government. And indeed, the tasks performed by Rabbani – added to a strong and sustained financial support provided by the regime and the diplomatic immunity granted to him only some time before the cruel attack – were undoubtedly intended – as duly evidenced- to support the logistic and operative contribution by the undercover structure to the attack carried out on July 18, 1994.-----

Now then, a core issue of this Opinion- since it reflects that the attack against the AMIA premises was not an isolated event but rather falls within the scope of an Iranian state program to “export the revolution”- is that it is related to another case in which there was regional infiltration of the Iranian regime, specifically in the Republic of Guyana, materialized – similarly to what occurred in our country- in an undercover intelligence structure which, in the end – turned to be analogous to what happened in Buenos Aires: it served as support for a terrorist operation, in this case, the duly thwarted bombing of Kennedy Airport in the City of New York, as it shall be hereinafter developed. -----

For such purpose, we shall prove that the principal member of that undercover structure established in Guyana, Abdul Kadir, was a fierce follower of the revolutionary expansionism principles, he was an intelligence agent serving to the Islamic Republic of Iran, trained and supported by Iran to establish in the Republic of Guyana an intelligence station that served to the regime, and who was closely linked to Mohsen Rabbani. Rabbani had particular bearance on the development and implementation of the Iranian base established in the Caribbean country. -----

It shall also be hereinafter evidenced how Abdul Kadir, from early in the eighties, supported by the Iranian ambassador in Venezuela, Morteza Tavasoli, –it should be taken into account that there was not an Iranian diplomatic representation in Guyana– started operating as an Iranian intelligence agent and established the bases for the materialization of the export of the revolution in Guyana and the Caribbean. On this issue, the active participation of the Iranian diplomat in the activities performed by Kadir, and the relationship -later evidenced- between him and Ambassador Gharemani, who was appointed to replace Tavasoli, and specifically his relation with Mohsen Rabbani, are conclusive evidence of the strategic interests of Iranian diplomats in the regional activities performed by Abdul Kadir, and in all, they are conclusive evidence of how the regime monitored the fulfillment of the instructions given by it. -----

This Opinion shall evidence that, during the following years, Kadir engaged in the spread of Iranian radicalism by recruiting individuals who shared his views, both in his country and in neighboring countries. The activities organized during that term consolidated the practice or spread of Islam and its culture and tasks overtly alien to

religion – or, still worse, hidden behind the veil of religion- which bear correspondence to tasks inherent to an intelligence agent. -----

As shall be noted, this is reflected in countless intelligence reports addressed to the Iranian diplomat Tavasoli seized from Kadir's house. In such documents which, during the trial Kadir himself acknowledged as prepared by him – he described the distinctive features of the armed forces and police in his country, analyzed the local impact of international events and explained in detail the relationship between the Guyanese Muslim community and neighboring countries. -----

Among the documents seized there is a "*five-year development plan*" which Kadir himself prepared and reported to Tavasoli; the plan designed the means required to reinforce and spread out social, political and economic bases to expedite the establishment of the radical view promoted by the regime based in Teheran. And just like the project envisaged social, cultural, educational and religious aspects, in parallel, they planned to infiltrate the armed forces, special security forces, political forces, government facilities and even mass media, to acquire multiple citizenship and counterfeit documents. Indisputably, for doing so through openly illegal activities- the Islamic Republic of Iran had specifically instructed Abdul Kadir how to lay the bases to "export the revolution" to the Republic of Guyana. -----

And, as reflected in the activities carried out by Kadir, playing his role in the intelligence station established in Guyana, the material seized from his house illustrates his radical profile as well as an essential component of undercover structures of this type: the so-called "dormant cells." To illustrate this, we just quote certain excerpts from the "*Manual of Allah's Soldier*" seized during the search: "*...prepare your strength to your maximum power, including the horses of war to spread terror in the hearts of the enemies of Allah and in those of your enemies (...) You must work to spread your Islamic "call", wherever you are (...) Besides, you must always be prepared to receive orders from your leaders, like a soldier in the barracks...*" -----

Also, it shall be evidenced how, as part of the strategy to export the revolution following the guidelines set out by the Iranian authorities, Kadir began to make his relationship with the Guyanese Muslim community official; for such purpose, he founded and ran the "Guyana Islamic Information Center." The documents seized also reveal how this institution put together the propaganda machine, the promotion and recruitment of followers to serve the expansionist project imposed from Teheran. -----

Along the same lines, he was active in countries throughout the Caribbean, including Trinidad and Tobago, Dominica, Barbados, Antigua and Barbuda, Surinam and Grenada. Furthermore, his activities as an Iranian leader allowed him to establish and strengthen relations with other regional Islamic leaders and by 1998 he was the representative of the

Caribbean Islamic Movement; this illustrates how the Islamic Republic of Iran advanced in the preparation and ideological, financial and logistic support to Kadir so that, as he actually did, if necessary, he could become involved in a plot to carry out a huge terrorist attack. -----

It shall also be proved that the regime representatives who were based in the Caribbean and were most closely connected to Abdul Kadir were: Latif Ali (also based in Guyanese territory and in charge of the "Pioneer Shia -Muslim- Association of Guyana"), Kareem Ibrahim (in Trinidad and Tobago) and Ismail Muhammad (in Surinam), each of whom, like Kadir, fiercely endorsed to the principles formulated by the regime-, and from their respective locations, they contributed to the expansionist project. The truth is that- like Kadir, convicted for conspiring to attack Kennedy Airport in New York- they were also closely connected to the Islamic Republic of Iran, which -according to witness Steven Francis- not only provided financial support to act but also gave the religious authorization to do so, that is, a *fatwa*. -----

In a nutshell, it shall be hereinafter proved how the Islamic Republic of Iran indoctrinated Abdul Kadir in its most radical principles, and once he realized his commitment to the radical Islamic cause, the regime selected him and provided him with the capabilities to set up the bases for an intelligence station in Guyana. The radical ideas encouraged by the Iranian leaders finally trained an individual who ideally qualified to achieve their goals and carry out an attack as the one plotted against JFK Airport in New York which, according to the prosecution, could have been even greater than the attack against the Twin Towers carried out on September 11, 2001. -----

The truth is that Kadir was contacted to participate in the organization of the attack against John F. Kennedy Airport in New York. His contribution to devise the final plan was extremely valuable; to illustrate this, his proven recommendations about the quantity and type of explosives to be used are sufficient evidence. It should be noted that Kadir was a civil engineer with many years experience in mining industry, which made him particularly skillful for that. Also, his consent that the funds to be applied to financing the attack be disguised in the current account held by him to raise funds for the construction of a mosque in Guyana, again proves a distinctive feature of the operations carried out by Iranian agents, for the performance of illegal acts - in this case, openly related to a terrorist act - undercover by religious spreading activities. -----

Moreover, there is evidence in our possession which, in my opinion, shows that the Iranian authorities were not only informed about the plan to bomb Kennedy Airport but also were strongly involved in the operation with much greater level of commitment. Irrefutable evidence is the testimony taken by me to the witness who infiltrated the terrorist cell, who stated that Kadir had expressly mentioned that his contacts both in

Venezuela and in the Islamic Republic of Iran, "*were developing their own idea to carry out a terrorist attack against JFK Airport*" in the City of New York despite the fact that we continued with the plan devised by Russell Defreitas (convicted just like the other members involved in the plot, Donald Nero, Abdel Nur, Kareem Ibrahiim and, of course, Kadir) since, as he worked in JFK Airport, he had vast knowledge of its activities and facilities. -----

Also, evidence of the connection between the Islamic Republic of Iran and the plot to attack JFK Airport is the fact that a man like Kadir (an Iranian intelligence agent follower of the regime's most radical and violent principles) not only joined the criminal plan but also made available to the project – and as a matter of fact, incorporated- the logistics and resources of the Iranian intelligence structure established in Guyana. -----

And – as proved by the court- suspicion is even stronger due to the fact that Abdul Kadir was arrested, precisely when he was about to take a flight to the Islamic Republic of Iran to finalize the details of the criminal attack, as testified to me by witness Robert Addonizio. Another core aspect that shall be proved throughout this Opinion is related to the close relationship built up between Abdul Kadir and Mohsen Rabbani and the similarities noted in the activities performed by them in their respective missions under directives of the Iranian regime. The fact remains that Abdul Kadir was selected by the Iranian leaders as their representative in Guyana to carry out their expansionist project, while Mohsen Rabbani performed a similar duty in the Republic of Argentina, though at regional scale. -----

In this regard, we shall hereinafter demonstrate that the event for which Abdul Kadir approached Mohsen Rabbani was his decisive – and regretfully effective – involvement in the AMIA bombing in 1994, since Kadir made his first contacts with Rabbani contemporarily. Always undercover by legitimate activities – exchange of students, spread of Islam, the communications held between both evidenced a hierarchical subordination to Rabbani, to such an extent that he must be deemed as his disciple in these radical actions. Specifically, the missives seized from Kadir, which were admitted by him during his prosecution, evidence how the Iranian cleric gave directives and instructions and also reveal the answers given by the Guyanese Kadir, when reporting on the fulfillment of the entrusted tasks, or else, channeling petitions. Their relationship became so deeply rooted that the education of at least two of Kadir's sons and daughters was specially linked to Mohsen Rabbani. -----

And within the scope of the analysis of the actions carried out by Kadir and Rabbani in their respective destinations, the comparison exposes several similarities between what happened both in Guyana and Argentina long before the terrorist attacks, including, but not limited to, abundant propaganda of the Islamic Revolution and the ideological replica

according to their radicalized view; indoctrination of followers under those principles; financing by the Iranian Government and dual use of mosques, cultural centers and diplomatic structures. -----

Similarity is even revealed as to the time on which infiltration and the establishment of undercover bases commenced, that is, the year 1983, which, in light of the events, can only be considered as a consequence and as a realization of the guidelines adopted after a Seminar on Ideal Islamic Government held in Teheran a year before; these guidelines justified the use of violence and terror as an eventual tool to overcome obstacles posed to achieve their goal, that is, the export of the revolution.-----

Now then, neither any of these would have been found by courts, nor the details that now have come to light would have been known but for the tragic events in Buenos Aires (the AMIA bombing in 1994, and its nearest event, the attack against the Israeli Embassy in March 1992), and the plotted and thwarted attack against the Airport in New York, which resulted in the prosecution that produced abundant evidence.-----

These convincing elements greatly illustrated how the regime infiltrated at least in two countries of the region, established undercover intelligence structures and took advantage of its resources to carry out terrorist acts, and also brought to light substantial aspects in common between the activities inherent to the "intelligence stations" based in Argentina and Guyana, and other actions carried out by Iranian leaders in other regional countries, such as Brazil, Uruguay, Paraguay, Colombia and Chile, mainly, by the involvement of Mohsen Rabbani in the regime's activities in those countries. -----

By the analysis – solely performed taking into account the evidence produced in these proceedings because for jurisdictional reasons, the Attorney General's Unit cannot investigate events that took place in foreign countries – we could identify several similar behaviors by different Iranian leaders based in various neighboring countries. -----

Specifically, we shall demonstrate that in the tri-border area formed by the cities of Foz do Iguazu (Brazil), Ciudad del Este (Paraguay) and Puerto Iguazú (Argentina) it has been proved- as in the countries where it was proved the existence of intelligence bases devised by the Iranian regime- the establishment of several Islamic cultural and religious institutions closely linked to Iranian instrumentalities abroad and which, remarkably have been led by well known members of the terrorist organization Hezbollah in the region, which- in view of the strong and clearly permanent relation built up between the Islamic Republic of Iran and the Lebanese group – is strongly suggestive of its affiliation to the Iranian structure. -----

We shall also address the activities and close connections between the highest regional leaders, Samuel Salman El Reda and Mohsen Rabbani (both fugitive for their involvement in the attack against the AMIA premises) as well as other representatives of

the Iranian regime, and it shall be evidenced how, concealed by legal business, spurious mechanisms were operated to finance the activities of the terrorist organization Hezbollah – which utterly served to the Ayatollah's regime in the region – including money laundering, smuggling, tax evasion and document counterfeit. -----

Another paragraph shall reflect how these activities spread out to other cities in the countries involved. Among them, from 1984, remarkably simultaneously with the commencement of Mohsen Rabbani's activities in our country, in the Brazilian cities of Sao Paulo and Curitiba there were activities linked to the above-mentioned infiltration, in which a significant role was played by the Iranian representative Mohamed Taghi Tabatabaei Einaki, closely linked to Hezbollah and to Iranian leaders in charge of furthering the spread of the revolution. -----

It shall also be conclusively evidenced that actions related to certain aspects of Iranian intelligence bases were taken in the Republic of Paraguay; in this case, they involved subjects who cooperated in funding terrorist organizations; also the presence of members of Hezbollah – which, it is worth repeating, is strongly linked and subordinated to the Iranian regime based in Teheran- to such an extent that when it acts outside Lebanon, it does so as a mere proxy of the Iranian regime. These members of Hezbollah carry out legal business as a frontage to conceal their illegal activities. -----

It should also be noted, that contrary to what happened in Brazil, Iran did not have a diplomatic representation in Paraguay. However, early in 1994, the individual who received credentials as concurrent Ambassador to Paraguay was none other than the then Ambassador of Iran to Argentina in Buenos Aires, Hadi Soleimanpour, against whom a national and international arrest warrant has been issued for his liability in the attack carried out in our country in July 1994 and who has the record of having been expelled from Spain for having worked as a spy covered by his status as diplomat. -----

On the other hand, as regards other regional countries such as Chile, Uruguay and Colombia, we shall prove that the activities performed therein by Mohsen Rabbani are also linked to certain elements from the intelligence stations verified both in Argentina and in Guyana, mainly including his decisive interference in the establishment and development of Iranian Islamic centers in those countries, both as to their organization and financing. -----

Indeed, the actions performed by the Shiite cleric in the abovementioned countries in concert with his role as coordinator of the tasks to further the "export of the revolution" in South America; the similitude between these activities and certain elements of the undercover intelligence bases proved both by Argentina and Guyana – and a key support to terrorist actions – and the commitments undertaken by the Argentine Nation as to the legal assistance and international cooperation, are the evidentiary and statutory basis to

require in the relevant part of this Opinion, that the conclusions to be reached in the following chapters be informed to the judicial authorities of the abovementioned countries in view of the possibility that the so-called "intelligence stations" may be established in those countries. -----

CHAPTER TWO -----

The Islamic Republic of Iran and the "export of the revolution" -----

In order to describe and duly set the purpose of this Opinion into context, it is worth reviewing here the historical, ideological and socio-political circumstances associated to the inception and development of the Islamic Republic of Iran. Thus, it involves fully understanding the aims pursued by the infiltration of the Iranian regime in the countries where it could get in, as well as the reasons that led to the maintenance of such structures over the years. Therefore, the introduction of the intelligence station as well as the so-called "terrorist matrix" (as described in the Opinion issued in 2006 and which shall be summarized in this Chapter, shall be perfectly illustrated, within the greater configuration that entails what is herein called as the "policy for the export of the Iranian revolution." -----

The key event in the contemporary Iranian history took place on February 1, 1979, the date on which the government of Shah Muhammad Reza Pahlevi, who had assumed in 1941, following the dynasty imposed by his father, Reza Sha in 1925, was overthrown. --- The leader of the Iranian revolution, Ayatollah Ruhollah Khomeini, established an Islamic government ran by the clergy. He had made his own theory of "Velayat al-faqih" come true. This theory was based on the belief of an Islamic form of government (Merinero Martín, María Jesús. Iran. *Hacia un desorden prometedor*. España: Los libros de la Catarata, 2001. p. 79) and mandated that the *mullah* or *ulemas*, as were the authorized interpreters of the Islam Law, should take over the government of the country. (Waines, David. *El Islam*. Madrid: Cambridge University Press, 2002. pp. 297/300) -----

From Khomeini's point of view, Islam is a complete religion that may provide a political theory to run the government in a society. He sustained: "*The Islamic government cannot be totalitarian or despotic but is constitutional and democratic. In this democracy, however, the laws are not made by the will of the people, but only by the Qur'an and the Sunnah⁶ of the Prophet. The constitution, the civil code, and the criminal code should be inspired only by Islamic laws contained in the Qur'an and transcribed by the Prophet. Islamic government is the government of divine right, and its laws cannot be changed,*

⁶ Tradition. -----

modified, or contested." (Rodés, Jesús M. *Introducción al libro de Khomeini: Principios políticos, filosóficos, sociales y religiosos*. 1ª ed. Barcelona: Icaria, 1981. p. 15)-----

He completes his thought by asserting *"In this way of government, the sovereignty belongs only to God, and the Law is its decree and order. Islam Law (Divine Orders) has absolute authority over all the people and over the Islamic government."* (Iman Ruhollah Musawi Al Jomenini. *The Islamic Government*, 2004, p. 54) -----

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Reality indicates that the political doctrine of this government program was effectively applied in Iran. Thus, on April 1, 1979, Ruhollah Khomeini proclaimed that the Islamic Republic of Iran was formally created under the power of the Revolutionary Islamic Council. -----

The next step was the enactment, on December 3, 1979 of the Constitution of the Islamic Republic of Iran. It emphasized the Islamic nature of Iran, giving priority to law and to Shiite institutions. According to the principles derived from the unification of religion and politics formulated by Shiite Islamic orthodox, the highest member of the clergy stands above politics. Thus, Islamic thoughts have priority over any institution. (Rodés, Jesús M.; op. cit., p. 9)-----

The truth is that Article 4 of the Iranian Constitution establishes: *"All laws and regulations (...) must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as other laws and regulations."* (pp. 10.539/10.612, Docket 263) -----

Therefore, a theocratic government is formed. In this connection, the Argentine expert in Constitutional Law, Germán Bidart Campos, defined the theocratic state as that *"where the State deeply assumes significant aspects of spiritual or religious welfare of the community as within the sphere of common welfare until they almost become an instrument of spirituality; it is not about the state performing a spiritual function, or displaces the religious community or church in charge of it, but to transfer to the contents of public welfare all or a great number of the ingredients of the spiritual asset."*

(Bidart Campos, Germán. *Tratado Elemental de Derecho Constitucional Argentino*. Edición ampliada and actualizada. Buenos Aires: EDIAR, 2001, Volume I-b, pp. 23-24) -

On his part, Pereira Pinto indicates that theocracy is a *"Political regime based on the idea that God directly exercises power on Earth, or that the earthy governor is a representative of divinity or has its approval."* (Pereira Pinto, Juan Carlos. *Manual de Derecho Constitucional*. Buenos Aires: AZ Editora SA, 1978. Vol. II, p. 808) -----

Certainly, the Islamic Republic of Iran has the features of a theocratic government. On this issue, worthy of mention here are the words of Yves Bonnet⁷: "*There are few states that may be compared to the Iranian power. Politics, social relationships, the behaviors of those who can only be qualified as subordinates, even as the faithful, but surely not as citizens; are governed by a theocratic system...*" (Bonnet, Yves. *La traición de los Ayatollah*. Ed. Jean Picollec, 1995 Chapter 1, pp. 387/412, Docket 209) -----

Now then, within this general scheme, the Shiite religious leaders introduce themselves with prerogatives to control the destiny of the civil society based on the interpretation of the teachings of Koran and *Sharia* (Islamic Law) and, thus, there appears the powerful figure of a Supreme Leader over the three branches of a Republic. -----

The National Iranian Constitution establishes leadership. In this regard, Article 5 states as follows: "...*leadership of the Islamic Republic of Iran devolve upon the just and pious Faqih who is fully aware of the circumstances of his age, courageous, resourceful and possessed of administrative ability...*" On the other hand, Article 110 enumerates the power of the leader under the title: *Following are the duties and powers of the Leadership*: -----

1. *Delineation of the general policies of the Islamic Republic of Iran after consultation with the Majma'-e -Tashkhis-e- Maslehat-e-Nezam (Nation's Exigency Council)* -----
2. *Supervision over the proper execution of the general policies of the system.* -----
3. *Issuing decrees for national referenda.* -----
4. *Assuming supreme command of the armed forces.* -----
5. *Declaration of war and peace and the mobilization of the armed forces.* -----
6. *Appointment, dismissal, and acceptance of resignation of:* a. *the fuqaha' (juris-consultants) on the Guardian Council.* b. *the supreme judicial authority of the country.* c. *the head of the Sazman Seda va Seema-e - Jomhuri e- Islami Iran (radio and television network) of the Islamic Republic of Iran.* d. *the chief of the joint staff.* e. *the chief commander of the Islamic Revolution Guards Corps.* f. *the supreme commanders of the armed forces and the police.* -----
7. *Resolving differences between the three wings of the armed forces and regulation of their relations.* -----
8. *Resolving the problems that cannot be solved by conventional methods, through the Majma'-e- Tashkhis-e Mashelat-e Nezam (Nation's Exigency Council)* -----

⁷ Head of the *Direction de la Surveillance du Territoire* from November 1982 to July 1985; in 1995, he was appointed Member of Parliament for the UDF de la Manche political party [National Assembly of the Republic of France]. -----

9. *Signing the decree formalizing the election of the President of the Republic by the people. The suitability of candidates for the Presidency of the Republic, with respect to the qualifications specified in the Constitution, must be confirmed before elections take place by the Guardian Council; and, in the case of the first term [of the Presidency], by the Leadership;* -----

10. *Dismissal of the President of the Republic, with due regard to the interests of the country, after the Supreme Court holds him guilty of the violation of his constitutional duties, or after a vote of the Majlis (Islamic Consultative Assembly) testifying to his incompetence on the basis of Article 89 of the Constitution.* -----

11. *Pardoning or reducing the sentences of convicts, within the framework of Islamic criteria, on a recommendation [to that effect] from the Head of judicial power. The Leader may delegate part of his duties and powers to another person.* (pp. 10.539/10.612, Docket 263) -----

Clearly, though the Constitution of the Islamic Republic of Iran establishes the existence of an executive branch, a parliament appointed through citizens' vote and a judicial branch, right above them, lays the lifelong and absolute authority of the Supreme Leader or Guide. The first *Faqhi* or Supreme Leader was, precisely, the Ayatollah Ruhollah Khomeini. -----

The practical scope of the Leader's role has been explained by witness Reza Zakeri Kouchaksaraee – Chairman of the Security and Intelligence Committed for the Iranian Resistance National Council– who asserted: “...*the political head and the religious head are very close in a person who is the leader. He is the doctrine for the body of decisions. He is the Guide. He decides the politics of the country...*” (pp. 844/855, Docket 209) -----

Hence, it has been repeatedly sustained that the formally existing division of branches⁸ is not certainly a countervailing system that creates a balance among the institutions of the State since, those who have the final decision on governmental policies and creation and interpretation of laws are the Supreme Leader and the different officials of constitutional ranks reporting to him, since they are the only individuals authorized to establish the concord between laws and *Sharia* and the principles of Islam. -----

a. The “Export of the Revolution” -----

Now then, one of the basic principles on which the Iranian theocracy sits is the doctrine of the export of the revolution. This concept is basically political and fundamentally refers to the creation of a global Islamic rule. The leader of the Iranian revolution, the Ayatollah Khomeini, put it in writing when he said: *Islamic faith and justice demand*

⁸ The Iranian Constitution sets forth the Legislative Branch in sections 58 to 99; the Executive Branch in sections 113 to 142 and the Judicial Branch in sections 156 to 174. -----

that within the Muslim world, anti-Islamic governments or those who do not thoroughly adjust to the Islamic Laws shall not be allowed to survive. Restoration of a secular political order must be considered as an obstacle to the furtherance of the Islamic order. Any nonreligious power, whatever form or shape it may take, is necessarily an atheistic power, the tool of Satan. We have no recourse other than to fight against them and its effects. " (Rodés, Jesús M.; op. cit., p. 21)-----

And, Yves Bonnet adds "*...the aim of the regime is to install an international reactionary in the heart of which is the Islamic Republic ...*" (op. cit.; pp. 387/412, Docket 209) -----

The term "export of the revolution" has been made official by Khomeini himself (Mohammad Mohaddessin⁹ in *Islamic Fundamentalist: The new global threat*, pp. 2143/2343, Docket 209) and its contents, like other key issues of his political doctrine have also been standardized. Thus, the preamble of the Iranian Constitution, in its relevant portion, reads as follows: "*With due attention to the Islamic content of the Iranian Revolution, the Constitution provides the necessary basis for ensuring the continuation of the Revolution at home and abroad. In particular, in the development of international relations, the Constitution will strive with other Islamic and popular movements to prepare the way for the formation of a single Ommat world community and to assure the continuation of the struggle for the liberation of all deprived and oppressed peoples in the world.*" (Translation appearing on pp. 10.539/10.611, Docket 263)-----

In another paragraph, the Preamble establishes: "*In the formation and equipping of the country's defense forces, due attention must be paid to faith and ideology as the basic criteria. Accordingly, the Army of the Islamic Republic of Iran and the Islamic Revolutionary Guards Corps are to be organized in conformity with this goal, and they will be responsible not only for guarding and preserving the frontiers of the country, but also for fulfilling the ideological mission of jihad in God's way; that is, extending the sovereignty of God's law throughout the world ...*" (Translation appearing on pp. 10.539/10.611, Docket 263) -----

Thus, the Preamble of the Iranian Constitution faithfully expresses the thoughts of the highest members of the Islamic Revolution who proclaimed their desire to spread their political and religious view beyond the Iranian borders and exercise their mandate to guide other countries towards that goal. -----

⁹ Director of the International Relations Center of the dissident organization in exile, "People's Mujahidines," an organization that cooperated with Khomeini in the triumph of the Islamic Revolution, due to his opposition to the Shah's Government, although he later set aside from the regime of the *mullah* to become an opponent group. -----

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In this regard, Ayatollah Khomeini himself expressed: *Shiite Islam seeks to export the revolution throughout the world and we shall not desist because Islam not only denies acknowledging differences between Islamic countries of the world but also sustains that Islam is leading the oppressed people. We must show it to the powers and superpowers. Our attitude towards the world is dictated by our religious beliefs.*" (Revista de la Escuela Nacional de Inteligencia, Número Especial sobre Terrorismo, 1997. p. 71) -----

Short after the 1979 revolution, Khomeini asserted: *"We shall export our revolution around the world. Until the cry there is no other God than God resounds throughout the world, there shall be war..."*¹⁰ (pp. 10.987/11.004, Docket 263) -----

The proclaimed expansionist goals framed by Iran were not mere words or expressions of wish, the Islamic government took specific action that materialized in actual events. ---

The fact is that in October 1980, the Organization of Islamic Liberation Movements (OILM) was established. It started operating as an entity engaged in the export of the revolution. Its activities represented the real machinery for the export. The leader of OILM, Mehdi Hashemi, was appointed Commander of a special Islamic Revolutionary Guards Corps (Pasdaran) and in such position he started organizing a structure that contained guerrilla units, initially made up by Iraqi citizens who were dissidents of Saddam Hussein's regime and had sought refuge in Iran. (pp. 490/494, Docket 267, documents provided by Pierre Pean on pp. 1111 --translated on pp. 1998/2010 and 2013/2095, Docket 209; particularly, p. 2015--, cable 010329/2000 of the Embassy of Argentina to Iran, pp. 803/807, Docket 204) -----

Moreover, within an eighteen-month period, OILM had a dramatic development to such extent that in October 1982 it had reached the position as leader for the export of Islamic revolution. From the beginning of its activities, the Studies and Research Unit of the OILM, was totally engaged in the analysis of situations abroad so as to start the export of the revolution. (Cable 010329/2000 Embassy of Argentina to Iran, pp. 803/807, Docket 204) -----

Along with the progress in the activities performed to export the Islamic revolution, Mehdi Hashemi established several training camps in Iran for young *Basijis*, of the Revolutionary Guards Corps and Muslim young women called "Zeinab Sisters". And, to promote the Islamic revolution, the Iranian government involved a series of organizations such as the Association of Combatant Clerics, the Ministry of Islamic

¹⁰ It is worth mentioning here that the expression derives from the *Shahada*, i.e. the testimony or confession of Islamic faith expressed in the words: *"There is no other God than Allah, and Muhammad is the envoy of Allah."* See Waines, David. *El Islam*. Madrid: Cambridge University Press, 1998, p. 340. -----

Guidance, the Ministry of Information, the Associations of Muslim Students Abroad, the *Hajj* and Pilgrimage Organization and the Islamic Propagation Organization, among others. (Cable 010329/2000 Embassy of Argentina to Iran, pp. 803/807, Docket 204) -----

After a first but short stage in which the agency operated under the influence of the Iranian Ministry of Foreign Affairs, the jurisdiction of this department was transferred to the Islamic Revolutionary Guard Corps, where a command structure to direct terrorist operations was created. (Anderson, Sean. *El Terrorismo del Estado Iraní*, pp. 11.250/11.265, Docket 263) This illegal activity was also highlighted by Magnus Ranstorp¹¹ who asserted that the Office of the Islamic Liberation Movement focused on promoting revolutionary activities and terrorism abroad. (Hezbollah's Command Leadership, pp. 2767/2802, translated on pp. 2929/2961, Docket 263) -----

In this setting, in March 1982, the Islamic Republic of Iran broadly publicized a Seminar on Ideal Islamic Government, held in Teheran and whose hosts were the Association of Combatant Clerics and the Revolutionary Guards. Around 380 clergymen from 380 countries encouraging the world Islamic revolution attended. They discussed which the best way to export the Iranian revolution was. (Green, Jerrold D.; *Terrorism and Politics in Iran*, pp. 11.202/11.233, Docket 263, Hoffman, Bruce, *Recent Trends and Future Prospects of Iranian Sponsored International Terrorism*, pp. 11.450/11.492, Docket 263) - The notes published in the International Herald Tribune on April 7, 1982 (pp. 11.447 and 11.497/11.499, Docket 263), and also in the Lebanese newspaper Middle East Reporter, on December 3, 1983 (quoted by Wright, Robin. *Sacred Rage: The Wrath of Militant Islam*, New York: Simon & Schuster Inc., 1986, p. 11.003, Docket 263) illustrated the seminar held. -----

The ideological bases of the event had been provided by Khomeini when he declared that: "*frontiers may not be deemed as means for separation (...) Islam not only denies acknowledging any difference between Muslim countries but that it is the paladin of the oppressed.*" (Hoffman, Bruce. *Recent Trends and Future Prospects of Iranian Sponsored International Terrorism*, pp. 11.450/11.492, Docket 263) -----

Those who attended the seminar agreed on four items: a) religion should not be separated from politics; b) the only way to conquer a true Independence was to return to Islam roots; c) they should not be dependent upon the superpowers or other foreigners and the region should get rid of them and d) it was recommended that Shiites adopted a forceful attitude to get rid of the presence of superpowers in the region. According to Robin

¹¹ Head of the Center of Studies on asymmetric threats of the National Defense University in Sweden. Also former director of the Center of Studies on Terrorism and Political Violence at St. Andrews' University, Scotland.-----

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Wright,¹² *"The conclusions of the seminar were slightly written and were riddled with rhetoric. But the crucial conclusion was a statement: under the guidance of these men, the Islamic militants —mainly Shiite, though some Sunni were included — would launch a large scale offensive to clean the Islamic world off the satanic influence of the West and the East which hindered its progress. (Wright, Robin. op. cit., p. 10.988, Docket 263)-----*

According to the same author, "the seminar symbolizes a turning point and the participants agreed in that Islam "...would awaken them from a dream that lasted for years and would put a sword in their hands and would send them to the battle against Satan's forces (...) they represented the core of a movement that promoted the world Islamic revolution. This comparatively small group of men should take a course that could affect the world (...) Now their operations should be enhanced and spread to include the West, specifically the nations that supported and sponsored Iran's rivals. Indeed, it was the launch of a crusade" that would be mainly reflected through terrorism. (Wright, Robin. op. cit., p. 10.988, Docket 263)-----

The same author added an interesting observation when she concluded: "...Iran undoubtedly entered a new stage of belligerence after the seminar. In the course of the next three years, Iranian and other radical operatives introduced a new behavior to the shady annals of terrorism, a landmark that was frequently the sole indicator of who had been finally accountable for some of the most disturbing tragedies of the Twentieth Century." (Wright, Robin. op. cit., p. 10.988, Docket 263)-----

According to Sean Anderson "the campaign was articulated through terrorist acts using car bombs, aircraft hijacking, hostage taking and murders in which Iran or Iran supported groups were involved...their incidence drastically increased in the period between 1982 and 1985. After 1985, while the numbers of global incidents decreased, only the Islamic Republic of Iran, among the states that support terrorism, continued showing an increasing reliance on terrorism as an instrument for their foreign policy ..." (Anderson, Sean. op. cit., pp. 11.234/11.265, Docket 263)-----

It was the inception of the justification of violence as a valid method to export terrorism. "The armed struggle acquires legitimacy by itself, in terms of the Shiite doctrine and based on Shiite hadith that explain how and when the struggle must turn into action, and the type of regime to be set up when it wins." (Sivan, Emmanuel. El Islam radical. Ediciones Bellaterra, 1997, p. 249)-----

¹² Journalist, writer and international political analyst. She has been correspondent for Washington Post, Los Angeles Times and New York Times, among others. Professor at Yale, Stanford and Duke Universities, among others.-----

On their part, Marvin Zonis¹³ and Daniel Brumberg¹⁴ added: *"Much more important than any tactical aid, is the Iranian ideology that legitimates the use of terrorist violence. Ideology is the result of the peculiar interpretation of Ayatollah Khomeini of certain fundamental issue of Shiite Islam" Iran deems itself as the sole legitimate state with a unique duty to facilitate the adoption of Islamic law all over the world and "...not only force and violence are acceptable but they are considered as the necessary means to do so."* They also sustained that *"The Islamic Republic of Iran embodies this ideology using guerrilla training camps, diplomats and short wave radio stations to spread their thought in the Middle East. The ideology establishes the political leadership of Iranian clergymen in a world movement aimed at overthrowing illegitimate governments. Violence, even violence that results in physical destruction of individuals, is not just adequate, but it is a means approved by religion for the accomplishment of such goals."* (Behind Beirut Terrorism, published on October 8, 1984 issue, New York Times, pp. 11.493/11.495, Docket 263)-----

The violent nature that the policy for the export of the revolution could assume from that moment was clearly put by Ayatollah Khomeini, who in the days of the seminar expressed: *"The weapons in our hands are used to realize divine and Islamic aspirations."* (pp. 10.987/11.004, Docket 263) -----

Such verbal vengeance is not surprising since Khomeini had already put in writing his expansionist goal when he asserted: *"... It will... be the duty of every able bodied adult male to volunteer for this war of conquest, the final aim "holy war means the conquest of all non-Muslim territories. It may be declared by the Imam after the creation of an Islamic Government worthy of this name. It will be the duty of every able bodied adult male to volunteer for this war of conquest the final aim which is to spread the law of the Koran from one side to the other of the earth."* (Rodés, Jesús M.; op. cit.; p. 17)-----

A definite implication of this new modality of "export of the revolution" at the end of the Seminar was indicated by Abbass Shekouhid -who at that time, was in charge of Iranian Foreign Affairs in Bahrein-: *"Each of the leaders present at the seminar should return to his Islamic country and preach to his followers."* (pp. 10.987/11.004, Docket 263) -----

¹³ Emeritus Professor of the "University of Chicago Booth School of Business." Former Director of the Center for Middle East Studies and Former President of the American Institute of Iranian Studies. He has published numerous books on the issue and articles in newspapers such as *The Financial Times*, *The New York Times*, *The International Herald Tribune*, among others. -----

¹⁴ Associate Professor of Georgetown University and visitor for the Emory University Department of Political Science, Jimmy Carter Center Middle East Program and University of Chicago. Advisor to the Analysis and Prevention of Conflicts Center of the American Peace Center and member of "Carnegie Endowment's Democracy and Rule of Law Project" and the Editorial Council of the American Political Science Association. -----

Also worthy of mention are the words of Dr. Tariq Al Moayyed, who was then Ministry of Information of Bahrein, who said *"the seminar was a change of tactics"* and added, *"there was no option but to become much more militant than before."* (pp. 10.990/1, Docket 263) -----

Robin Wright adds that the Iranian regime advanced in the implementation of this new tactic. Their seats were the mosques, the mourning houses and social centers; these were the scenarios where the Shiites were mobilized. (Wright, Robin. op. cit., pp. 10.987/11.004, Docket 263) -----

Clearly, the seminar was the starting point for a new tactic to be deployed in the method for the export of revolution, which was much more devised, studied and above all, much more violent. It was the beginning of the *"policy for the export of the revolution."* -----

The mode of this policy is clearly explained by Sean Anderson who sustained: *"Wherever Iran has sought to export its revolution, its first task has been to bring together there a nucleus of revolutionary Islamic clergymen dedicated to Khomeini's vision of Islam. These, in turn, would begin recruiting their more educated and talented lay followers into nascent revolutionary organizations. Finally, this network, extending through mosques and associated community institutions, would mobilize the Muslim poor at large in the targeted area ..."* (Anderson, Sean. op. cit., pp. 11.234/11.265, Docket 263) -----

In this regard, also worthy of mention are the declarations of Ayatollah Montazeri *"...religion and politics are indivisible ... mosques should not be places for prayer but, on the contrary, they should be centers for political, cultural and military activities ..."* (Legum, Colin. *Islamic Terrorist Network Spreads All Over the World*, The Age, January 5, 1984, pp. 11.529/11.533, Docket 263) -----

Therefore, and as shall be explained in detail below, it is not casual the fact that from 1983 Abdul Kadir commenced his tasks as Iranian agent, Rabbani was sent to Argentina and Tabatabaei Einaki was sent to Brazil (being Tabatabaei Einaki identified as having founded Hezbollah in Brazil while he was acting as representative of the Iranian government for the control of chicken slaughter according to the Islamic ritual, pp. 1865/1869 and 3108/9, Docket 201) and, in turn, the activities of the Iranian regime increased through its proxy, at that time the fiery terrorist group Hezbollah, causing the most bloody attacks, hostage taking and aircraft hijacking ever carried out. ¹⁵ -----

¹⁵ As expounded in the Opinion issued by this Attorney General's Unit on October 25, 2006, in April 1983, a truck loaded with bombs exploded in front of the American Embassy in Beirut, killing 61 individuals and wounding other 120. In August 1983, a Boeing 737 of Air France was deviated when it took off from Vienna and forced to go to Teheran. Its command cabin was exploded in the landing strip of Mehrabad airport by the kidnappers. In October 1983 a suicide

Precisely, this new strategy for the export of the revolution was reflected in the financing that the Iranian regime started providing to terrorist activities, though, the core organization was Hezbollah, since *"For Iran, Lebanon represented the ideal place to export the revolution"* it is not limited to it. (Ranstorp, Magnus. Hizb'allah in Lebanon. The Politics of the Western Hostage Crisis, the translation of which appears on p. 3743, Docket 263) -----

To achieve these goals, the Islamic Revolutionary Guard Corps of Iran had started to train thousands of Shiite militants in military training camps inside Iran. Robin Wright illustrates these specific actions taken by the Islamic Republic of Iran in the preparation of the terrorist cadres and, in this connection, he said that the recruits: *"Came from all the countries of the region and the world and sometimes from geographically remote zones (...) an officer of Taleghani¹⁶ waited all day long at Mehrabad airport¹⁷ (...) to transport the new recruits to the camps or "death schools". Volunteers were sent to camps throughout Iran, all operated by the Islamic Revolutionary Guard Corps (...) Training was basic (...) the most important were the delicate explosives formulas and tracks mechanics, a combination frequently used in their plans."* (Wright, Robin. op. cit., p. 10.994, Docket 263) -----

This was expressly admitted by one of the leaders of the Islamic Amal Movement, Mohammed Taki Moudarris, who early in 1984 sustained: *"Within a week I may gather five hundred believers who are ready to self-sacrifice by suicide bombing operations."* (Jeune Afrique Magazine, pp. 11.787/11.821, Docket 263) -----

Another individual who provides testimony on the commencement of terrorism modeled after the export of the revolution is Reza Zakeri Kouchaksaraee; he asserts: *"Fundamentalists exist from the time that religion exists. With the arrival of KHOMEINI, these people, this group, with violence and its ideology has tried to take power all over the Islamic world. That is why religious terrorism has been born at an international government level. The use of suicide bombings with truck bombs to blast*

car bomb exploited against the US Marine and French Parachuters Barracks in Lebanon, causing the death of 56 French soldiers and 241 US Marines. In June 1985, a Boeing 727 of TWA was kidnapped while flying from Athens to Rome and when the plane was at Beirut Airport, a US Marine diver was murdered. In September 1986 a wave of bombings shook Paris. Fuad Ali Saleh, a student of theology at Qom, was arrested for the attacks. He confessed that he had been sent to France by Teheran. -----

¹⁶ According to the author, Taleghani was the nickname used by foreign intelligence agencies to refer to the main center of the Islamic crusade. It was the vital center of the revolutionary crusade where recruitment and deployment plans gained momentum. (pp. 10.987/11.004, Docket 263) -----

¹⁷ Teheran's Airport. -----

the marines and French soldiers was something new and devised by Khomeini's regime. The regime called it the export of the revolution, and thought that without this export, the root of their kingdom would be weakened. That was an element to further its foreign policy." (pp. 844/855 back, Docket 209) -----

In line with the foregoing, protected witness identified as Witness "A" asserted that the most fundamentalist group in Iran, held by the government, sustains that religion must be exported to the rest of the world and the government must be full of Islam, they even think that any way is admissible in the pursuit of such goals. (Testimony received on September 27, 1994, appearing on pp. 56/70, Docket 313) -----

Also worthy of mention are the statements made by one of the founders and First Commander of the Islamic Revolutionary Guard Corps, Javad Mansouri, in his book *Revolution and Diplomacy*, in that *"our revolution can only be exported with grenades and explosives"* and he urges all the Iranian embassies to become intelligence centers and *"base for the export of the revolution."* (Cited in the issue dated August 13, 1998 of *The Times*, pp. 3.188/3.189, Docket 392) -----

In line with his father, the Ayatollah's son, Ahmad Khomeini, declared to the newspaper *Keyhan*, on January 11, 1992: *"The Islamic revolution of Iran has awaked all the Islamic countries. Under no circumstance should we resign to the export of the revolution or to the creation of the resistance within Islamic revolutionary organization. Islam does not know any frontier, and to establish the Islamic powers and the divine laws we acknowledge no truce. The primary goal of the Islamic Republic and the responsible leaders is none other than the establishment of the world power of Islam (...) The methods and political behavior may vary but the goal is not abandoned by any revolutionary Muslim who follows the line of the Imam ..."* (Bonnet, Yves. op. cit., pp. 404/405, Docket 209) -----

These verbal incitements provide the ideological context to understand why so distant and dissimilar events could have taken place, to wit: the assassination of the Iranian dissidents Radjavi in Switzerland and Bakhtiar in France, the massacre at Mykonos restaurant in Germany, and the attack against the AMIA premises which is subject to this investigation, among other crimes orchestrated by the Islamic Republic of Iran outside its frontiers. -----

In this connection, Ali Larijani (Minister of Culture during the Presidency of Rafsanjani, President of the Iranian Parliament, negotiator appointed by the supreme leader Khamenei to discuss the nuclear issue with the West, member of the Supreme National Security Council and one of the most renown theorists of the Islamic nation), asserted: *Why do I think that we must not circumscribe to our territory? Because, on this land, we do not solely represent a supreme leader but we are on the territory of the supreme*

leader –both at the time of the Imam Khomeini and at the time of the Ayatollah Khamenei. Until this responsibility is acknowledged by the Muslim world, it shall be bound to be subject to it. And until our land becomes the land of the supreme Leader of Islam, we shall be responsible for the whole Muslim nation. The Islamic L'Umma has the duty to protect this country which he must be considered as "the motherland." (Ressalat newspaper, July 7, 1991, pp. 389/390, Docket 209)-----

Almost two years before, Larijani had sustained in the same newspaper: "We have a privileged position in the Muslim world. No other country but Iran can guide the Muslim world; this is a historical position." (Ressalat newspaper, August 7, 1989; both opinions reflected by Bonnet, Yves. op. cit.; pp. 389/390, Docket 209) -----

This type of statements led Manoucher Ganji¹⁸ to assert: "the Islamic Revolution has sustained all the time that it would carry out terrorist operations abroad, this has never been a secret ..." (statement made on October 22, 2001, appearing on pp. 65/69, Docket 352)-----

Also worthy of mention are the statements made by Shmuel Bar,¹⁹ who said in his lecture on Iranian Terrorist Policy and Export of the Revolution that: "Terrorism played both a tactic and strategic role in this context; it was used as a tactic weapon in the struggle against Iranian opposition, against the presence of the United States in the Arab world and in the vast Muslim world. Strategically, it played a crucial role in Iran's dissuasive stance against its enemies by the creation of an image of a state that has a strong terrorist capacity which is ready to use. This image is promoted to justify terrorism against Israel and the United States (and at the same time it denies any involvement in those terrorist activities), the support to terrorist organizations all over the world and the predictions of a massive Muslim reaction against American and Israeli policies." (pp. 11.011/11.051, Docket 263) -----

Finally, worthy of mention here is the threat of Dr. Hassan Abbasi, ideologist of the Islamic Revolutionary Guard Corps, in his speech to the voluntary militia or Basiji Units: "We must adopt a terrorism strategy to threaten the Americans. That terrorism is sacred. Modernity, a Zionist and western phenomenon was implemented with violence; we must take revenge on them using the same methods." (Quoted in the issue dated June 26, 2004 of Asian Times newspaper, pp. 11.005/11.009, Docket 263) -----

¹⁸ He was advisor to the Shah's Prime Minister between 1974 and 1976 and Minister of Education between 1976 and 1978. After he fled from Iran in 1979, as a result of the Islamic revolution, he created in exile the "Ismailia Foundation" and "Flag of Freedom" organization which he presided over. He was university professor and member of the United Nations Human Rights Committee.-----

¹⁹ Director of Studies at the Institute for Policy and Strategy of Herzliya, Israel. -----

Therefore, it is clear that the Islamic government of Iran has intended to impose its political and religious view on third countries. It has openly proclaimed this intent since the inception of the Islamic revolution and subsequently with its expressions; it has been expressed in the National Constitution. -----

After the first post-revolutionary years, the Iranian leaders decided, after a Seminar on Ideal Islamic Government held in 1982, and to remove any obstacles posed in the way to pursue the export of the revolution, to change the tactics and to resort to the use of violence, if required. Thus, they devised cultural, religious and ideological spread strategies in "target" countries which, in certain instances, concealed complete structures called "intelligence stations" that served as bases and support, if required, for the violent stage of the export of the revolution, described as its "terrorist matrix" and which was then effectively used by Iran on many occasions (the murder of Chapour Bakhtiar in France, the Mykonos case in Germany and the AMIA attack in our country). -----

As a matter of fact, there is no doubt whatsoever that one of the primary goals framed by the Iranian revolutionary government was the export of the revolution. Also, that this goal is not merely rhetoric of the regime of the *mullah*; to the contrary, they have written their intent in the Constitution of the country. -----

Furthermore, it has been proved that after the first years of the regime, the Islamic Republic of Iran decided to change its method and included terrorism as an eventual element for its policy to export the revolution. To accomplish its goals, Iran decided to create institutions that specifically served to it, and provided them with a huge amount of human and financial resources to be used as and when needed. -----

It was at that time, and in response to those goals that Iran decided to extend the borders of its aspirations and started to send its agents to different countries. As an example, in 1983 Mohsen Rabbani came to Argentina and Abdul Kadir was admitted by the Iranian leaders to fulfill tasks in the Republic of Guyana, while, the next year, Tabatabaei Einaki did so in Brazil. Thus, the policy for the export of the revolution began its implementation in South America. -----

Upon investigation of the activities performed by these Iranian agents, it was proved that they acted irregularly and criminally, both in Argentina and in Guyana. Also, we noted that the activities that culminated in the establishment of intelligence bases or stations serving to the interests of the Islamic regime in those countries were supported by the various state structures of the Republic of Iran, the description of which is made below. --

b. Agencies in charge of the export of the revolution-----

To implement this change of tactic the Iranian regime decided to apply all available resources to the fulfillment of the primary goal to export the revolution. Logically, not all the state agencies were equally involved in this mission. -----

As a result of the analysis we could identify those who performed tasks closely related to the export of the revolution, among which, the principal are as follows: the Ministry of Intelligence and Security (Vevak), the Ministry of Guidance and Islamic Propaganda (Ershad), the Islamic Revolutionary Guard Corps (PASDARAN) and their elite corps called "Al Quds" Force, the Ministry of Foreign Affairs – mainly through its network of embassies– and the Ministry of Reconstruction (*Jihad e-Sazandegi*) -----

b.1 Ministry of Intelligence and Security (Vevak) -----

As corroborated in the Opinion issued by this Attorney General's Unit on October 25, 2006, Vevak has been in charge of coordinating terrorist activities. Given the variety of methods applied to execute these illegal operations, which include research, intelligence, logistics and execution tasks, it is reasonable to infer that there has been a unified direction for the coordination of these activities. That is why this state agency becomes extremely important. -----

To supplement the foregoing, we include certain paragraphs of the testimony received to Abolghasem Mesbahi who, it should be reminded, was in due time appointed by the Iranian government to act as "Chief" of an operative group whose mission was to assassinate the Iranian dissident Hadi Khorsandi, who resided in London. Secretly, Mesbahi let some vital information of the operation slip to Scotland Yard and the plot was thwarted. (Testimony of Abolhassan Bani Sadr²⁰ appearing on pp. 737/750, Docket 209)-----

Now then, as indicated in the Opinion issued in 2006, what is relevant in this deposition is that witness Mesbahi, due to the position held and the tasks performed by him during the period in which he served the government of the *mullah* –as member of Iranian intelligence and member of the committee that founded the Vevak – he could become acquainted with the methods and steps required for this type of terrorist operations from the inside. Thus, his track-record reflects his qualification to give testimony on such significant aspects of the investigation. -----

Besides, it should be noted that he was thoroughly interrogated by judges, attorney generals, *querellas* [aggrieved third parties to the criminal proceedings] and defenders, and that his statements were considered by the Federal Oral Court No. 3 as "... clear, precise and convincing since they had no fissure or contradiction ..." -----

Thus, particular attention must be taken to the testimony of witness Mesbahi, who gave a detailed description of the tasks performed by the Ministry. He asserted: "*Planning each*

²⁰ President of the Islamic Republic of Iran, chief of the Armed Forces and of the Supreme Defense Council from January 25, 1980 to June 20 1981 (pp. 324/325 of the "Mykonos" ruling, already mentioned in this Opinion, and Keddie, Nikki R.; *Las Raíces del Irán Moderno*, Buenos Aires: Grupo Editorial Norma, 2006, p. 324)-----

terrorist act generally starts before the bomb; for that, the intelligence service includes different officers each of whom is an expert in his own activity (...) some are in charge of gathering information, another is a regional logistics officer, another is a regional coordinator and another is a head of the regional head office. Each region has a head in the Ministry at Teheran; this is one of the main functions of the Ministry of Information everywhere... (Testimony received by the Federal Criminal Oral Court No. 3, pp. 4105/4137, Docket 204)-----

Precisely, and according to information produced in these proceedings in 2003, among other tasks (domestic intelligence, spying and repression of opponents), the Vevak was assigned the practical implementation of the "policy for the export of the revolution;" the agency is made up by twelve departments with 20,000 agents distributed throughout Iran and abroad. (pp. 3 and 8, Exhibit "Iranian Intelligence" that is an integral part of the intelligence report entitled "Theme: Amia, the International Connection. The Clarification of the Terrorist Attack and the Individualization of its Authors," submitted on January 21, 2003 and the "Extended Report", delivered on April 2, declassified by Resolution "R" No. 301/03 of the Secretariat of Intelligence of the Presidency of the Nation on May 7, 2003, hereinafter referred to as the "International Report") -----

Since the Vevak had jurisdiction both in Iranian territory and abroad, it had specific departments to coordinate the operations carried out outside Iranian borders. Among them, the Department of Special Operations Abroad, involved in the support to Islamic movements and murder of opponents; the Department called Department "240" installed within the Ministry of Foreign Affairs in charge of securing connection between the head office, the external antennas of Vevak and the operative bases in the diplomatic delegations; the Office of Revolutionary Movements in charge of connections and operational activities of Islamic organizations. (pp. 8/9, "Exhibit of Iranian Intelligence" to the "International Report") -----

The frontages used by the members of Vevak have been basically four: a) the typical diplomatic frontage, inside Iranian embassies and consulates; b) the frontage fostered with Shiite preaching organizations (Organization of Islamic Communications and Relationships), the Ahl- ul Bayt World Assembly, the Islamic Propaganda Organization, the Shiite cultural centers, etc.); c) the frontage related to national Iranian institutions such as infiltrations in local representations of mass media agencies, radio and television agencies, airlines or maritime lines and d) the undercover front: penetration in commercial companies, foundations, students associations or simple tourism. Besides, the Vevak had delegate agents used in countries where Iran had no investigation antennas or where its contacts should be particularly protected. (pp. 11/12, Exhibit "Iranian Intelligence" to the "International Report") -----

The effective and definite involvement of the Vevak in terrorist acts was revealed in abundant judicial rulings. The High Regional Court of Berlin, when it rendered judgments in the Mykonos case, expressed: *"To give the order of murder, the Minister of Information and Security, Ali Fallahijan was appointed."* (pp. 32/33 of the judgment added on p. 149, Docket 204) -----

As for the case for the murder of the former Prime Minister of Iran, Chapour Bakhtiar, the French judicial authorities evidenced that certain members of the Iranian secret services were closely linked to a subject directly involved in the logistic stage of the attack. (pp. 1658/1877, Docket 209) -----

The Swiss Courts also directly accused the Vevak and the director then in office, Ali Fallahijan, for their involvement in the coordination of the assassination of the Iranian opposing leader Kazem Radjavi. (pp. 5590/5594, Docket 204) -----

Without going any further, in these proceedings it was ordered the national and international arrest of the former head of the Vevak for his involvement in the attack against the AMLA premises, which is currently effective under INTERPOL's red notice warrant. -----

b.2 Ministry of Culture and Islamic Guidance (Ershad) ²¹ -----

It has been the agency in charge of activities related to culture, religion and spread of the Islamic revolution abroad through audiovisual aid, books, publications, cultural meetings. It has also been responsible for the establishment, spread and administration of mosques, cultural centers, associations, brotherhoods and religious services worldwide, for which it has appointed their representatives and monitored their activities. (pp. 11.874/11.878, Docket 263) -----

Its presence in other countries materialized in cultural offices or cultural attaché offices which, superficially, have devoted to spread Islam and recruit new believers. (pp. 34, Exhibit "Iranian Intelligence" to the "International Report") However, those who have been focusing these activities abroad have often acted as frontage for Vevak members and served to the location and recruitment of Islamic activists in foreign countries. -----

Protected witness identified as witness "A" has illustrated on the issue *".... The Ministry of Culture and Islamic Guidance was created after the Revolution; its goal is to export the Islamic ideology culturally all over the world. At its inception, it was imposed as customary to install an office of ERSHAD in each and every country where there was an Iranian embassy; the office was kept apart from the embassy and operated as a cultural office."* (Testimony received on September 27, 1994; appearing on pp. 56/70, Docket 313)-----

²¹ Also known as the Ministry of Islamic Guidance or Ministry of Guidance and Islamic Culture. -

In our country, witness Mohammad Reza Javadi-nia was an employee of the *Ershad*. He said that *"in 1982 he joined ERSHAD, where he had no specific job since in fact, his boss (...) directed him to read different books and publications about Argentina, and by the end of the year he was stationed in Argentina. Upon his arrival, he started performing duties as employee in the cultural area of the Iranian Embassy in Buenos Aires (...) That his activity consisted in sending to Iran reports about the cultural activity being developed in Argentina (...) he remembers that in addition to the reports on culture, he sent some reports related to the establishment of democracy since -he remembers that- at that time there was a political change in the country."* (pp. 2253/2261, Case No. 1627) In other words, from the beginning of the Iranian presence in Argentina, and hidden by a cultural frontage, reports with political contents were sent. The other state agency engaged in cultural promotion was the Islamic Culture and Relations Organization (ICRO) Subordinated to the Supreme Leader of the revolution. ICRO was directed by Mohammad Ali Taskhiri, who precisely sent Mohsen Rabbani to our country. (Testimony of Mesbahi itemized on pp. 141, Docket 204) Its organization has been framed around a secretary general and several departments with geographic jurisdiction and operations. -----

According to information produced in these proceedings, among its missions are the following: appointment of the Iranian Cultural Attaché abroad, management of cultural centers of the Islamic Republic; Islamic propaganda abroad, including but not limited to, organization of theological education in Iran for foreign Muslim young men and political support to radical Islamic movements. -----

The main target of proselytism has been Muslim communities worldwide, mainly Shiite communities. Among the activities that deserve mentioning is the introduction of Islamic revolutionary values as an alternative to Western culture and the creation of social and economic infrastructures by the implementation of cultural centers, which, in turn, serve to the creation of undercover networks. (pp. 13 and 14, Exhibit "Iranian Intelligence" to the "International Report")-----

On this issue, witness Reza Zakeri Kouchaksaraee described that *"...the Islamic Culture and Relations Organization (...) manages the set of educational and information activities of the Muslim world throughout the world."* (Testimony received on October 29, 2001, appearing on pp. 844/855, Docket 209) It should be noted here that Rabbani and Abd Kodae²² were linked to this organization.-----

²² He was Cultural Advisor to the Embassy of the Islamic Republic of Iran in Argentina from 1989 to 1994.-----

On the other hand, the relationship between this organization and the intelligence service has been underlined by Manoucher Ganji, who asserted that the Vevak always uses diplomatic frontage of cultural attaché offices. (Testimony received on October 22, 2001, appearing on pp. 65/69, Docket 352) -----

b.3 Ministry of Foreign Affairs-----

This ministry is the instrument whereby the Islamic Republic of Iran channels the purposes of its foreign policy. Its structure is certainly lawful; however, in its hidden structure, it has been assisting Iranian centers engaged in spreading the revolution abroad and has served as the mainstay for intelligence and even operational activities of the "Al Quds" force. So much so that, as already said – at the heart of this ministry, Department "240" has been operating; The mission of Department 240 has been to act as link between the embassy and the Vevak and to coordinate actions of spy agents stationed abroad under a diplomatic umbrella. -----

On the other hand, considering the task performed by the Iranian embassies worldwide we could distinguish them, in the cases under analysis, as essential instruments of intelligence centers. In this regard, the judgment rendered by the High Court of Berlin in the "Mykonos" case stated that "*representations of Iran abroad in the area of operations (...) in their capacity as intelligence stations, should provide the means for execution ...*" (pp. 40/41 of the verdict, kept on Archive in the Attorney General Clerk's Office, p. 149, Docket 204) -----

Along these lines, we quote Abolhassan Bani Sadr, who asserted: "*in the countries where Iran carries out terrorist operations, most of the members of the embassies are agents for the Iranian intelligence service, VEVAK or members of the "Revolutionary Guards."* (Testimony given on October 27, 2001, appearing on pp. 737/750, Docket 209)-----

On his part, the expert in terrorism Yves Bonnet expressed: "*...compulsorily, in each embassy there are people of the Iranian service and they are ready to organize all the actions.*" (pp. 990/995, Docket 209) -----

Even Jean Louis Bruguiere, former judge of Paris, and specialist in international terrorism expressed: "*In each Iranian embassy there are members of VEVAK, some of them officially and others undercover.*" (p. 12, Exhibit "Operative Method" to the "International Report") -----

Besides, as reflected in the Opinion dated October 25, 2006, embassies have fulfilled other essential duties: delivery of documents necessary for international transport (passports and visas) and war material taking advantage of the rules of privilege and immunities contemplated by International Law. (pp. 27/29 to the "International Report")-

The truth is that the involvement of the Embassy of Iran in Buenos Aires and the Ministry of Foreign Affairs of Iran in the attack against the AMIA premises has been extensively proved in these proceedings; and resulted in the request for international arrest of former Chancellor Ali Akbar Velayati; former Ambassador Hadi Soleimanpour; former Third Secretary of the Embassy of Iran, Ahmad Reza Asghari,²³ and former Iranian Cultural Attaché in our country, Mohsen Rabbani. Furthermore, to illustrate this, worthy of mention are the statements of the Iranian dissidents Hamid Reza Eshagi and Ali Reza Ahmadi²⁴—members of the already mentioned “Mujahidins”—who asserted that after the decision to carry out a terrorist attack in Argentina was taken, Asghari was selected to prepare the action to be implemented since he was already working as a diplomat for Iran, and at the same time, the Ministry of Foreign Affairs and the Ministry of Islamic Culture were directed to cooperate with “Al Quds” force and provided it with everything related to Argentina. (Translation added on pp. 65/70, Docket 209) -----

b.4 Islamic Revolutionary Guard Corps (Pasdaran) and “Al Quds” Force -----

As described in the Opinion dated October 25, 2006, the Islamic Revolutionary Guard Corps was created during the first months following the Shah’s overthrow as a paramilitary force. It was created by order of Ayatollah Khomeini and its members had a religious and political ideology tied to the new Islamic regime. -----

Their existence was approved by the Iranian Constitution, Article 150 thereof reads as follows: “*The Islamic Revolutionary Guard Corps, organized in the early days of the triumph of the Revolution, is to be maintained so that it may continue in its role of guarding the Revolution and its achievements.*” (pp. 10.539/10.611, Docket 263) -----

That is, its original mandate was to maintain the internal security, the defense of the regime, and therefore, that of the Iranian nation. The foregoing was also underscored by Rand International Security and Defense Policy Center, in the United States which informed: “*...as regards security policy issues, several organizations are particularly important: the intelligence services, the Iranian Islamic Revolutionary Guard Corps and the regular armed forces, among others.*” (pp. 8943/8603, Docket 263) -----

In turn, Mohammad Mohaddessin sustained that the Revolutionary Guard Corps became the core of popular military force. (pp. 2143/2343, Docket 209) According to Alfred

²³ Third Secretary of the Embassy of the Islamic Republic of Iran from 1991 to July 23, 1994; currently subject to an international arrest warrant under Interpol’s red notice for his involvement in the attack against the AMIA premises. -----

²⁴ Member of the foreign service of Iran between 1981 and 1985 (p. 23.626 of the “Embassy” Case”)-----

Kavanagh²⁵ this ideological army currently has 120,000 men, with a separate structure and organization and it controls Iranian missile program. (Kavanagh, Alfred G.; Irán por dentro. La otra Historia. José J. de Olañeta Editor, 2010. p. 746)-----

Under its influence and as one of the elite bodies that make up the Iranian Islamic Revolutionary Guard Corps, is the "Al Quds" Force, which has been described as the "extraterritorial force" of the Iranian Islamic Revolutionary Guard Corps, whose duty was to export terrorism and fundamentalism. Its purpose was that the numerous government agencies and branches involved in those activities, also operated outside Iran under a unified command." (pp. 2399/2407, Docket 209) -----

The backgrounds of this Unit can be obtained from the information provided by the Secretary of the National Council of Resistance of Iran, who asserted: "*The roots of the Qods Force date back to the Revolutionary Guards Intelligence Unit (...) After the decision to strengthen the Iranian Islamic Revolutionary Guard Corps was taken, its three constituents, the Land Force (Army), Air Force and the Navy increased to five in 1990. The two new forces were Bassij (paramilitary force for internal suppression) and Qods Force (Jerusalem).*" (Documents referred by the Argentine Embassy in the United Kingdom through Foreign Office Note No. 16.050, appearing on pp. 2399/2407, Docket 209) -----

As already proved in the abovementioned Opinion issued in 2006, the "Al Quds" Force had the duty to develop information activities abroad intended to carry out special terrorist operations. It has provided military assistance for the training of Shiite militants to be used in regional conflicts. Among its primary and most remarkable goals are the following: a) fundamentalist propaganda and upheaval in many countries, specifically in the Muslim world; b) recruitment, training and organization of radical elements in other countries and supply of logistics to followers of the Islamic Revolution and Islamic movements and groups known as 'Hezbollah' outside Iran; c) collection of information, particularly military and strategic intelligence and d) assassination of opponents to the regime, such as writers, editors and politicians in collaboration with the Ministry of Intelligence. (pp. 2399/2407, Docket 209) -----

Considering these characteristics, Mohsen Rezai, who was then Commander-in-Chief of the Iranian Islamic Revolutionary Guard Corps and who is currently subject to an international arrest warrant under Interpol's red notice for his involvement in the terrorist attack against the AMIA premises, described the "Al Quds" Force as the "*International Army of Islam.*" (pp. 2399/2407, Docket 209) -----

²⁵ Lawyer, expert on Eastern languages, he studied in Iran and is currently Professor at the Universidad Pontificia de Comillas, Madrid, España.-----

Furthermore, protected witness identified as witness "A," sustained particularly on this issue, that the department *"is where both terrorist attacks abroad and the assassination of opponents to Iran are planned."* (Testimony received on September 28, 1994, appearing on pp. 71/85, Docket 313)-----

In this regard, Ali Reza Ahmadi and Hamid Reza Eshagi said that after the Iran-Iraq war, the *Quds* were formed with the best elements of the *Pasdarans*, who were in charge of the activity abroad. (pp. 502/506, Docket 313) -----

On his part, Mohammad Mohaddessin, in his work *Islamic Fundamentalism: The New Global Threat*- made a detailed analysis of this force and expressed: *"the Special Qods Force of the Guardian Corps (Jerusalem) is the most secret organization of the numerous military organizations of the Iranian regime. Since its organization in 1990, the clergy kept them so secretly that many leading officers in Teheran had never heard about the Qods Force, except for the name of its commander, Ahmad Vahidi. The new force called by its commanders as "the seed of the Islamic International Army" now became the most effective and trained elite unit of the Revolutionary Guards Corps."* (pp. 2143/2343, Docket 209) -----

It explains the reasons why the most experienced commanders in the Iranian Islamic Revolutionary Guard Corps (*Pasdaran*), particularly those specialized in extraterritorial activities, had been appointed generals of the "Al Quds" Force. Among others, worthy of mention are Brigadier-General Hussein Moslehi (who led the most numerous and experienced forces of *Pasdaran* in the Iran-Iraq war, subsequently appointed Director of Operations of "Al Quds" Force); Brigadier-General Mohammed Ja'far Saharoudi (former Commander of the Ramadhan Headquarters, involved in the assassination of Abdul Rahman Qasemmlou in Vienna, and then Intelligence Director of the force) and Mulah Ahmad Salek (former Commander for the Islamic Revolutionary Committees who became representative of Khamenei in the "Al Quds" Force). Finally, especially worthy of mention is the first Commander-in-Chief of the force, none other than Ahmad Vahidi, current Minister of Defense of the Islamic Republic of Iran and against whom an international arrest warrant under Interpol's red notice has been issued for his involvement in the attack under investigation. -----

As it may be noted considering the detailed positions and because of the profuse evidence described and analyzed in 2006, we note that the "Al Quds" Force was organized in different bodies which corresponded to each of the regions of the Islamic Republic that had strong strategic interests. Within these subdivisions of the force there was the so-called Corp 5000, composed of troops of experts in explosives and assassinations, stationed in hidden safe homes in Teheran and in foreign countries. Their contacts were highly secret and among their main activities was the execution of special

operations in chosen regions, particularly in Western countries. Mohaddessin asserted: *"the operations of this Corp include the assassination of the Japanese translator of the Satanic Verses and an attempt to murder the widow of the Italian translator in the summer of 1991. He also murdered Shapour Bakhtiar, the Shah's last prime minister in August 1991, in France, in cooperation with the Second Corps (Lebanon)."* (pp. 2143/2343, Docket 209)-----

Ahmadi and Eshagi also sustained that the "Al Quds" Force has been a geographical force and each region was identified with the word "corp" followed by a number, for example, Corp 6000 for Latin America. (Information added to the case on September 9, 1997, appearing on pp. 503 back /507 back, Docket 313) -----

In addition to the military personnel, the "Al Quds" Force has made use of personnel specially engaged in the export of the revolution. They are in charge of establishing political links with individuals in the country under their power for the purpose of inducing them to adhere to Iranian ideology. For example, large scale efforts were made to build up relationships with the Muslim Brotherhood factions and with other religious forces in the Arab countries. (pp. 2143/2343, Docket 209) -----

In this regard, worthy of mention is the report indicating that in the Islamic Center of Khartoum (Sudan), opened in May 1991, the "Al Quds" Force has allegedly been training elements for the organization of terrorist cells in Europe. (pp. 81/101, Docket 15) -----

On his part, the Turkish citizen Mehmet Ali Bilici described his military training in an Iranian camp under the command of the "Al Quds" Force. He said that he and other individuals were given basic military training, courses on intelligence management, communications in an encrypted form, explosives and undercover operations, and he acknowledged that he received *"direct orders"* from Iranians to direct *"military operations on Turkish soil."* Bilici also admitted his involvement in the kidnapping of two opponent Iranian leaders who were turned over to the agents of the Vevak and then murdered. (pp. 153/167, Docket 209) -----

Furthermore, the "Al Quds" Force has directed a training department, mainly at the Imam Ali University to the North of Teheran. There, courses on politics, ideology, demolition, explosives, ambushes, persecution and surveillance have been given. The force has also operated another university in Qom, -Beit ol-Moqaddas- also known as a training center of *Melal* (nations) since recruits come from different countries. (pp. 2143/2343, Docket 209) -----

Clearly, the "Al Quds" Department --which, as herein evidenced, has actively been engaged in plotting and devising the attack against the AMIA -- was highly trained to carry out operations abroad, which include advice and organization of terrorist groups,

observation and collection of information on several targets and even the execution of any kind of terrorist attacks. -----

b.5 Ministry of Reconstruction (Jihad e-Sazandegi)²⁶ -----

Organization created by Ayatollah Khomeini and the Islamic Parliament for Consultation in order to favor the national development of rural areas. It is established in the Constitution of Iran. Article 147 establishes: *"In times of peace, the government must utilize the personnel and technical equipment of the Army in relief operations, and for educational and productive ends, and the Construction Jihad, while fully observing the criteria of Islamic justice..."* (pp. 10.539/10.612, Docket 263) It is organized within a very vast structure, consisting of twelve different divisions, a set of associated companies,²⁷ investigation centers and bio-technology scientific information services spread all over Iran. (pp. 12.563/12.565, Case No. 1627) -----

According to Antoine Sfeir²⁸ (pp. 1119, 1178 and 1182/1183, Docket 209) this entity has been a key player in the indoctrination of the population under the ideology of Islamic revolution. On his part, Abolghasem Mesbahi expressed that this Ministry was in charge of selecting elements for revolutionary activities. (pp. 3455, Docket 204) Manoucher Ganji included it as part of the Iranian system of terrorism in the chart added to the case, which shows that this organization serves to Iranian intelligence in the identification of "targets" abroad. (pp. 89/90, Docket 352) Moreover, Majid Taleghani sustained that this Ministry was a body of the Pasdarans. (pp. 3605/3611, Docket Assets of Mohsen Rabbani added to Case No. 1627) -----

In line with these statements, reports added to the case underscored that Jihad e-Sazandegi turned to be one of the state agencies that acted under the institutional umbrella of the Islamic Culture and Relations Organization (ICRO), coordinating and supervising Islamic propaganda activities abroad, theological teaching in Iran for foreign young Muslims and support to radical Islamic groups. (pp. 13 and 14 to the "International Report") -----

This statement is supported by real facts. Indeed, in December 1994, when Mohsen Rabbani coordinated the trip of a group of Guyanese students to Argentina, he interchanged communications with Guyana and Jihad e-Sazandegi. (Telephone calls chart appearing on pp. 336/338, Docket 419 and p. 5534, Docket 392) As a result, we

²⁶ Also known as Jahad Sazandegi, Jahad-e Saazandegi, Ministry of Jihad Mobilization or Construction, Ministry of Agriculture and Reconstruction or Jihad and Crusade for Reconstruction." -----

²⁷ For example, "Supply, Production and Distribution of Feed, INC" (p. 655, Docket 204) -----

²⁸ French-Lebanese Journalist specialized in Islamic issues and Director of *Le Cahiers de L'Orient* Magazine.

can sustain that certain activities carried out by this Iranian state institution are far from what is reflected in their articles of organization and are more likely to be actions that conceal other objectives. -----

Thus, one of the activities carried out by Jihad e-Sazandegi is also revealed in the letter sent by Abdul Kadir to the organization to express his willingness to work for Iran and to be invited to the Islamic Republic. (pp. 71 and 171/172, Docket 419) Certainly, Kadir neither carried out a rural development task in Iran nor any other activities under the sphere of the Ministry; conversely, his connection to the organization was simultaneous with his becoming Iranian agent stationed in Guyana entrusted with the mission to export the revolution. A clear example that one of the tasks performed by this institution in parallel with the rural reconstruction of the Asian country, has been none but the export of the Iranian revolution --with everything it entails-- to other countries. -----

Another specific example is the case of Argentina. The office of the Ministry of Reconstruction in our country was headed by Seyed Jamal Youssefi. (Testimony of Ali Reza Halvaei on pp. 2526/2532, Case No. 1627 and report submitted by the UK Parliamentary Human Rights Group, entitled: Iran: State of Terror, appearing on pp. 1919/1983, Docket 204) Youssefi was Commander of the First Division of the Iranian Islamic Revolutionary Guard Corps and his missions were generally focused on the export of the revolution. (pp. 1919/1983, Docket 204 and pp. 458/459, Docket 313) Hadi Roshanravani (member of the Committee on International Affairs of the National Iranian Resistance Council) was more accurate when he said about Youssefi: "...he has been member of the Pasdarans since the Islamic Revolution and in 1982 he was taken prisoner in the front during the Iran-Iraq war (...) After his release and his return to Iran, he has worked for the Organization for the Reconstruction of the country. Within the scope of this "organization" he has worked in Argentina for three years in charge of "trading activities." (pp. 129/136, Docket 209) -----

Youssefi has been identified as an intelligence agent and the company "G.T.C.,"²⁹ of which he was director, was a frontage for this kind of agents. (p. 6, Exhibit "Frontage Companies" to the "International Report") In this connection, another aspect that deserves mentioning is the contribution made by the British Parliamentary Group when it indicated that the agents of the Ministry of Intelligence and the organization responsible to organize terrorist operations abroad --"Al Quds" Force-- used the office of the Ministry of Trade in Buenos Aires, in a clear reference to "G.T.C.," as hiding spot in Argentina and that the "Al Quds" Force also used the office of the crusade for the

²⁹ Acronym for *Government Trade Corporation*, Iranian state company installed in Argentina from September 26, 1984 (p. 8113, Case No. 1627 and 37.530, "Embassy" Case)-----

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construction (Jihad e-Sazandegi) located at the same address as "G.T.C." (Translation added on pp. 1919/1982, Docket 204) -----

Furthermore, we cannot overlook this link between "G.T.C." and Jihad e-Sazandegi, which was evidenced by the activities of Hossein Parsa, who was also director of the abovementioned Iranian company in Buenos Aires. In April 1994, he rented an apartment located at Carlos Pellegrini 1089, 6th Floor, Apartment "C" in the City of Buenos Aires. The lease agreement was executed in the premises of the Iranian embassy in Buenos Aires and both Youssefi and Ahmad Reza Asghari were sureties.-----

Also, the apartment had a remarkable feature. The view to and from the outside was fully obstructed by a huge advertisement notice. Thus, from the outside, nobody could see what happened in the apartment. This feature must be linked to other factors, such as the verified telephone communications made from that place. Telephone line No. 328-0881 was installed there and was used by Rabbani on July 3 1994. (pp. 2.553/2.554, Case No. 1627) -----

On the other hand, repeated calls were made between that telephone line and a line registered to the Ministry of Reconstruction. (p. 654, Docket 204) From exchange of telephone calls, worthy of mention is a call made on July 17, 1994 at 11:08 pm and another made on July 18, 1994 at 04:44 am; this last call was made to another telephone line also registered to the Ministry of Reconstruction. (p. 654, Docket 204) This call made on a more than sensitive date and time if we take into account that the bombing against the AMIA premises occurred at 09.53 am that morning, was the only verified call during the stay of the Iranians in that apartment. -----

These five institutions (Vevak, Ershad, Ministry of Foreign Affairs, "Al Quds" Force and Jihad e-Sazandegi) operate in coordination. In a nutshell, intelligence services, embassies, religious and cultural centers and military forces in addition to fulfilling specific and legitimate duties, have been organized - with huge financial resources- to achieve the goal of exporting the revolution. What is particularly serious about this evidence is that, when required, the Iranian Islamic Government has resorted to the use of terrorism for the attainment of its goal to export the revolution. This is of utmost importance since it is honestly unthinkable to sustain that all these state agencies, the core of which is comprised by the foreign office and other Iranian ministries could have been involved in devising and implementing large terrorist operations without the endorsement of the Government of Iran. -----

Similarly, the European judges in charge of the investigation of crimes ordered by the Iranian government in their respective territories have also exposed the interaction of Iranian state agencies. Thus, Roland Chatelain -Swiss Judge in charge of the investigation for the murder of the Iranian dissident Kazem Radjavi- expressed: "There

is a clear coordination between the Quds Brigade led by Vahidi, the Ministry of Intelligence and Security led by Fallahiyan, Iranian foreign office and the ambassadors." He added that they carried out the following scheme: "The Quds brigade—in charge of Vahidi—, undertook terrorist operations, the embassy provided the logistic base and the Ministry of Intelligence distributed the information collected after reconnaissance missions." (pp. 11.868/11.869, Docket 263)-----

In line with this stance, also worthy of mention are the statements of the specialist in Islamic terrorism Kenneth Timmerman³⁰ who asserted: "...the first thing that we have to understand is that the Iranian government uses all tools available to it to achieve its goal. It would be a mistake to circumscribe the issue to the activities performed by the Ministry of Intelligence. He gives as an example the Bakthiar case in France, where the cells that supported the murderers were in the Ministry of Communication of Iran and not in the Ministry of Intelligence, thus indicating that they use all the government resources: Islamic centers, mosques, non-governmental agencies, the Iranian airline, taxi drivers, rug companies (...) they make use of embassies, consulates, passport officers, government, services, diplomatic pouch. Frequently, they use dormant agents who become part of the relevant community." (Testimony received on October 23, 2001, appearing on pp. 76/80, Docket 352)-----

On his part, Steve Emerson,³¹ in the testimony received on August 1, 1994 by the Foreign Affairs Commission of the House of Representatives of the United States of America, expressed: "Money, weapons, training, guidelines, directions, shelters and protection, passports, commercial and diplomatic cover, that is what Iran has provided to the network it has all over the world. It has done so directly through its embassies, exporting and importing companies, consular services and airlines. It has done so indirectly using carefully selected mosques, charitable funds and several Islamic centers." (pp. 2167/2186)-----

Valuable conclusions are drawn from the description of both the legitimate and the illegitimate activities simultaneously carried out by the organizations reporting to the Iranian state.-----

³⁰ He is an Investigative Reporter, Executive Director of the Foundation of Democracy in Iran, Advisor Member to the Jewish Institute for National Security Issues. He regularly contributes to the magazine *The American Spectator* and has written articles in *Times*, *Newsweek* and *The Wall Street Journal*.-----

³¹ Executive Director of 'El proyecto de investigación en Terrorismo,' that contains many files of information and intelligence on Islamic terrorist groups in the Middle East. Author of *Jihad incorporated: A guide to militant Islam in the US*, Prometheus, 2006; *The fall of Pan Am 103: Inside the Lockerbie Investigation*, Putnam Sons, 1990, among other books on terrorism. -----

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Indeed, the splitting and camouflage of illegal activities carried out by Iranian agents serving their government under the protection of legitimate activities have been a highly effective tool to successfully infiltrate foreign companies and even to obstruct any investigation against them. -----

An analysis on this specific issue reveals that not only are the infiltration processes identical but also the responses detected, since they are programmed and are an integral part of the strategy. Since a large portion of the intelligence station is concealed under the pillars of religion and cultural spread, discovery by authorities of the infiltrated country tends to point to these institutions and their leaders as submerged in illegal activities. The answer is obvious. Islam is attacked, its spread is curtailed, freedom of religion is attacked, and Muslims are discriminated and demoted. -----

These programmed and learnt reactions were mentioned by Manoucher Ganji, who expressed: *"that Iran continues perpetrating these terrorist acts owes to the fact that the West is looking the other way, it does not look at Iran. It fears the regime, which takes shelter on religion, but what it actually does has nothing to do with religion, with Islam. All that the West did was appeasing them with each terrorist attack (hijack of the TWA aircraft, Al Khobar Towers, other terrorist attacks in Beirut). The attitude has always been to appease. When asked why he thinks such attitude is taken, he answers the West fears because they acknowledged these acts as derived from Islam and they thought that it was a revenge against Islam when to all intends and purposes, Iran was giving a religious veil to a political issue."* (Testimony received on October 22, 2001, which appears on pp. 65/69, Docket 352)-----

But most importantly are the own words of the Iranian officers who do not hesitate in making use of religion to protect themselves when their crimes come to light. In fact, this type of answer was given, for example, at the meeting held on November 12, 2006 between the Argentine Business Attaché to Iran and the Director of Department II for America at the Iranian Foreign Office, Ambassador Eslamian, about the failure to reply the Letters Rogatory sent by our country to the Iranian judicial authorities in connection with the attack against the AMIA premises. The diplomatic report at that meeting indicated that Ambassador Eslamian said: *"First I convey the strongest protest for the illegal, immoral and illegitimate behavior of Judge Corral for having issued the arrest warrants against Iranians (...) We understand that the report prepared by the Judge shows an attitude to combat religion, which is dangerous for all the parties involved. A confrontation between religions does neither benefit us nor the Argentine government. You should not be part of that game."* (pp. 123.073/123.075)-----

Other examples of these reactions previously analyzed are the statements made by the speaker of the Ministry of Foreign Affairs, Hassan Qashqavi, in response to the

accusations made by the Argentine courts for the involvement of Iranian authorities in the attack against the AMIA premises; he asserted: "*Global Zionism and the Argentine officers may claim as they wish, but they cannot produce evidence at court that proves that Iran was involved in this case.*" (Isna, Teheran, June 9, 2009, pp. 11.782/11.783, Docket 263) -----

An identical response was given by the Iranian regime in light of the evidence of its involvement in the massacre of the leaders of the Kurdish Democratic Party at Mykonos restaurant in Berlin, as conclusively found by the German courts. Then, the speaker of the Iranian parliament, Ali Akbar Nateq Nouri said: "*We have repeatedly asked the German leaders if there was any evidence and if so, that they provide it to us. But up to now, they have not. The trial has a political hint.*" (p. 345, Docket 204) -----

Thus, when the authorities of the Islamic Republic of Iran have no valid arguments to challenge the conclusive evidence on which the accusation for their involvement in terrorist acts are based, they appeal to mere general excuses ("they are unable to submit evidence") also by introducing false allegations of religious persecution for the sole purpose of diverting attention. -----

Strong arguments at first sight appear to be worthy of consideration, since religious issues are particularly sensitive. However, due to the repetition of the same pretexts in light of dissimilar accusations they were no longer effective: the denial of Iran, the alleged lack of evidence and the religious pretext do not fool anyone. -----

By the way, in this Opinion, we do not discuss any religious issues whatsoever, but aspects related to terrorist actions. This Attorney General's Unit has always been aware of the significance of such distinction and we have expressly indicated that the conclusions drawn in the Opinions issued had nothing to do with Islamic faith or with those who profess Islam but they just indicated the criminal liability of specific individuals who, whatever the reason might be, were related to a radical and extremist view of Islam and were charged by criminal courts for their involvement in terrorist attacks. -----

We have already stated that we unconditionally adhere to freedom of religion as set forth in Sections 14 and 20 of our Federal Constitution and established by international treaties added to it by paragraph 22 of Section 75. It should also be clear that as already mentioned, the consideration of religion itself, as an expression of a person's spiritual attribute, is an extremely complex and sensitive issue and, in any case, it is entirely alien to the purpose of this Opinion. And finally, it should be clear, the absolute and categorical assurance of this Attorney General's Unit that Islam encourages and promotes peace and the peaceful coexistence among all individuals and is far from fostering hatred and cruelty. -----

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Unfortunately, as already indicated by this Attorney General's Office once and again, it does not prevent the existence of zealots and immoral individuals who, under the pretext of fulfilling the duties imposed by their faith, appeal to the precepts of religion to encourage extermination of other individuals. Then, religion becomes a mere excuse to conceal events that, if accurately considered, are purely and simply atrocious crimes. -----

Indeed, all this Iranian state machinery to serve the "policy for the export of the revolution" and the organization of intelligence stations in other countries, has been used, in the cases under analysis, to activate the so-called "Iranian terrorist matrix," the existence of which was described in detail in the Opinion issued in 2006. -----

In the Opinion issued in 2006, it was described as a mold, a pattern that gave the precise idea that the terrorist activity under analysis was not the result of an unpremeditated action of isolated groups, but instead, it was a task carefully coordinated by the Iranian government then in office. It comprises: centralized decision made by the authorities of the Iranian regime, use of its embassies and cultural representations as intelligence centers, use of its officers as agents to the service of such operations, development of a system of cells and links, existence of frontage companies, assistance to mosques to be used as sources for recruitment and safe transmission of sensitive information, use of a "safe house" for local logistics and a car-bomb in the execution, presence of an operative group and involvement of a self-sacrificing suicide bomber in the attack. -----

It was sustained and proved that the government of Iran then in office operated an intricate mechanism in the decision to execute an attack, which was a dynamic process at which the highest government agencies interacted; thus we underscore the seriousness in institutional terms resulting from the direct involvement of the leaders at the highest levels of the Iranian government in the decision to execute a terrorist attack -----

Furthermore, it was proved that the procedure started with the receipt and analysis of several intelligence reports regularly sent by different agents of Vevak to the offices of the Ministry. According to witness Abolghasem Mesbahi, the reports described the situation of the local Muslim community, its financial capacity and the degree of commitment with the Islamic revolution. (Testimony appearing on pp. 381/416, Docket 204) -----

The contents of the reports were carefully analyzed by the Iranian authorities. If they concluded that the territory under analysis had potential for the development and attainment of their goals, it was accepted as target and they approved starting global activities which included from spying and propaganda of the Islamic revolution to terrorist operations. (Testimony received to Mesbahi appearing on pp. 381/416, Docket 204) -----

When the Iranian activity was increased in a certain country, the first reports were extended and supplemented. These new reports were reviewed by an intelligence office that acted under the directions of the presidency. -----

In relation to the existence of this office and its connection with terrorist activities, the UK Parliamentary Human Rights Group expressed: "*The plan and execution of terrorist attacks is not, as suggested in certain cases, an activity carried out by Iranian groups separately; instead, it is an activity coordinated by the Intelligence Department operating in the presidential office of the Iranian Regime. This Department was created and directed by Rafsanjani when he was elected president (...) It resolves who is going to be the target of murder.*" (pp. 1919/1982, Docket 204) -----

Now then, the projects devised by this office and approved by the President of the Nation, were submitted to the consideration of the National Security Committee. Thus, some of the members of this Council used the official meetings to discuss and take decisions on issues that went beyond the power of the institution. When the committee was engaged in this illegal action, it was asserted that the decision had been taken by the Special Issues Committee (Omure Vijej). However, it was just a change of the name because the members were basically the same. The parallel committee based its existence on the fact that certain decisions (to carry out an attack) could not be taken officially. -----

The High Regional Court of Berlin in the "Mykonos" case arrived at the same conclusion. It described the Omure Vijej Committee as a body whose unique task was to commit terrorist acts. Specifically, it informed: "*Fallahijan submitted the result of its investigations to the Special Affairs Committee (Omure Vijej), which was exclusively authorized to resolve on major security issues that went beyond the power of the different areas and due to their significance, could not be dealt with by the official institution, the National Security Council.*" (p. 32 of the judgment added to Docket 204)-----

In turn, the UK Parliamentary Human Rights Group in its report submitted in June 1996 (pp. 1919/1982, Docket 204) and Manoucher Ganji (testimony dated October 22, 2001, p. 119, Docket 352) confirmed that the Iranian National Security Council is the agency that resolves the execution of an attack. -----

In a nutshell, the existence and operation of this agency were confirmed by several witnesses who had been directly or indirectly related to the Iranian regime. Indeed, either as part of the upper echelon of government (as is the case of former president – in times of Khomeini– Abolhassan Bani Sadr), or as holders of relevant offices in the leadership of the intelligence service (as is the case of witness Mesbahi), or as members of renown opposition organizations stationed abroad ("mujahidins" and "Flag of Freedom Organization"), it is true that all the testimonies, given in different times and by

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different individuals – and what is more interesting, from different political backgrounds, coincide in that at the time of the attack herein investigated, the Omure Vije Committee was in charge of taking decisions related to terrorist operations abroad. -----

To specify its members, we added the statements made by witness Mesbahi, who sustained that the committee was made up by the President of the Nation, the Minister of Foreign Affairs, the Minister of Information, the Head of the Iranian National Security Committee and the religious leader Khamenei. (Testimony received on April 22, 2000, appearing on pp. 381/416, Docket 204)-----

The Omure Vije Committee's decision to carry out an attack should be approved by the Spiritual Leader. It was his exclusive mandate. This authorization is known as *fatwa*, which, in these cases, is an actual secret order to murder individuals. In conclusion, it is an authorization given by the highest Iranian authority to perpetrate a terrorist attack or to physically eliminate elements opposed to the regime. -----

An example of a *fatwa* arises from the documents provided by Manoucher Ganji (pp. 97/99, Docket 352) The text reads as follows: *"In the name of God. The Prosecutor of the Islamic Revolution. Islamic Republic of Iran. Confidential direct, immediate. Important. Recipient: Ministry of Information and Security of the Islamic Republic (SAVAMA) Subject: Manouchehr Ganji, former minister. As regards this man who has lived abroad since the beginning of the Revolution – who acts and plots against the Islamic Republic and Islam, who encourages the Muslim family to be against Shiite religion, who tries to set public opinion against the Islamic Republic as regards the law of punishment and the rules written in the Word of Allah (the Koran), who encourages all the world in general to set against the Islamic Republic, the Government of Religion and Koran, against the privilege of clergy to sacrifice the society and its evolution and to combat corruption – we have requested the opinion of His Eminence, the Spiritual Guide of the Islamic Revolution, Khamenei and he has decreed: 'This man is an apostate and corrupt, he must be eliminated because he is the enemy of God and His Prophet, and of the ordinances and the Divine Decrees; he encourages subversion and corruption in the Islamic Nation; to protect Islam and the Muslims, this root of corruption must be cut as soon as possible to be an example for others (...) The president of the Republic (Rafsanjani) has been informed by Ayatollah Mohamed Yazdi about this mandatory decree and he has ordered that, through your ministry, the officers who are abroad must receive the information and the necessary instructions to execute this order of Punishment (...) Taking into account the significance of the individual a copy of this letter is referred to the Ministry of Foreign Affairs so that it assists in the execution of its contents and transmits the orders to its representatives in the relevant countries. Taking into account the significance of this individual, a copy of this letter is referred to the*

Ministry of the Revolutionary Guards (Information Office) so that they choose qualified and experienced personnel to execute this order, to provide aid, cooperate with the other ministries mentioned above, taking all the necessary precautions and to return immediate information about the actions taken. After the actions have been concluded, any letters and documents related to this individual must be destroyed." -----

Clearly, it arises from the above that the regime of the Islamic Republic has resorted to different state agencies, for that matter as many as have been needed, to effectively achieve its criminal goals.-----

Now, once the decision to perpetrate a terrorist attack has been taken and the *fatwa* has been issued, the next step is to plan the details of the operation. As an example, we mention what has been explained in the report made by the UK Parliamentary Human Rights Group: "*If the plan is assigned to the Qods Force, its Commander-in-Chief (...) schedules a meeting and decides who is going to attend (...) At the meeting, the details of the operation are devised and they are referred to the Intelligence Department (...) The head of the Intelligence Department then sends a letter to the Minister of Foreign Affairs describing the level of cooperation required from the Ministry, including the provision of passports and visas and the necessary budget (...) The Iranian Embassy is informed in the country of destination and the action groups contact certain individuals inside the Embassy, who are in charge of sending and receiving the messages.*" (pp. 1919/1982, Docket 204) This was none other but what really happened in the attack against the AMIA premises. -----

In a nutshell, it was proved how the idea, design, planning and execution of a terrorist operation were materialized by the government of Iran then in office. We also noted that under the control of the President of the Islamic Republic of Iran, there were agencies specifically intended to analyze intelligence reports and to devise terrorist projects, which should be personally approved by the President. -----

It has been equally confirmed that the Special Affairs Committee – of which the Spiritual Guide, the President of the Nation, the Minister of Foreign Affairs and the Minister of Information were members, was the agency that, as a final instance, approved a specific project and after the issue of the relevant *fatwa*, arranged its implementation.-----

Besides, it was confirmed that the implementation and perpetration of such an operation could have been in charge of the Ministry of Intelligence, the "Al Quds" Force and/or both agencies at the same time; also, on many occasions, the Lebanese Hezbollah was commissioned to perform the last stage of the terrorist plan, that is to say, its operative stage, as demonstrated in the AMIA case. After having described all the stages of the

terrorist operation decided by the Iranian regime, the key structures that contribute to the execution of the terrorist act are analyzed below. -----

CHAPTER THREE -----

Intelligence Bases of the Iranian Regime in Guyana and Argentina: Their Establishment in the Shelter of the "Policy to Export the Revolution" -----

a. Introduction -----

As mentioned in Chapter One, within the scope of the tasks to further the investigation and go through certain formalities aimed at the arrest of the fugitives in the case, we collected relevant information about the existence of a criminal investigation in charge of the US District Attorney for the Eastern District (Brooklyn) New York, United States of America. In that criminal case, five individuals -Abdul Kadir, Abdel Nur, Donald Nero, Kareem Ibrahim and Russell Defreitas- were being prosecuted for conspiracy to commit a terrorist attack against John F. Kennedy Airport in New York. -----

The truth is that during July 2010, due to the investigation tasks performed by this Attorney General's Unit, we collected several publications that provided information about the prosecution being heard in the City of New York. These first data underscored circumstances that were specifically material for this investigation: one of the accused for the terrorist conspiracy, Abdul Kadir had exchanged many communications with Mohsen Rabbani, one of the former Iranian officers against whom an arrest warrant under Interpol's red notice has been issued for his involvement in the attack against the AMIA premises; likewise, a series of documents seized by the police from Kadir's house revealed his link to the said Rabbani. -----

Thus, this Attorney General's Unit immediately contacted the judicial authorities having jurisdiction over the matter in the United States so as to start an exchange of information that included a Letter Rogatory issued by this Attorney General's Office to be provided all the evidence related to the individual and to the activities of Mohsen Rabbani. Certainly, the measure was intended to ascertain if Abdul Kadir and his environment could have been aware of the terrorist attack against the AMIA premises and the involvement of Mohsen Rabbani in it, particularly taking into account that from the first information received, contact between Kadir and Rabbani was made at the same time as the time on which the attack was carried out, that is to say, July 18, 1994. -----

Therefore, we first considered the possibility that Abdul Kadir and his environment could have been involved in the terrorist attack under investigation in these proceedings. Notwithstanding that initial evaluation, the hypothesis could not be evidenced from the elements obtained up to now, but, taking into account the corroborated relation between Kadir and Rabbani, we received a series of testimonies of individuals related to the case

and others close to Abdul Kadir, and later on, the testimony of those in charge of the investigation of the terrorist plot against the international airport. -----

The truth is that in addition to the testimonies obtained as a result of the international cooperation of the judicial authorities in the United States of America, we were also provided with copies of the abundant material seized by the security forces at the time of Abdul Kadir's arrest, as well as the documents seized from his home within the scope of that investigation. As it could be then confirmed by me when I received the testimony of FBI Agent, Robert Addonizio, in these proceedings, they have seized among other elements and documents, letters addressed to Mohsen Rabbani, newspaper articles that mentioned the "At-Tauhid" mosque, then ran by Rabbani, and a personal telephone book of Abdul Kadir, which contained data of the Iranian fugitive, among other elements of interest for this investigation. (pp. 991/994, Docket 419) -----

Now then, from the analysis of the context and the circumstances of time, place and manner in which the terrorist conspiracy was developed and which intended to bomb New York International Airport, we could identify a series of common patterns between the activities performed by Abdul Kadir in Guyana and those developed by Rabbani in Argentina. -----

Indeed, it was evidenced that an intelligence station had been established in the Caribbean Nation to serve the interests of Teheran, and its constituents correlated to the station the establishment and operation of which had been proved in Argentina and that – both here and in Guyana – they served to an act of international terrorism. -----

Sure enough, the commencement of intelligence activities at the dawn of the eighties by the regime's service agents, the abundant propaganda of the Islamic Revolution and ideological reproduction according to its radical view, indoctrination of followers under those principles, financing from the Iranian Government, dual use of mosques, cultural centers and diplomatic structures, were elements in common to those detected in Argentina by this Attorney General's Unit, the operation of which was largely confirmed in the Opinion dated October 25, 2006. -----

And despite the intricacy and the necessary simultaneous interaction of the varied constituent parts of the intelligence station, the amazing similitude in respect of the establishment and development of these structures in such different and distant countries, gave rise to deepening into the investigation and the analysis and review of the evidence collected in these proceedings, which allowed us to confirm that the attack against the AMIA premises, despite its specific motivation force, was not an isolated event at regional level. -----

Certainly, with the new evidence provided to the case, analyzed jointly with evidence already produced, we could determine that the intelligence bases in Argentina and

Guyana --which served as an essential support for the attack carried out in 1994 in Buenos Aires and the terrorist plot in 2007 to carry out a terrorist attack in New York -- followed the same path that indisputably was related to the Islamic Republic of Iran, the organization and development of which was extraordinarily similar and coincidental, modeled after the "policy for the export of the revolution" devised during the above referred Seminar on Ideal Islamic Government held in Teheran in 1982. -----

b. Activities performed by Mohsen Rabbani in the Republic of Argentina -----

Evidence gathered in the investigation into the attack against the AMIA premises, specifically detailed in the Opinion issued by this Attorney General's Unit dated October 25, 2006, allowed us to determine that the Iranian intelligence activities in our country, coordinated by Mohsen Rabbani from early in the eighties, essentially contributed to implementing the attack against the Jewish association in Argentina. -----

Specifically, we confirmed that the cleric, who was given diplomatic status as Cultural Attaché of the Embassy of the Islamic Republic of Iran in Argentina just four months before the terrorist attack -- played a crucial role in the organization of local logistics for the terrorist act executed on July 18, 1994. -----

The conclusion drawn by this Attorney General's Unit as regards the crucial role played by Mohsen Rabbani in the terrorist attack against the AMIA premises, resulted not only from the reconstruction of his actions immediately before the attack, but also from his prominence in the event, which could be explained after we became aware of Rabbani's backgrounds and education in the City of Qom, and from the review of different ideological indoctrination activities performed by him from the moment he arrived at our country in 1983 allegedly as a commercial representative; from the analysis of his rise as a renown religious personality within the local Muslim community -- which enabled him take control of the major Shiite religious centers in Argentina-; from the confirmation of his unrelenting activity to spread the most radical principles of the Islamic Revolution -- principles that were transmitted by him to his local disciples- and from the confirmation that all these activities were an effective frontage to conceal the organization of an Iranian intelligence station on Argentine soil, of which Mohsen Rabbani was one of the main artificers. -----

The fact remains that from the evidence produced in the case, we could confirm that Mohsen Rabbani was, first and foremost, a staunch defender of the principles adopted by the Islamic Revolution in their most radical sense. The spread of the "export of the revolution" dissertation, according to which Islam must project outward to the rest of the world, even by the use of violence, required the construction of a huge apparatus of propaganda to spread those precepts. -----

The primary means to achieve their goals were the mosques: the mosque of the city of Buenos Aires, the mosque of the city of Cañuelas and the mosque of the city of San Miguel de Tucumán, from which he could address believers either personally or through totally reliable people. Broadcasting radio programs, issuance of newspaper articles and organization of events related to him, made up the scheme of fundamentalist ideological reproduction installed in our country. -----

This brief review suggests that, despite the fact that Rabbani introduced himself in Argentina as a religious leader, behind that title he deployed his radical activities boosted by Teheran's Government, with the necessary power and willingness to answer to the requirements for the export of the revolution in terms of ideological and religious penetration and to install an intelligence base even contemplating violence as a viable alternative. -----

That was how, short after he came to the country, he started performing his political and religious duties, as required by the spread of the Iranian revolution. In fact, he was identified as the founder of the Argentine affiliate of the "Muslim Brotherhood" which was an organization engaged in the reproduction of the most radical aspects and he was surrounded by a series of organizations and political relations which, either religious or not, agreed on confronting the enemies of the "Islamic cause". -----

Furthermore, Mohsen Rabbani, being aware of the significance of the mass media as channels for massive spread, also introduced these radical concepts through regular articles and related radio broadcastings. In turn, the strategy for the ideological penetration designed through different propaganda activities, was strengthened by the settlement of the Iranian cleric in religious terms. -----

In this regard, we could confirm that there was a huge investment in the establishment of religious entities; commercial activities were carried out to provide funds to support the different aspects of their operation and even to put the abovementioned mass media into operation. -----

What happened in Argentina is the exact representation of how the Iranian agents, and in this specific case, Mohsen Rabbani, had taken advantage of both cultural and religious activities, such as worship, study and spread of Islam, to disclose their radical view, seek cooperation of adherents and establish intelligence structures that, if required, provided local support to violent actions. -----

All things considered, as repeatedly sustained, the ideological profile that put Rabbani as speaker in Argentina of the hardest line of the Iranian revolution that led the destinies of the Islamic country; the economic power evidenced through the years in which he stayed in our country; the control and dual use of the most important Shiite mosques in Argentina; the management of the means to disclose Islam culture directly or through his

disciples; the availability of a group of individuals loyal to the project, known as "antennas" and the support provided by Iranian diplomats in Argentina were the pillars that undoubtedly enabled the radical leader to build up an intelligence structure under the model predefined by the Islamic Republic of Iran, in case that the principles of the "export of the revolution" required extreme methods, which, was finally the case in our country. -----

Certainly, the structure established locally by Rabbani was decisive for the decision (in August 1993) to execute the terrorist attack against the AMIA premises, and after having decided to perpetrate the attack, it also played a key role because it had sufficient capacity to give support to Hezbollah, which materially executed the attack with a suicide bomber. -----

Each and any of the activities carried out by Rabbani in Argentina and the dual use by him of the available structures are specified below.-----

b.1 Backgrounds.-----

Mohsen Rabbani was born on December 23, 1952 in Torbat Heydarieh, Islamic Republic of Iran, as recorded in (ID) DNI 92.560.131, issued by the Argentine authorities – though his Passports contain other dates of birth – (pp. 2640, Docket Assets of Mohsen Rabbani to Case No. 1627), married to Taybeh "Zohre" Rabbani, with whom he had four children.-----

He studied at the School of Ayatollah Milani in Mashad, Iran, and before being admitted to the Ministry of Islamic Guidance, he took superior studies in the City of Qom, a Shiite center par excellence. (Report appearing on pp. 5205, Case No. 1627) The City of Qom houses, among others, the World Center for Islamic Sciences (pp. 48/58, Docket 272), the Imam Jomeini University (pp. 1303/1308 back, Docket 251), and also an educational center that reports to the "Al Quds" Force, whose ideological teachings to recruits from many countries are far from the traditional educational programs. (Mohaddessin, Mohammad. Islamic Fundamentalism: The New Global Threat, pp. 2143/2343, Docket 209)-----

Mohsen Rabbani's first destination outside his country of origin was the Republic of Argentina. He came on August 27, 1983, as a tourist, and he was granted permanent residency on July 24, 1984 after he made use of Amnesty Decree No. 780. (p. 5206, Case No. 1627) -----

Although several reports state that Rabbani came to our country as representative of the Iran's Meat Ministry, such activity was merely a frontage. In this connection, witness Abolghasem Mesbahi, who was thoroughly questioned by judges, prosecutors, aggrieved third parties and defenders and who according to the Federal Criminal Oral Court No.3, *...made clear, accurate and convincing statements since they had no fissures or*

contradiction...", asserted that in 1983, Rabbani was already member of Khomeini's Intelligence Bureau and that at the meeting held in the home of Rabbani's brother in law, he commented that he was travelling to Argentina to create support groups to "export the revolution," and develop the multiple "opportunities" provided by Argentina according to prior intelligence reports sent to Iran. (Testimony on pp. 3448/3461 back, Docket 204) The witness added that it was Mohammad Taskhiri, Head of Islamic Propaganda of Iran for the world, who selected Rabbani to come to Argentina. (Testimony appearing on p. 141, Docket 204) -----

In Buenos Aires, he was prayer leader at "At-Tauhíd" mosque; from there he could address to believers at will, and quickly became the leader of the local Shiite community. As it arises from the reports added to pp. 11.585/11.588 and 13.915/13.920 of Police Report, Letter S, No. 143, entitled: Commencement of Criminal Proceedings at Comisaría 15 for the *Sumario instruido en la Comisaría 15ª por averiguación de los delitos de explosión, homicidio, lesiones calificadas y daño* (Commencement of Criminal Proceedings at Police Headquarters No. 15 to investigate the crimes of blast, homicide, serious injuries and damages (section 186 paragraphs 4 and 5, sections 92 and 183 of the Criminal Code), due to the terrorist attack against the Embassy of Israel,³² by 1983 Rabbani had been identified as one of the individuals responsible for the establishment of the local affiliate of the "Muslim Brotherhood" association, a political and religious structure inspired on the work of Hassan Banna and the thoughts of Qotb, whose ideas proclaimed that the solution for Muslims' political problems was the establishment of an Islamic state that applied *hari'a*. (Keppel, Gilles. *La Yihad. Expansión y declive del Islam*, Barcelona, Ediciones Península, 2001)-----

The headquarters of this organization in Argentina were established at the "At-Tauhíd" mosque, and its core objective was to spread Islam in its Shiite version, to spread the Iranian theocratic revolution, and consequently, to recruit followers. (Ruling of the Federal Supreme Court dated December 23, 1999, Embassy Case) In this regard, it should be noted that this organization split with the Argentine Arab Association as a result of its identification with the pro-Iranian Shiite line of thought, which, as asserted, committed religious activities to political attitudes influenced by the Iranian embassy in our country. (pp. 10.037/10.038, Case No. 1627) -----

It could be noted from the arrival of Rabbani in Argentina that he did not exclusively performed religious duties, and let alone those related to meat slaughter, because he immediately focused on the actual goals for which he had been sent: "to export the revolution" and under the protection of those duties, to develop an intelligence station. ---

³² Hereinafter referred to as the "Embassy Case."-----

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Within that scope, worthy of explanation are the different acts done by the Muslim Brotherhood, to wit: a) the conference held at "Casa Suiza," on July 13, 1989, to commemorate forty days since the death of Imam Ayatollah Ruhollah Khomeini; b) the ceremony held on April 19, 1990 at "El Molino" showing support to Palestine's day on which occasion there was public pressure to remove the book Satanic Verses written by Salman Rushdie from sale; c) the ceremony held on June 5, 1990 to commemorate the first anniversary of Khomeini's death; d) the meeting also held at "El Molino" on April 11, 1991, where the audience called for the obliteration of the State of Israel, and finally, e) the Conference on Islam and the pilgrimage to Mecca, held on June 28, 1991. (Report on pp. 5203/5245, case No. 1627 and pp. 13.915/13.920, Embassy Case) -----

By then, Mohsen Rabbani had already introduced those close to him into the ranks of the Muslim Brotherhood. At the same time, he got the support of several public players, such as the Alawite Islamic Union, a religious entity; the Liberation Patriot Movement, with a clear position hostile to the United States of America and Israel, the purpose of which was primarily to attract elements for their conversion; the Embassy of Libya and the Homeless Union, ideologically identified with Falangism, the individual responsible for it, Emilio Javier Iglesias Pérez, was chauffeur to the Ambassador of the Islamic Republic of Iran in 1991, Hadi Soleimanpour. (pp. 13.915/13.920, Embassy Case and pp. 5.203/5.245, Case No. 1627) -----

This association with different political groups joined by certain common ideological affinity, made it possible that Rabbani used the traditional activities of the Muslim Brotherhood for his own purposes; thus they bore his personal imprint reflected in the permanent rhetoric attack against the survival of the State of Israel and its main ally, the United States of America. -----

Simultaneously, Rabbani furthered and reproduced the fundamentalist principles of the Iranian regime through newspaper articles, radio broadcastings and mainly through his speeches and by the activities performed around the mosques of Floresta, Cañuelas and San Miguel de Tucumán, where he recruited those who adhered to his principles. -----

As a matter of fact, numerous testimonies have accounted for the strong political contents of Rabbani's speeches, all of which evidenced a blatant radical position, to the detriment of the religious aspect. -----

The testimonies of several witnesses are sufficient to illustrate the foregoing. Kian Ghorbani sustained that Rabbani conducted religious ceremonies in the mosque of San Nicolás and in his speeches he favored the Islamic Revolution of Iran, thus bringing together religious and political aspects. (pp. 3951/3957, Case No. 1627) -----

Also on this subject, witness Eduardo Ricardo Lescano (employee of the Iranian Cultural Attaché Office between 1990 and 1991) asserted that Rabbani was an individual who

many times step aside from his religious duty taking much more attention to the financial and political aspects and asserting that his religious activity was a mask. According to the witness, he defended the revolution and spoke openly against Zionism. (pp. 3945/3950, Case No. 1627)-----

On his part, witness Nasser Rashmany sustained: "...although Rabbani is a religious leader, his activity is far away from that performed by a religious leader. Just hearing the speeches delivered by Rabbani in Argentina in different ceremonies, we could appreciate the political undertone, to the point that he gave his opinion about the conflict in the Middle East and insinuated that we should support Hezbollah." (pp. 1006/1015, Docket 71) -----

In turn, witness Mehdi Bizari asserted that the cleric was a fervent defender of the revolution and that his speech was the official speech delivered by all officials. (pp. 2202/2209 back, Case No. 1627) -----

And finally, Khosrow Iamarian asserted that Rabbani was gradually achieving more power inside the Iranian community of the country and his speeches had more political than religious contents, and he expressed his radical ideas. Specifically, the witness asserted: "...Rabbani's idea was that the revolution established to be hostile to those whose thoughts were against the revolution. He added that the opposition to which Rabbani adhered was violent, and he accused the United States and the Jews as enemies (...) and those who did not share their thoughts should be attacked or expelled." -----

Then, he was convincing when he sustained: "... at many ceremonies he heard Rabbani affirm the abovementioned concepts and that he also preached or encouraged people to "export" the revolution. When he mentioned the export of the revolution, he was referring to the export of terrorism." (pp. 2210/2222, Case No. 1627)-----

Finally, he sustained that three foreign students who came to the mosque under Rabbani's supervision told him: "on several occasions, Rabbani had told them that they should export the revolution and said to them "we are all Hezbollah" (sic). The witness says that these phrases were told by Rabbani to the three students as part of their indoctrination within the scope of those studies. He added that all the students who went to the mosque were submitted by Rabbani to that indoctrination. Rabbani used the phrase "we are all Hezbollah" so that students could understand the violent meaning given by him to the export of the revolution." (pp. 2210/2222, Case No. 1627)-----

On the other hand, Francisco José Corrado added that Mohsen Rabbani "was the highest representative of Shiite Muslims in South America" (pp. 1510/1512, Docket 129), a testimony that was confirmed by the statement made by Robert Addonizio who assured, after having analyzed the documents seized in the prosecuting against Abdul Kadir, "It

can be concluded that Rabbani was the coordinator for South America as far as the Shiite movement is concerned." (pp. 991/994, Docket 419) -----

To sum up, abundant testimony has evidenced that the individual selected by the Islamic Republic of Iran to "export the revolution" in Argentina and to project onwards from Argentina to the rest of South America, was an individual who strongly endorsed the principles of Iranian theocracy. He discredited those who opposed to the doctrines boosted by the Islamic Republic; he defended terrorist organizations like Hezbollah, and encouraged his followers to adhere to his radical stance. -----

The Iranian leaders were well aware of the thoughts and character of Mohsen Rabbani. They have formed him. Also after having confirmed his personal commitment to the revolutionary ideals they entrusted him with the delicate task of installing an intelligence station in Argentina, under the premises of the "export of the revolution." -----

His charisma, his power of speech, his organizational capacity, the monetary funds available to him and the contribution of various Iranian state agencies – such as the Embassy, the Cultural Attaché Office, G.T.C., IRNA, Ershad, among others–, as well as the diplomatic immunity enjoyed by him as a result of his appointment as Cultural Attaché to the Embassy of the Islamic Republic of Iran in Argentina on March 3, 1994 – with the clear purpose of protecting him from the Argentine courts – were elements or circumstances that made it easier for Mohsen Rabbani to establish an intelligence station on Argentine soil; this intelligence station served as key support to Hezbollah's operative group, which, under the instructions given by the government of Iran then in office, executed the terrorist attack against the AMIA premises. -----

b.2 The creation of an Intelligence Station in Argentina -----

2. a Dual Use of Mosques -----

As already sustained and confirmed, by the end of 1983, Mohsen Rabbani settled in the neighborhood of Floresta and started running the "At-Tauhid" mosque, which operated at San Nicolas 674, City of Buenos Aires. The property where the mosque was established was registered as a real property owned by the Islamic Republic of Iran in 1984. (Report of the Argentine Real Estate Registry, pp. 3.831/3.893, Case No. 1627) ----

Several testimonies mention how Rabbani influenced on the management of the mosque from the very beginning of his settlement in our country. In this connection, Hassin Salomon (pp. 4874/4878 back, Case No. 1627), Habibollah Assefi (pp. 3908/3914 back, Case No. 1627) and Mohamad Hassan Hamze (pp. 476/480, Docket 147), made assertions and coincided in pointing him as the leader of the mosque as early as 1983. ----

As a matter of fact, Hassin Salomon said that he became acquainted with Mohsen Rabbani and his family at the "At-Tauhid" mosque in 1982 or 1983, where Rabbani was sheik. He underlined that in his speeches Rabbani prayed for those who had died in the

conflict in the Middle East or for the eternal rest of Ayatollah Khomeini, of whom he was a fervent admirer. (pp. 4874/4878 back, Case No. 1627) -----

At the "At-Tauhid" mosque, Islam and Koran classes were offered to men, women and children, as well as Arabic classes and access to related bibliography. Moreover, from there, the different activities offered by the mosques located at Tucuman and Cañuelas were coordinated. At the "At-Tauhid" mosque, they selected the students who intended to take lessons on Islamic studies and could continue indoctrination in Qom, Iran, and they were given accommodation if necessary. (Testimonies of Ricardo Horacio Elia on pp. 884/895, Docket 313, Ricardo Amado Sierne on pp. 4675/4678, Case No. 1627, Mohammad Javadi-nia on pp. 2253/2260, Case No. 1627 and Carlos Hernán Palazzo on pp. 900/907, Docket 313, among others) -----

Funding of the activities developed in the mosque of San Nicolas was provided by the Iranian state. (Testimonies of Ricardo Horacio Elia on pp. 884/895, Docket 313 and Viviana Paula Maruffo on pp. 13.708/13.713, Case No. 1627) Therefore, it is reasonable to assume that the ideals of the regimen were spread and the Islamic expansion was promoted at the mosque. -----

The second mosque influenced by Mohsen Rabbani was the mosque located at the city of Cañuelas, in the Province of Buenos Aires. After having identified an abundant Muslim population in the region, (report on pp. 860/867, Docket 251), Rabbani contacted the community leaders, Alfredo Miguel Barcia and José Antonio Cortéz, who gathered in the "Argentine Islamic Society" and he offered them to purchase a real property where they could transfer the premises of their organization and establish a mosque. There was only one condition precedent; that the Shiite members of Islam should be allowed to attend the mosque without any impediment. (Testimonies on pp. 633/641 back and 657/660 back, Docket 251) -----

That was how the "Al Iman" mosque was installed in the intersection of Rivadavia and Florida Streets in the City of Cañuelas. After some time of pacific coexistence, Barcia expressed that problems with Rabbani have arisen when Rabbani tried to impose his own religious leader in the mosque to the detriment of the former leader, José "Ali" Cortez, who was Sunni. Cortez was overturned by Rabbani and he appointed Roberto Rubén Medina, whose Islamic name was "Abdallah Madani," who finally imposed the Shiite religion. -----

It is worth emphasizing how, from the decisive interference of Mohsen Rabbani, the activities performed at the Cañuelas mosque started to distort and reflected those distinctive features inherent to the dual use of institutions by the Iranian government. An indisputable example of this is the testimony of Barcia who said: "... before the attack carried out in 1994 -he does not remember the date- a person was accommodated in the

mosque, who, according to the comments of Madani himself, was a former combatant of Hezbollah who needed some rest because he had a nervous disorder ..." (Testimony on pp. 633/641 back, Docket 251) The foregoing was confirmed by Luis Ricardo Arévalo who remembered: "...on an occasion, before the attack against the AMIA in 1994, at the Al Iman mosque located at Cañuelas, a person coming from Lebanon was accommodated for two or three days (...) During his stay in Cañuelas, he remembers that he went with the Lebanese and MADANI to spend the day at BARCIA's country house." (pp. 1301/1302, Docket 251) -----

Finally, worthy of mention is "El Mártir" mosque established by Rabbani at Crisóstomo Álvarez 840 in the city of San Miguel de Tucumán. This religious center gained importance because it was a key element for the completion of the scheme devised by Rabbani: this mosque was intended for training Muslim students mainly coming from several Latin American countries. Once again, this evidences how Rabbani was regarded at regional level. (pp. 11.863/11.864, Docket 263, report on pp. 5203/5245, Case No. 1627, testimony of César Gabriel Duarte on pp. 3680/3688 back, Case No. 1627) -----

Thus, it is not casual that Rabbani trusted the control of such mosque to Sheik Ernesto Benjamín Aid, whose Islamic name was "Mahmud Aid," an Argentinean converted to Islam and educated at the schools of Qom, Iran. (Certificate of studies appearing on pp. 542, Docket 399) The evidence that Aid shared the ideas of his mentor arise from the statements made by him in the newspaper La Gaceta de Tucumán, kept in the Attorney General's Unit Clerk Office, of the issue dated July 26, 1994. He asserted that the only solution for peace in the Arab-Israeli conflict was the "*physical disappearance of the State of Israel.*" -----

Also worthy of mention again is the fact that Shiite mosques in Argentina were settled in places where there was an abundant Muslim community. These centers intended to gather followers and to spread the Islamic culture were used to recruit certain individuals and make them elements serving to the goals of Iranian intelligence. -----

This deviation of the traditional activities carried out in mosques was confirmed in our country since the fundamentalist elements -- headed by Rabbani -- greatly exceeded their religious functions, using the facilities as an efficient tool to recruit followers. -----

b.2.b Recruitment of Followers -----

As it arises from the description made in the foregoing paragraphs, the structure and development of the three mosques controlled by Rabbani --one in the Northern region of the country, another in the most populated province of Argentina and the third one in the Capital City of Buenos Aires--, the control by their leaders and the political and religious ranks under which they were established, utterly demonstrate the influence of the Iranian

cleric over the three religious centers which, by the end of the eighties already had capabilities to automatically reproduce the principles of the Islamic Revolution. -----

Thus, in addition to spreading the principles of Teheran's regime and promoting the spread of the Islamic revolution in Argentina, even through violence, Mohsen Rabbani also underlined the need to recruit followers for the execution of such purposes. -----

This assertion is reinforced from the analysis of various testimonies which permitted to indentify these Islamic centers, not only as places for training and spreading of Islam, but also as headquarters for recruitment of followers to the radical ideas of the regime and as an accurate seat for the basic levels of Iranian intelligence. The truth is that the Iranian agents took advantage of an activity as is religious practice to spread their radical view and to obtain cooperation of those who adhered to them. -----

Witness Mesbahi -co-founder of the intelligence services of the Islamic Republic of Iran- confirmed that inosques were part of the pillars for the base established to gather information. He alleged that when contacts with the Iranian community abroad started, the potential followers quickly relied on those sent if they were known in the religious scenario. He also identified the "At-Tauhid" mosque as the most important place that met those requirements. (Testimony received by the Federal Criminal Oral Court No. 3, on November 5, 2003, appearing on pp. 4105/4137, Docket 204)-----

Khosrow Iamania illustrated the statement made by Mesbahi and underlined the indoctrination given by Rabbani to Islamic science students accommodated in the mosque. Likewise, he stressed the ideas of violence infused in his students. For this reason, he admitted that he had many conversations with three of the students *"to rescue them" which he could not accomplish, "since they were greatly influenced and controlled by Rabbani who submitted them to a very strict regime."* (pp. 2170/2177, 2210/2222, 2263/2268 back, Case No. 1627)-----

Furthermore, beyond these reasons, the students' manipulation was brought to light by Mesbahi when he explained that they were put in a situation of financial dependence to encroach their intellectual independence. (pp. 3448/3461 back, Docket 204)-----

In this regard, witness Eduardo Lescano illustrated how it was implemented: *"each student who attended the mosque was allocated for his studies the sum of one thousand pesos on a monthly basis and Rabbani only gave them one hundred pesos and kept the balance. This also reveals how Rabbani played a role in the distribution of money."* (pp. 3945/3950, Case No. 1627)-----

Recruitment of followers evidenced by the abovementioned testimonies was confirmed by an intelligence report which explained that Mohsen Rabbani took part in the recruitment of young Shiites who were sent to religious centers in Iran, where in addition

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to being instructed in religious issues, they received paramilitary training and political indoctrination by Pasdaran. (pp. 5210, Case No. 1627) -----

Conversely, individuals who were induced to become radical but did not concur with it were separated. This was specifically the case of Eduardo Lescano, who expressed that *"...he no longer attended the AT TAHUID mosque from 1990 or 1991, because of the ideological differences with the members (...) at that time he was denied entry to the mosque, which denial still remains."* (Testimony received on October 1, 1998) Then he added: *"...the attendee who has deep differences as regards the interpretation of the Koran by the Shiites, who through the Koran justify the use of violence as a religious cause (...) and that the concept or use of martyrdom is totally alien to the true Muslim religion."* (pp. 3945/3950, Case No. 1627) -----

Although it may seem a repetition, again we make it clear that the expressions contained in this document do not question Islam, which certainly is not related to this Opinion and to the tasks performed by this Attorney General's Unit. Any references made are strictly necessary to explain how Mohsen Rabbani used the religious coverage as a means to recruit followers for his radical postulates. -----

b.2.c Propaganda Apparatus -----

To perform this task of recruiting followers, Rabbani took advantage of the power of the media as channels for massive spread and he reproduced his core concepts through regular publications and radio broadcastings. -----

On this issue, worthy of mention is the direct relationship between Rabbani and the radio station "Armonía," which transmitted in amplitude modulation signal 1600. Between 1993 and 1995, the radio program "La Quiblah" was transmitted on Saturdays from 1pm to 3pm; it was presented by Gabriel "Mohsen" Ali while Santiago "Abdul Karim" Paz Bullrich, Ricardo "Shamssudine" Elía and Gustavo "Ghaleb" Moussa were involved in the production. (pp. 331/332, Docket 391 and pp. 2/5, 187/190 and 192, Docket 391) -----

The program addressed the Arab-Islamic issue in the world and specifically in Argentina. The leading theme was clearly adverse to the United States and Zionism, considered as the greatest terrorists in the world. (Testimony of Eduardo Lescano on pp. 3945/3950, Case No. 1627 and report on pp. 187/190, Docket 391) -----

This was evident in a report transmitted on August 16, 1997, between the broadcaster Mohsen Ali and Claudia Assad:³³ -----

Broadcaster Mohsen Ali: *"Tell us a little, if you can, how Lebanon is, how.... the Lebanese people, the Islamic resistance are and tell us all about that"* -----

³³ Disciple of Rabbani, married to Zouhair Mohammad Hassan Saleh, sister-in-law of sheik Abdul Karim Paz, she lived in Lebanon and worked in the Bekaa Valley in a camp run by Hezbollah (pp. 14/16, Docket 199)-----

Claudia Assad: "Well you see, ... Lebanon, broadly speaking, we no longer have a civil war, thanks God Compared to what happened before? -----

Compared to what I had to live in the eighties, sort of. Thank God that is already overcome, and as regards the resistance, thank God, thank God, in the South we pray to God to keep them, we say, to strengthen their steps, because it has great influence on the people, let's say, with them, isn't it true? "-----

MA: "Of course, because we explain, if you allow me, we explain the audience that we are talking about Hezbollah, which here has reputation of a "cuco"(monster)..."-----

CA: "No, no, no...."-----

MA: "Or about the people who are terrorists, however they are truly patriots supported by all the Lebanese people...."-----

CA: "Of course, of course".-----

MA: "Whether they are Muslims or not, people support them."-----

CA: "Of course they do, besides... that is, you can see in any of the streets where let's say, funds are raised to preserve this movement, people respond, let's say, by far, and I can assure you that it is our pride, that is, the Islamic resistance is our pride, really. Because precisely they are the ones who are giving their lives, their blood, their being... that is, the most onerous thing they have so that, let's say, today you and I can be here talking, for example."-----

MA: "Yes, it is true." (Translation of the report on pp. 12/13, Docket 391)-----

Despite the patriotism attributed to Hezbollah in the interview, the truth is that as reflected by several rulings rendered by Argentine courts, the terrorist organization Hezbollah was liable for the execution of two terrorist attacks in our country. The attack against the Embassy of Israel in Buenos Aires on March 17, 1992 and the attack against the AMLA building on July 18, 1994. -----

Besides, in connection with the interviewed, Claudia Assad, Eduardo Lescano expressed: "Claudia took part as speaker in the political events organized and carried out by RABBANI. He remembers that her speeches were too eloquent, and that they made reference to the revolution and they referred to Zionism. He says that the tenor of Claudia's speeches was so strong that when she spoke she did so like a man and with an utterly fanatic point of view, fanatics that was also evidenced in RABBANI and SAMSUDINE ELLA." (pp. 3945/3950, Case No. 1627) -----

With the financial support that the Islamic Republic of Iran provided to Rabbani, he purchased a real property at Madero 1308 in Ciudadela, where he established a new radio station under the name "Radio Imán," which was given modulated frequency 90.7, and the above mentioned Gabriel "Mohsen" Ali was the broadcaster (pp. 2/5, 187/190, 192, 331/332 back, Docket 391), who was deeply influenced by the cleric's ideas. -----

The foregoing was also asserted by Sandra Elizabeth Stambul, cousin of Ali's wife, who said: "*...Rabbani has greatly influenced Ali's thoughts*" (pp. 175/176, Docket 391), which is another example that the Iranian intelligence leader's disciples shared his ideology. -----

As regards newspaper articles, worthy of mention is the newspaper "El Muecín," engaged in the spread of Islamic culture and civilization in Spanish language. Among its directors were Héctor Horacio Manzolillo, whose Islamic name was "Abu Dharr" and Santiago "Abdul Karim" Paz Bullrich. Also worthy of mention is the quarterly "El Mensaje del Islam" engaged in Islamic thought and Latin American culture, of which Rabbani was editor and owner, and the monthly bulletin "Al Iman," edited by the Sociedad Islámica Argentina (Islamic Argentine Society) of Cañuelas. -----

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The content of these publications was also reflected by the statements made by Francisco José Corrado, who said: "*...in publications where Mohsen Rabbani appeared as responsible editor, and which were related to the activities of the mosque, he could notice that the content of these magazines had a political pattern, reflecting the ideological line that vindicated the Iranian Islamic revolution, and also speaking out against Imperialism and Israel.*" (pp. 1510/1513, Docket 129)-----

Even today, Mohsen Rabbani, against whom a national and international arrest warrant has been issued for his involvement in the attack against the AMIA under Interpol's red notice - which means the highest search priority-, continues editing graphic material in his shelter in the city Qom, Iran, under the protection of the Iranian regime which he served and continues serving. -----

The reference is specifically to "Az-Zaqalain" and "Kauzar" magazines, of which Rabbani is editor and which are disclosed by the World Assembly of Al- uhl- Bayt, based in the City of Qom. Az-Zaqalain magazine has been published since 1995 and is a regular publication on Islam doctrine and thought, while "Kauzar" is a quarterly gazette that has been published since 1993, and the current director is Zohre Rabbani, Mohsen Rabbani's wife. That is, the particular view of the man who made it possible - from the establishment of an intelligence station in Argentina - the murder of 85 people, continues being spread at present. -----

The foregoing by no means implies criticism to diversity of ideas appearing in the media, but it sought to illustrate a perfectly objective circumstance, such as, that Mohsen Rabbani -accused for his core involvement in the AMIA crime, who is searched under red notice by INTERPOL- edits publications where he expounds his particular views; thus, he is currently duplicating a situation as when he was preparing the attack in Argentina. At that time, it was an effective instrument to recruit followers to his fundamentalist cause, who were then educated in his extreme views. Well, this extreme

view, still coordinated from abroad by Rabbani, continues being delivered in South America nowadays. -----

b.2.d Settlement and Economic Development -----

The spread of ideology through a propaganda apparatus deployed by Rabbani required financial support. This was not disregarded by the Iranian government. As certified by Rabbani's accounting transactions, real property acquisitions and by the testimonies received in the investigation, between the end of the eighties and mid nineties, the Islamic Republic provided the man in charge of the "export of the revolution" in South America with the necessary funds to make large-scale investments in the establishment and maintenance of religious entities, in mass media required for his strategy and in commercial activities which, in turn, enabled the generation of new resources to support the various structures on which the Iranian base was settled. -----

Thus, on December 14, 1988, Mohsen Rabbani purchased two adjoining pieces of land in the intersection of Rivadavia and Florida Streets in Cañuelas, Province of Buenos Aires (copy of the bill of sale and Title Deed on 653/654 back and 784/791, Docket 251) and installed the "Al Iman" mosque. As regards the funds for the expenses incurred in the mosque, Ricardo Luis Arévalo indicated that *"...they were paid by the Embassy of Iran in Buenos Aires. That MADANI directly received the money from the Embassy..."* (pp. 1303/1308, Docket 251 and 905/908 back, Ancillary Proceedings for Civil Action) --

The following year, more precisely, on September 9, 1989, he purchased a piece of land located in the corner of Gaona and Terrada in the City of Buenos Aires, a 1500 square meters plot to be allocated to commercial premises, (pp. 1009/1012, Docket Assets of Mohsen Rabbani, Case No. 1627) so as to generate new and renewable sources for financing the maintenance of the structure that was being assembled. -----

In 1996, by the end of May, he purchased another real property, this time in the city of Ciudadela (pp. 167/170, 175/176 back and 277/283, Docket 391 and report on pp. 224/230, Docket 209) where the radio station "Al Iman" started operating. -----

Besides, it is evidenced in these proceedings the purchase of a second building at Cordoba 309 in the City of Cañuelas, intended to the construction of a kindergarten, a construction that was never carried out. (Reports appearing on pp. 845/846, 852/854 and 857/858 and testimonies of Román Ariel Barcia on pp. 1121/1123 and Roberto Rubén Medina on pp. 1303/1308, Docket 251) -----

It is worth adding that on October 23, 2008, at the request of this Attorney General's Unit, a preliminary attachment was levied upon the property of Mohsen Rabbani (pp. 73/77, Ancillary Proceedings for Civil Action, amended on December 23, 2008, pp. 63/66, Ancillary Proceedings for Preliminary Attachment) This precautionary remedy was effective on December 15, 2008, over the property located at Gaona 3387/95, corner

of Terrada 1111/35 in this Capital City of Buenos Aires (p. 275, Ancillary Proceedings for Civil Action) and February 12, 2009, over the properties located at the corner of Córdoba and 1° de mayo, City of Cañuelas and Francisco Madero 1308, Ciudadela, all of them owned by Rabbani. (pp. 689, Ancillary Proceedings for Civil Action) -----

It should be noted that the influence of the Iranian cleric within the Argentine Muslim community has not decreased at present. To confirm the foregoing worthy of mention is the fact that sheik Gabriel "Mohsen" Ali lives in the property located at Madero 1308, Ciudadela, owned by Mohsen Rabbani, and highest leader of Cañuelas mosque; as regards the house located at the intersection of Córdoba and 1° de Mayo street, in Cañuelas, also owned by Mohsen Rabbani, Sheik Abdallah Madani expressed to this Attorney General's Unit that his sister-in-law, María Alejandra Chale lives there. (Ancillary Proceedings for Civil Action, pp. 905/908 back and 847/848) Likewise, the profit from the rent of the property located at the city of Buenos Aires is allocated to the payment of taxes and repairs of the "At-Tauhíd" mosque and to pay medical assistance of the members of the Shiite community. (Testimony of the manager of these funds, Carlos Omar Assad, pp. 795/798 back and testimony of Roberto Rubén Medina appearing on pp. 905/908 back, all of which are part of Ancillary Proceedings for Civil Action) -----

Moreover, it should be noted that the Cultural Attaché Office in Argentina, headed by Rabbani received funds from the Ministry of Culture and Islamic Guidance on an annual basis. (Testimony of Ricardo Horacio Elía on pp. 884/895, Docket 313) José Antonio Cortez added: *"...it was Rabbani himself who paid for the expenses incurred in the company with funds sent to him from Iran."* (pp. 657/660, Docket 251) Finally, Viviana Maruffo, clerk of the Iranian Embassy in Argentina remarked that the funds to support the activities carried out by Rabbani in Argentina directly came from Iran, and she testified: *"As regards the expenses incurred by the mosque, they were supported by the Embassy which is known to her because she made checks to the order of RABBANI on several occasions."* (pp. 13.708/13.713, Case No. 1627) -----

To the foregoing, we should add the statements referred by Bank Boston –currently merged into Standard Bank– in the sense that the transfers wired to Rabbani's accounts, identified under lot No. 9183, corresponded to wires from abroad ordered by Bank Melli of Iran. (Bank Boston statement on 3001/3003 and pp. 3133/3141 with their relevant translation on pp. 3250/3253, Docket Assets of Mohsen Rabbani, Case No. 1627) -----

To corroborate the foreign source of the funds available to Rabbani, the Tax and Customs Intelligence Department reporting to Tax Authorities of Argentina informed that it could not establish that Rabbani had obtained Argentine sourced funds. (pp. 5494/5499, Case No. 1627) -----

Along these lines of thinking, it should be reminded that as expressed in the Opinion dated October 25, 2006, in which the bank accounts of Mohsen Rabbani were carefully analyzed, during 1992 he had income totaling USD 58,700. The next year, i.e. 1993, deposits increased up to the sum of USD 126,583, while withdrawals remained at a similar level compared to the previous year, and recorded withdrawals amounting to USD 56,500. In 1994 and only up to the day of the attack, July 18, that is, in six months and a half, Rabbani received deposits amounting to USD 166,312 and withdrew USD 186,800.-----

Obviously, as sustained by the judge hearing in these proceedings in his ruling dated November 9, 2006, Mohsen Rabbani managed financial resources of the Iranian state and specifically allocated them to activities for the spread of the regime's radical views, radio broadcastings, newspaper circulation, tasks developed in the "At-Tauhid" mosque and, sneakily, for the establishment of the intelligence station that would provide support for the attack.-----

The truth is that the management of substantial financial resources consolidates the idea herein put about the major political and religious power developed by Rabbani. Beyond establishing himself as sheik of the "At-Tauhid" mosque, he clearly became the highest responsible for the spread of the Iranian regime's fundamentalist view in our country, with the intent to recruit followers as a result of his religious influence on one hand and his financial power on the other. -----

b.3 The Involvement of Mohsen Rabbani in the Terrorist Attack against the AMIA Premises-----

Religious teachings, cultural spread, diplomatic support, commercial relations, economic power and ideological influence were the tools organized, manipulated and directed by Mohsen Rabbani to create an intelligence structure suitable to collect useful and necessary information should the export of the revolution policy require the use of violent methods. Specifically, he used it to obtain information about his own fellow citizens, other Islamic movements settled in the country, and mainly on potential targets – Jews and Americans – to carry out terrorist acts like the one under investigation in these proceedings. (Testimony of Mesbahi on pp. 3448/3461 back, Docket 204)-----

On the whole, what has been explained in the Opinion issued in 2006, the said "intelligence station" in Argentina was made up by agents of the Embassy and the Cultural Attaché Office of Iran in Buenos Aires, by the Frontage Companies "G.T.C." and "Imanco" and by extremist and radical members of the local Muslim community who usually attended Shiite mosques. -----

As an example of the former, witness Nasser Rashmany informed about the existence of a group of individuals reporting to Rabbani who were called "*antennas*" and were in

charge of obtaining information about Iranian dissidents in the country. (pp. 1006/1015, Docket 71)-----

As regards the activities performed by Rabbani, witness Abolghasem Mesbahi asserted: *"Argentina was a place about which we were enthusiastic for the deployment of Iran's intelligence activities as long as Mohsen Rabbani started delivering reports about the good opportunities in Argentina."* (Testimony received by Federal Criminal Oral Court No. 3, on pp. 4105/4137, Docket 204) The witness added that Rabbani had been settled in our country with the mission to seek for opportunities to spread the Islamic revolution and the Iranian intelligence activities in Argentine territory, and within that scope, he targeted many Jews and Americans and then he referred his reports to Iran; these reports contained information as to the "geographic area," about "how to get close to the target," and had allegedly included maps, photographs, video and a schedule of activities performed by each of the targets. (Testimony on pp. 3448/3461 back, Docket 204 and Testimony received by Federal Criminal Oral Court No. 3N° 3, on pp. 4105/4137, Docket 204) -----

The point is that the decision to attack a target was preceded by an assessment of several intelligence reports prepared by different agents of Vevak stationed abroad. This was mentioned by Mesbahi who said that in this type of reports the data transmitted include, without limitation *"the situation of the local Muslim community, if the members of the community have money and their level of commitment to the Islamic revolution."* (pp. 381/416, Docket 204) -----

According to Mesbahi, the reports prepared by Rabbani informed about the logistic facilities at local level to perpetrate the attack, about how to get a truck, the place to hide it and the possibility to make an explosive in Buenos Aires. He added that Rabbani belonged to the hard-line of the revolutionaries and wanted to "prove himself" through his involvement in an operation or terrorist act, from which it arises his active involvement in programming the attack and his strenuous efforts to convince the Iranian leaders about the convenience of carrying out the attack on the selected target. (Testimony given before the Federal Criminal Oral Court No. 3, on pp. 4105/4137, Docket 204) -----

In a few words, it was proved that Rabbani developed the required conditions which allowed him to collect and send information about the opportunities in this country both to spread the Islamic revolution and to inform Iranian intelligence activities on Argentine soil. These activities, which had the unconditional support of Teheran's authorities, were critical for the decision of the target and to implement the attack under investigation.----- Specifically, the task performed by Mohsen Rabbani in Argentina resulted in that the intelligence structure established locally was ready to provide logistic support required

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by the operatives of the terrorist organization Hezbollah which materially executed the attack. -----

As sustained and proved in the Opinion issued in 2006, the decision to carry out a terrorist attack against the AMIA premises was made on August 14, 1993 during a meeting of the Omure Vije Committee held in the city of Mashad, Islamic Republic of Iran. -----

Mohsen Rabbani was specially called to attend the meeting because he knew enough to explain that the facilities installed by the intelligence station in Argentina could provide local support to the operatives in charge of materially executing the attack. -----

The foregoing was underlined by witness Abolghasem Mesbahi who said: *"(In August 1993, in the Holy City of Mashad, in Iran a meeting of the above referred Committee was held; Randjbaran [Ahmad Reza Asghari] and Rabbani were present at the meeting in order to confirm the information sent by their relevant channels about the "target." On that occasion, the Committee took the final decision to execute the terrorist attack against the AMIA premises." (pp. 3448/3461 back, Docket 204)-----*

Sure enough, as it arises from migration reports, Mohsen Rabbani left Argentina on June 18, 1993, via Sao Paulo bound to the Islamic Republic of Iran (pp. 5203/5245, Case No. 1627), and came back to Argentina on October 29, 1993 in a flight from Madrid, Kingdom of Spain. (p. 11.375 and p. 13, Exhibit "Mohsen Rabbani" to the "International Report") -----

Once the decision to perpetrate the attack was made, the structure established locally by Rabbani already had capacity to provide the specific local support required by the groups in charge of directly executing the attack. When analyzing the most direct contribution made by Mohsen Rabbani to the act under investigation, it should be reminded that – according to Abolghasem Mesbahi– one of his tasks within the scope of the terrorist operation precisely consisted in facilitating the vehicle to be used in the attack. Besides, he would be in charge of providing a place to hide the van for some days, may make it possible to make the bomb in Buenos Aires, and in terms of geography and security, could gather information about how to become close to the target. (Testimony given before Federal Criminal Oral Court Nº 3) -----

Having this been mentioned, we shall see that Mohsen Rabbani was photographed in 1993 in several inquiries for the purpose of purchasing a vehicle similar to the one used to carry out the attack. (Pictures on pp. 1378/1387 show the presence of Rabbani in different car sales agencies)-----

The search personally conducted by Rabbani of a vehicle with the same characteristics as the one that exploded in the AMIA, was confirmed by witness Jaime Isidoro Jarmatz, who was a car salesman for the company "Nalman," located at Av. Juan B. Justo 5900,

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Buenos Aires. In this regard, Jarmatz sustained that an Iranian individual asked him about the price of a red Trafic van. Besides, the individual told him that he had a large family and offered to purchase the vehicle in the sum of ARS 19,500 cash. Then the witness added that the individual identified himself as "Rabbany," but he explained that the transaction was not completed in the end. (pp. 3109/3109 back) As regards the visit of Rabbani to the car sales agency, there is evidence in the copy of the notebook provided by Jarmatz where it was written down "Trafic" - "Mr. Rabbany" and the telephone No. "695272." (p. 3110 back) It should be remembered that the telephone line is registered to the address Cervantes 883, 1st floor, Buenos Aires, Rabbani's place of residence. -----

The testimony given by Juan Carlos Argüelles (pp. 1984/1986 back) who worked at the car sales agency "Ombú Automotores" -Av. Juan B. Justo 7501- between June 1993 and April 1994, confirms that after he came back from Iran and until January 1994 he kept on being interested in Trafic vans since the witness remembered that between December 1993 and January 1994 he was consulted by Rabbani who was interested in purchasing a car with those utilitarian features and he also recognized his picture. -----

Other testimonies collected in these proceedings inform about the interest of the religious leader in purchasing a vehicle with the dimensions of a utilitarian vehicle. -----

As a matter of fact, Hassin Salomón remembered that -before the terrorist attack- Mohsen Rabbani had commented him about his intent to purchase a van to transfer the students of the Islamic Arab-Argentine Institute. (pp. 4874/4878 back, Case No. 1627) ---

Also in this connection, César Gabriel Duarte testified that Rabbani had commented him about his intent to purchase a Trafic van, but this time, for the specific purpose of loading shipments. (pp. 3680/3688 back, Case No. 1627) -----

On his part, Alfredo Miguel Barcia also knew, through the words of 'Madani'- that Rabbani, before the attack against the Jewish Association, had been interested in purchasing a Renault Trafic van for the alleged purpose of transferring the brothers from the mosque in the city of Cañuelas to the city of Buenos Aires. (pp. 1288/1290 back, Docket 251) -----

Furthermore, the Secretary of Intelligence informed that until January 1994, Rabbani consulted the car sales agency "Rubén," located at Avenida Juan B. Justo 7285, Buenos Aires, and the car-van sales agency located at the same street but on number 7575. (Report one pp. 5203/5245, Case No. 1627) -----

All the foregoing patently shows the interest of Mohsen Rabbani in purchasing a Renault Trafic Van. But similarly, it reveals a series of dissimilar allegations about the use to be allocated to the van, and, after having established that a van meeting these features was

used for the bombing against the AMLA premises, the uses alleged by the diplomat create a strong suspicion about the true reasons that gave rise to that search. -----

Even more, after the attack, during a TV interview, Mohsen Rabbani was asked about his inquiries for the purpose of purchasing a Traffic van, and his first answer was to deny having made such inquiries, but then he acknowledged that what he really needed was a car for the Cultural Attaché Office. These words do nothing else than reinforcing the suspicion asserted before. (Transcript of the TV interview on pp. 8184/8189 of case No. 1627, the video of which is kept on archive in the Attorney General Unit Clerk's Office --pp. 8196) -----

Rabbani's involvement did not end there. It has been confirmed that he handled large amounts of money, which were progressively increasing; so much that during the first seven months of 1994, that is, before the attack, he withdrew from his bank accounts the sum of USD 186,800, an amount much more higher than the average transactions in the previous and subsequent years. -----

It has also been confirmed that he was untimely granted diplomatic immunity -- eleven years after having arrived at Argentina as representative of Iran and barely four months before the attack --with the evident intent to protect him in case of a prospective judicial accusation. -----

Besides, his relationship with the operative group who took part in the attack is proved by the confirmed relationship with the coordinator of the group, Samuel Salman el Reda, and by the verified telephone calls made from his cellular telephone No. 474-3004 on dates that are considered essential under the investigation. -----

And in connection with the calls made by Rabbani within the scope of the attack against the AMLA, it is not casual that Rabbani, who had already been appointed Cultural Attaché, requested the cellular telephone line service on June 22, 1994. (p. 12.506, Case No. 1627) -----

It should be reminded that eleven years after he came to the country, after three months of having been officially appointed as a diplomatic officer and less than a month before the attack, Mohsen Rabbani requested a cellular telephone service line when up to that date, he had no interest in using that service. Thus we at least infer the need to be permanently contacted for the activities inherent to the logistics of the attack. -----

Precisely, on July 15, 1994 --three days before the attack- Rabbani controlled that the car-bomb entered the parking lot "Jet Parking," located at Azcuénaga and Paraguay, just 400 meters away from the target and the last place where it was seen before the attack. ---

Twenty minutes after the maneuvers had been completed a call was made from the cellular telephone line of Mohsen Rabbani to the "At-Tauhíd" mosque. This call is significant due to two undisputed facts: 1) it was made in the vicinity of the parking lot

where the car-bomb was parked, and 2) the communication lasted 26 seconds, just enough time to confirm the success of the operation and perhaps to coordinate another minor detail. -----

But these were not the only contacts which confirmed that each step was taken as established: around an hour later –exactly at 07:18pm– another call was made by the coordinator of the operative group, Samuel Salman El Reda, to a telephone line in Foz do Iguazu registered to the name of André Marques. The call was made from a call center located at Avenida Nazca 1744, City of Buenos Aires, only twelve blocks away from the above mentioned “At-Tauhid” mosque, the place to which Rabbani had called shortly before. This sequence of telephone calls proved that the information had finally been transmitted to the individual in charge of coordination tasks, from the “tri-border” area, and to the operatives in charge of the mission. Some minutes later, from the same call center, a new telephone call was made to the telephone line registered to Marques – at 07:38 pm, hardly 20 minutes later – (p. 3195, Docket 406), and another call was made to a member of Hezbollah, Khodor Ali Barakat (UFICD0001) -----

Three days later, the attack was perpetrated; as a result, 85 people were killed, at least other 151 were injured and damages worth in millions were caused to properties. -----

That is, the Iranian agent in charge of developing the intelligence station on Argentine soil under the principles of the export of the revolution, turned out to be an essential participant in the terrorist attack against the AMIA premises, and was also the speaker of the Islamic nation when it came to deviate the focus from the responsibility of the Iranian regime in the event, a behavior framed within the strategy devised by Iran for these cases. -----

It was not the first time that the regime appealed to this type of individuals to achieve its goal. The fact is that a similar office as that held by Rabbani in Argentina had been held by Kazem Darabi in the Federal Republic of Germany and he had also been involved in illegal activities – he took part in the quadruple crime of Iranian dissidents committed in the city of Berlin by order of the government of the Islamic Republic of Iran, then in office, in September 1992. -----

The foregoing was underlined by the High Regional Court de Berlin, which affirmed in the judgment: *“Under the veil of a religious activity he could contact his fundamentalist brethren of Lebanese origin and confirm their position and trust. Moreover, these qualities pre-destined Darabi to organize the attack against the representatives of DPK-I in Berlin, both personally and logistically with so much detail that the act could have been committed with the support of other forces from Iran with high prospects of success and with the minimum risk of being discovered.”* (p. 189 of judgment rendered in “Mykonos” case, kept on p. 149, Docket 204)-----

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The fact that Kazem Daraib was arrested by the German police and later convicted to life imprisonment by German Courts is not a minor datum. It is a true lesson for Iranian authorities who had ordered to massacre their opponents. Thus, in this new attack, they deliberately decided to protect their agent in Argentina from the Courts, so they gave Mohsen Rabbani diplomatic immunity, by appointing him as Cultural Attaché of the Embassy of the Islamic Republic of Iran, barely four months before the attack. -----

Currently, he is still protected because the government of Iran systematically refuses to arrest Mohsen Rabbani and the other Iranian individuals accused by the Argentine courts to be extradited to Argentina notwithstanding the fact that their national and international arrest warrant were approved by most of the countries gathered at General Assembly of Interpol in 2007. -----

Thus, as it could be confirmed that in Argentina, Mohsen Rabbani performed his undercover activities to establish a full intelligence base modeled after the principles of the policy for the export of the revolution (the structure of which facilitated the execution of the terrorist attack against the AMIA premises), it shall be proved how in the Republic of Guyana the establishment and development of the pro-Iranian Islamic Movement headed by Abdul Kadir – strongly linked to Mohsen Rabbani –repeated in an almost identical fashion the intelligence activity, and that it also allowed for planning another international terrorist act finally thwarted by the investigators of the case. -----

c. Activities performed by Abdul Kadir in the Republic of Guyana and the Caribbean-----

c.1 Introduction -----

Abdul Kadir was arrested on June 1, 2007 in Trinidad and Tobago on board of a plane while he was attempting to fly –as final destination- to the Islamic Republic of Iran. Subsequently, he was extradited and finally prosecuted and convicted in the United States of America for conspiracy to bomb John F. Kennedy International Airport in New York. -----

Thus, a Guyanese citizen, converted to Islam, with close contact with Teheran since the eighties and who turned into an intelligence agent for the Islamic Republic, is one of the individuals sentenced to life imprisonment for the crime of conspiracy to bomb JFK Airport in New York. This terrorist act, if carried out –due to its magnitude and as indicated by the prosecutors in the case- could have been even more serious than the terrorist attack against the Twin Towers on September 11, 2001. -----

Now then, the collection of a series of elements of evidence by this Attorney General's Unit, in addition to the documents, statements and testimonies provided by the courts of the United States, enabled us to reconstruct a series of backgrounds and relationships of Abdul Kadir which clearly relate him to the Islamic Republic of Iran, and –particularly--

to one of the authors of the bombing against the AMIA premises in Buenos Aires, Mohsen Rabbani, to whom he was closely linked. Upon the analysis of the elements obtained, surprisingly distinctive features appeared: Abdul Kadir had gone over a very similar way compared to Mohsen Rabbani --who as confirmed- from his arrival in 1983 at our country, covered by a commercial representation, carried out his duties -- mainly the development of an intelligence station that concluded in his significant role in the terrorist act executed on July 18, 1994. -----

Indeed, evidence demonstrates that, when he was over 20 years old, Kadir had already converted to Islam, and promptly started receiving intensive political and religious education along with his studies in civil engineering both in Guyana and in Trinidad and Tobago where he received extensive technical, political and ideological training. Shortly after he was converted, the Islamic Revolution of 1979 became a historical event of crucial importance for his future. -----

The victorious revolution influenced him so deeply that at early in the eighties he had turned to the Shiite Islam and he made the first attempts to directly link to the authorities of the Ayatollah's regime.-----

As it could be established from the documents seized in these proceedings, in 1983, through his incipient contacts, Kadir could travel to the Islamic Republic of Iran for the confessed purpose of being at the service of whatever was required by the Revolution. According to that evidence, when he returned from Iran, Kadir became the representative of the regime in his motherland. -----

In this connection, available evidence demonstrates that from his return from Iran in 1983, Kadir spearheaded a stage of political and religious settlement in which his main objective was to build the necessary bases for the export of the Islamic revolution. As a matter of fact, it was confirmed that during the eighties, Kadir engaged in the study of the principles of the Revolution and in spreading a political radical view of Islam. -----

For his undertaking to become successful he used the cultural centers which, in addition to spreading Islam and Islamic culture, were concerned with indoctrination, ideological disclosure and recruitment of the most radical elements, who considered religion as a mere excuse to exercise violence. -----

At this point, the relationship between Abdul Kadir and Morteza Tavasoli³⁴ became crucial. Morteza Tavasoli was then Iranian ambassador to Venezuela and the first regional leader to spread the fundamentalist ideology proposed from Teheran. They

³⁴ There are several transliterations of the name of the Iranian diplomat, such as: Murtaza Tavasoli and Murtazza Tuvasolli.-----

enunciated the logistic and operative aspects intended to further the export of the Islamic revolution to Guyana and the Caribbean. -----

Kadir had already worked for Iran and his relationship with the regime was then channeled through the Ambassador to Venezuela. The fact remains that, added to these proceedings are true intelligence reports sent by Kadir to Tavasoli informing the development of the political social and economic situation in Guyana – where there was no Iranian diplomatic representation – and specifically, the inherent features of the armed forces and security forces; these reports also included the analysis of local repercussions of international events, and mainly, they thoroughly detailed the interrelationship between the forces and the core of the Muslim community both in Guyana and in neighboring countries. -----

The fact is that even Kadir himself had prepared and presented to the Iranian officer to whom he reported a “Five-year Development Plan” which designed the manner – including criminal methods – and the means required to strengthen and extend social, political and economic bases needed to expedite implementing the extremist view promoted from Teheran. -----

Kadir, who, due to his affinity to the regime, had offered to represent the Iranian interests in his homeland, was selected by Iran to export the revolution to Guyana and its neighboring countries, much like Mohsen Rabbani was posted in Argentina to act. -----

The development of the activities carried out by Kadir in Guyana –and in other countries in the Caribbean – made him worth of recognition by the Iranian regime; from early in the nineties he furthered his link to Iran. Certainly, after his second trip to the Islamic Republic, the arrival of a cleric, Muhammad Ali Zanjibari,³⁵ sent by the Iranian authorities to contribute to the project for the export of the revolution both in Guyana and in the neighboring countries, not only evidenced the interest aroused by Kadir in Teheran, but also Kadir’s understanding of the most extremist views of the regime during those ten years. -----

But, rightly, the focal point is Kadir’s relationship with the man who by then could be considered as an “efficient” terrorist: Mohsen Rabbani. As previously explained, he was one primary responsible individual for the terrorist attack against the AMIA premises. This link precisely dates back to 1994, the year on which, after Kadir confirmed the “efficacy” of Rabbani’s operations, their first contacts were detected. Always under the cover of student exchange and spreading of Islam, or other activities that superficially appeared to be perfectly harmless and legal, Kadir gradually became a reliable person for

³⁵ Due to transliteration, changes in this name such as Mohamed Ali Zangabari, Zanjibari, Zinjebar, among others, have been identified. -----

the Shiite cleric against whom an international arrest warrant has been issued for his involvement in the bloody attack perpetrated on July 18, 1994. -----

The fact remains that from the information contained in the file, it arises that the cultural center led by Kadir organized an alleged study tour to Argentina of a group of Guyanese young men among whom was one of Kadir's sons. There, they would receive "Islamic training" by Rabbani at the "At-Tauhid" mosque in the neighborhood of Floresta; training that at that time was provided by the Islamic Republic of Iran. -----

Here we find the first connection between Mohsen Rabbani and Abdul Kadir. The truth is that a written compliment addressed to Rabbani - which was seized from Kadir's house - shows the existence of a strong bond, but mainly how significant the then Cultural Attaché in Argentina was on issues considered of concern to Iran in the region. The letter was ended with words that required no further comments: "Likewise, we hope you will give great consideration to the Islamic work performed in Guyana, since our tasks require the ideas and assiduous attention of His Eminence." (pp. 54 and 151/2, Docket 419) -----

Not only the original relationship remained but also it deepened, to the extent that the education of at least two of Kadir's children - Salim and Sauda - was particularly linked to Mohsen Rabbani while they studied in the Islamic Republic of Iran. -----

Proof of that are a series of documents referred to us by the judicial authorities of the United States of America, which reveal that by the end of the nineties, the relation between Rabbani and Kadir was a the head-dependent relationship. The documents include several letters where Kadir receives directives or instructions directly from the Iranian cleric; in others, Kadir gives information to Rabbani about individuals or circumstances as expressly requested or else, Kadir makes requests to Rabbani. -----

Said documents also contain requests from Kadir to Rabbani to obtain means to go further with the tasks for the export of the revolution. In one of these letters, Abdul Kadir told Mohsen Rabbani about the need to have the assistance of an Iranian individual to aid in the development of the Shiite movement in Guyana. At the suggestion of his daughter Sauda, who was then in Iran and was related to Rabbani, Kadir mentioned in particular as a possibility, a "Mubalig" named "Ibrahimi." Later, Ibrahimi travelled to Guyana to aid Abdul Kadir in his task. -----

That is, the dependence of Kadir on Rabbani responds to the trust granted by Rabbani to Kadir and the interest of the Islamic Republic of Iran in the maintenance and progress of the bases for revolutionary expansion in that South American region. And, certainly,

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Mohammed Ibrahim³⁶ worked along with Kadir in Guyana, at least for two years, until he mysteriously was kidnapped and murdered by unknown authors. -----

Therefore, not surprisingly, an individual filled with a radical Islamic view, who became representative of Teheran in his country from the eighties and who strengthened his links to Iranian authorities – particularly with such an important player as is Mohsen Rabbani – took part in a terrorist plot to attack American soil which was finally thwarted. -----

Thus, early in 2007, Kadir was contacted to take part in the organization of the attack against John F. Kennedy International Airport. And, according to evidence produced by the Prosecution Office, this contact was not a mere coincidence. Kadir was considered as a man serving exclusively to the Islamic Republic of Iran, and the Iranian authorities had been informed about the criminal plot and, as it shall be proved, in my opinion, they were related to the attack that was finally thwarted as Kadir was arrested, when he was about to take a flight to the Islamic country to finish the details of the terrorist plot. Thus, the fact that Abdul Kadir joined the confabulation was not merely the addition of another individual, but the addition of an entire logistic, economic and operative structure controlled by Iran, with specific capabilities to make terrorist actions viable. --

c.2 Abdul Kadir's Profile: A Disciple of Mohsen Rabbani-----

A series of proof gathered within the scope of the investigation – a number of which has been referred by the Courts of the United States – enabled us develop a profile of Abdul Kadir. The elements hereinafter analyzed show how the radical Islamic view adopted by the Guyanese citizen developed, and at the same time, explain a variety of reasons for which he was lured into the views of the Islamic Republic. Likewise, this underscores why, when the time came, he could be part – now as an instrument of the regime – in the conspiracy to attack “John F. Kennedy” Airport.-----

Specifically, it shall be proved how Kadir gradually converted into a fierce defender of the principles of the Islamic Revolution, in the most radical sense that they could be interpreted: Islam must project as an entire system, spreading worldwide using violence if necessary. As the expert Mathew Levitt said: “...Iran definitely considers the use of violence and terrorism as a legitimate means to achieve its foreign policy goals...” (pp. 6903 and 6925, Docket 419)-----

Aubrey Michael Seaforth was born in Guyana in 1951 and soon after his 20th birthday he had already converted into Islam –adopting the name of Abdul Kadir–, at that time, under the precepts of Sunni faction. (pp. 1600 and 1923, Docket 419) He immediately started a process of training and political and religious affiliation which, along with civil

³⁶ There are also transliterations of this name, such as Ebrahimi or Ebrahimi. -----

engineering studies taken in Guyana and Trinidad and Tobago,³⁷ enabled him to have sufficient education to soon become a leader for the development of the Islamic movement in his homeland. This was confirmed by witness Steven Francis³⁸ who sustained before me – in the presence of Marshall Miller, US Assistant Attorney – “*that Kadir's ideological level was high; he was fiercely convinced and had studied hard.*” (pp. 995/998, Docket 419) -----

By the way, as indicated by the evidence produced in the case, it was the triumph of the Islamic Revolution in 1979 which strongly impacted on Kadir, who not only began practicing Shiite Islam but also advised that the Islamic movement, incipient in the region, should be organized behind the theoretical and political developments of that revolutionary process which, on the other hand, had shown to be a radical process from its inception. -----

As a matter of fact, although during the first years Kadir's political thinking was significantly influenced by the doctrine of Hassan Al Banal, Eyed Cutup and Mohammad Cutup, and was focused on the model created by the Muslim Brotherhood in Egypt, --pp. 107/109 and 209/212, Docket 419--, after the triumph of the revolution incarnated in the figure of Ayatollah Khomeini Kadir joined the Shiite faction but -- more importantly -- the radical Islamic ranks. -----

A series of elements seized reveal the radical position assumed by Kadir; items related to the government's enthronization in Teheran and also related to its leaders (as proof of his plausible support to the regime, countless images and symbols of the 1979 Revolution were seized from his house) and -- as concluded considering a set of supporting evidence also seized and analyzed -- the absolute standardization of violence and terror as valid methods when it came to export the principles of the Islamic Revolution, which were shared by Kadir and which he finally implemented. -----

Also, worthy of mention are some of the documents seized from Kadir's house in Guyana, among others, an issue of Ayatollah Khomeini's “*Message to the Pilgrims*”-- see 883/5 and 1079/82, Docket 419-- the purpose of which was to urge the Muslims of the world to join and fulfill their political and religious duty to take part in the struggle

³⁷ Kadir declared that, early in the seventies, he got a General Technical Degree and then, he got a Civil Engineer High Technical Degree, both in the University of Guyana. Then he was awarded scholarships to study in Venezuela and Trinidad. In 1981 he got a Degree in Engineering at the University of the West Indies in Trinidad and Tobago. (pp. 1590/1594 and 1915/1919, Docket 419)-----

³⁸ He acted as confidential informant of the federal authorities of the United States, by infiltrating the terrorist cell that plotted to attack John F. Kennedy airport in New York and within the context of such role, he obtained information provided in his testimony, which, along with the recordings and other evidence provided by him, were essential for the conviction of Abdul Kadir to life imprisonment by the US court. -----

against the enemies of Islam: United States, Israel and all the Islamic leaders who, according to Khomeini, were surrogated to them. -----

Among the numerous items seized from Kadir, there are writings with lots of references to violence and terror as suitable means to attain political goals. Among others, there were pictures in which he appeared with his family presenting different firearms (photographic material kept on archive in this Attorney General's Unit and identified as "Government Exhibit 132/139," p. 274, Docket 419), and even the lyrics of a song enthroning the figure of Khomeini and presaging the death of the enemies of Islam, particularly the United States and Israel. (pp. 903 and 1089/1090, Docket 419) Also, two texts were found – presumable written by Latif Ail, who shared efforts with Kadir for many years during his mission in the Caribbean and with whom he travelled to the Islamic Republic of Iran at least twice, as explained below. -----

The first text – that corresponds to the message given by Latif Ali for the Sixth Anniversary of the Islamic Revolution of Iran – expresses that the Iranian revolution was the most significant event in the Muslim world since Prophet Mohammed's Revolution. Khomeini has aroused the Muslim world, rekindling the dormant flames from North Africa to Indonesia. The Iranian revolution is the first step of the operation "Proclaim His Glory" and encourages Islamic forces throughout the world to self organize. (pp. 886/889 and 1082/1085, Docket 419) -----

FBI agent, Robert Addonizio, in his testimony about this document sustained that it contained phrases that announced the destruction of the United States and Israel. (pp. 2393/2396 and 2577/2578, Docket 419) Identical contents were found in the symbol of a chart seized from Kadir's house (pp. 894/895, Docket 419), in which you can see –as testified by Addonizio– *"a fist crushing the flags of Israel and the United States."* (pp. 2396 and 2578, Docket 419) -----

The second text attributed to Latif Ali – in his capacity as Director of the Pioneer Shia Muslim Organization of Guyana – is entitled *"Martyrdom for Iftar (Iran vs. The Devil)."* From these lines expressions with other comments arise: *"...What is the use of a sharp sword that is not unfolded? Some of us are so merciful; we do not see our rules beyond our skin... Just imagine a local group, here in Guyana, singing "Soldiers of Allah Jund Ula", making the representatives of ICNA and ISNA feel joy. Then comes the Mecca and the Israeli savagery in the Palestine occupied lands and this group does not even utter a word. In the meantime, they continue singing. An affiliate said that if they talked about such topics they would call the attention of the CIA. I ask, why would the CIA want to persuade those who are its tools....? And speaking about the method to be adopted, I*

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suggest "let's emerge as the Iranians did and infuriate the kuffar"³⁹" (pp. 892/3 and 1085/7, Docket 419) -----

Along this line, it is also worth noting here the seizure of an issue of the "Manual for the Soldier of Allah" special issue of March 1981, about the contents of which Kadir was interrogated during his trial. (pp. 73/84, 172/194, 1625/1627 and 1942/45, Docket 419)---

The text is written by sheik Al-Hajj Abdul Kareem, Imam of "Dar-ul-Islam Movement." This work compiles a extensive series of principles taken from the lessons of Hassan Al Banna, based on the Koran and the hadices, the purpose of which is to guide each Muslim as to the contributions that he may individually provide for the progress of the Muslim brotherhood to establish an Islamic State and ultimately, an Islamic World (Dar-ul-Islam) -----

Among numerous references and advices related to nutrition, personal hygiene, political and religious practices, etc., certain paragraph requires special attention due to their direct relationship with the use of violence inserted in the references to legitimate practices inherent to any religion. -----

The truth is that passage No. 12 enunciates: "...Against them, prepare your strength at the zenith of your powers, including the horses of war, to struck terror into the hearts of the enemies of Allah and of your enemies..." On its part, passage No. 26 demands: "You must always exploit part of your brain capacity with the intent of the Jihad [crossed out] (Holy War), with love for martyrdom, and being prepared to be constantly ready to take part and fulfill both" Finally, passage No. 32 demands: "You must work to spread your Islamic "call" wherever you are... Besides, you must always be ready to receive orders from your leaders, like a soldier in a barrack..." (pp. 73/84, 172/194, 1625/1627 and 1942/44, Docket 419) -----

Certainly, we do not question the religious aspects of the writings and we do not issue an opinion about the political purposes that they may entail. The fact is that in order to be more acquainted with Abdul Kadir's profile, this Attorney General's Unit, cannot set aside that expressly in the text, there is acceptance to appeal to terror and violence as legitimate means to attain the goals pursued. This also applies to the *Manual for the Soldier of Allah*, though this guide in the hands of Abdul Kadir turns to be suggestive, particularly taking into account the clear descriptions of the goals underlying the different recommendations contained in the text. Also worthy of mention here is the fact that one of the authors of the manual, as indicated, can only be Kareem Ibrahiim, co-accused with Abdul Kadir in the prosecution for the terrorist plot to attack Kennedy Airport in New York: more than twenty years after this publication, both "Soldiers of

³⁹ The infidel. -----

Allah" seemed to be ready to receive the orders from their leaders like "*a soldier in a barrack*."-----

And in addition to these general texts which lay bare the appeal to violence and extermination of those considered as enemies of Islam, for their convincing value, we bring up a series of manuscripts written by Kadir that definitely reveal his personal radical position, entirely endorsing the principles of the Islamic revolution. -----

The fact is that among Kadir's belongings, a draft of a speech was also seized; its contents reveal Kadir's position entirely sided with Ayatollah Khomeini's political and religious thinking. (pp. 873/878 and 1077/1078, Docket 419) He refers to Imam Khomeini as the greatest "*mujtahid*"⁴⁰ of that time and sustains that, as years went by, Khomeini left an irremovable landmark in the Caribbean people, due to his proven wisdom and his strength of character. -----

Also, another draft of a speech written by Kadir for the Sixth Anniversary of the Islamic Revolution was seized. (pp. 890 and 1085, Docket 419) In the speech there is an openly Manichaean description of the universal history, in which he identifies Islamic movements as the Good and a Pahlavi, different presidents of the United States and other individuals as Evil. In this regard, Kadir sustains that a solemn speech should be delivered against the forces of evil, corruption and tyranny, which should be physically destroyed. -----

The need to organize the Islamic movement to destroy its declared enemies, also arises from a series of written opinions seized to Kadir, which summarize a series of principles of Hassan Al Banna, and is entitled "Principles of the Islamic Movement." (pp. 67/9 and 167/171, Docket 419) -----

First, it deals with the stages in which the Islamic movement must be developed. They are verbatim identified as: "*1) Spread: Indoctrinate and proclaim the idea. This gets the idea across masses 2) Recruitment: Selection of followers. Exercises for recruitment and transfer of those who respond to the call, and then they are moved through to the training stage. 3) Execution, action and fruitfulness. The action for the execution of plans can only appear where there is spread and training of the workers and this has been all-encompassing and comprehensive, and when the movement is firmly established...*" (pp. 67/9 and 167/171, Docket 419) According to the text, there is no other system in the world like Islam which provides the rising nation with the necessary organization, foundations, feeling and understanding. (pp. 67/9 and 966, Docket 419) ----
Second, the text analyzes the different approaches for the construction of the Islamic society. In this connection, Kadir stresses: "*Never will us be calm, in silence or rest until*

⁴⁰ Jurist qualified to issue an independent opinion on questions of law. -----

the Koran becomes an effective constitution, we will live to pursue this goal and die in the attempt." (pp. 67/9 and 167/171, Docket 419) -----

The contents of these "Principles of the Islamic Movement" (pp. 67/9, 167/171 and 966, Docket 419) purport a higher value when analyzing Abdul Kadir's profile, and his strategic thinking on how to construct a mass movement that nourishes the goals already shown in other texts. These annotations disclose that Abdul Kadir was not unprepared in his actions intended to lead an Islamic revolutionary movement in Guyana and the Caribbean. Instead, that text contributes to the proof that Abdul Kadir was fully aware of how to build the project for the export of the Islamic revolution in social and political terms; this explains Teheran's decision to add the Guyanese to its lines, so that he served its interests. -----

Indeed, Abdul Kadir had a remarkable political life in Guyana, where he even held the office as Major of Linden (1994-1996), second largest city of the country and later on as representative of the National Parliament of Guyana (2001-2006), for the political party P.N.C.R. or People's National Congress Reform. (pp. 1596/1598, 1731/1732, 1920, 1922 and 2015, Docket 419) This is not a minor issue as we conclude that Abdul Kadir took advantage of those political positions to progress in the program to "export the revolution," that is, the political agenda of a foreign power: Iran. -----

For example, this type of feedback between Kadir's local political activity and his goals to export the revolution and to consolidate a pro-Iranian Islamic movement in the Caribbean sub-region, is disclosed in the letter of recommendation written by Kadir in his capacity as Major of Linden, to support a group of Guyanese young men travelling to study with Mohsen Rabbani in Argentina (pp. 58 and 152/3, Docket 419)-----

The testimony given by Kadir during the prosecution is revealing. When questioned by the Prosecution, he admitted that he had never informed the Guyanese voters about the reports on aspects inherent to his country being sent by him to the foreign (Iranian) authorities. It is not unlikely to assume that the Guyanese people could not have had a good impression if one of their political representatives had reported political and/or military reports, among others, to authorities of a foreign country. (pp. 1747/1760, 2026/2036 and -specifically- pp. 1764/1765 and 2040, Docket 419)-----

And the conclusions reached from the abundant evidence previously mentioned are strengthened by the testimonies given by Kadir as we go into detail with this line of investigation. -----

Interestingly, FBI agent, Robert Addonizio, who worked in the case that concluded with the conviction of Abdul Kadir, said that the Guyanese had "*a radical view of Islam*" (sic) and that from the documents seized, he could conclude that such view was taught

by him and that he fostered its spread, including hatred of the United States and Israel. (pp. 991/994, Docket 419) -----

On his part, witness Steven Francis, whose statements are confirmed by multiple audio recorded while he was acting to thwart the plot and which are also confirmed by the judgments rendered by the federal courts of the United States, said that Abdul Kadir was a very resolute person, educated, religious, and convinced of his ideology, who *"boasted and admired organizations like Hezbollah and other terrorist organizations."* According to Francis, these ideas were expressed by Kadir in his speeches. He said that actions taken by players whose role was to establish Islam at any price should be emulated. (pp. 995/998, Docket 419)-----

Francis added that Kadir talked in favor of Hezbollah --whose close relationship with the Islamic Republic of Iran was proved in 2006 by this Attorney General's Unit, as shall be accurately shown below--, and expressed that the terrorist group was a established organization with cultural institutions, hospitals, etc., which they should intend to equal. *"They wanted to create in the Caribbean, an organization like Hezbollah, with this ideology,"* concluded the witness and he explained *"that in order to develop the Shiite movement, if necessary, they could resort to violent methods."* (pp. 995/998, Docket 419)

As a result of the evidence reviewed, we can quite accurately outline Abdul Kadir's profile. He was an educated man both in religion and in politics, who soon turned to the principles fostered by Teheran, including the use of violence and terror if necessary to pursue the interests of the regime. And specially, he assumed and bluntly reproduced the task promptly entrusted to him by the Islamic Republic of Iran: to establish intelligence station modeled after the policy for the export of the revolution. -----

c.3 Relationship between Abdul Kadir and the Islamic Republic of Iran -----

Now it corresponds to review a series of elements available for the investigation that indicate the first contacts between Kadir and the triumphant revolution, specifically, his first trip to the Islamic Republic of Iran; and then we shall review the evidence illustrating that upon his return -- early in the eighties -- the Guyanese became an agent for the regime to which he directly reported through the then Iranian Ambassador in Venezuela. We shall note that, as the relationship gradually improved, the settlement and deployment of the Islamic movement in Guyana and the Caribbean developed in tune with the principles for the export of the revolution imposed from Teheran. -----

Broadly speaking, as stated above, from the triumph of the Revolution in 1979, Abdul Kadir showed a clear affiliation to the ideology and policies of the Iranian regime. Now then, from early in the eighties, the Guyanese- with other local leaders- intended to create in Guyana and the Caribbean a community identified with Iranian Shiite faction that sympathized with the Iranian Revolution and its goals. -----

As detailed in the document seized from Kadir the contents of which he acknowledged during prosecution: "...during this time everybody heard talking about the start of the Islamic Republic all over the world, and even in Guyana, Trinidad and the Caribbean and with this start, magazines like: Mahjubah, Eco del Islam and Iman Souroush became the voices of the Islamic Revolution, together with other specific publications that showed the Islamic Revolution and all its ideological support to the world ..."; and soon, Abdul Kadir's alignment with the discourse and the goals framed by the recently instituted Iranian government, turned to be a specific and functional link to both parties. (pp. 107/9, 209/212, 1845 and 2098/2099, Docket 419) -----

Along these lines, during 1981, in agreement with the events then occurring in Iran commenced a period of the Islamic Republic. The first step of this approach was the visit of Mohammad Seyeed to Guyana, sent by Dr. Rajie Khorasanie, then representative of Iran to the United Nations, and a contact registered in Kadir's personal phone book. (pp. 86/91, 107/9, 194/9 and 209/212, Docket 419)-----

Now then, as previously explained, in March 1982, a Seminar on Ideal Islamic Government was held in Teheran, which -as later concluded- marked the start of a crusade that added violence and terrorism as valid resources for the export of the Islamic revolution. Three hundred and eighty clergymen from 70 countries attended at this seminar; after the seminar, "schools" were created to receive students from all over the Islamic world for indoctrination and also to extend revolutionary ideology through these means. Certainly, terrorist tactics became a subject in the curricula of these educational institutions. (Green, Jerrold. Terrorism and Politics in Iran, in Crenshaw, Martha. Terrorism in Context 3rd edition. The Pennsylvania State University Press, 2003, p. 585, pp. 11.180/233, Docket 263; and Wright, Robin, op. cit., pp. 26/29, pp. 10.913/23 and 10.987/11.004, Docket 263) -----

Coincidental with the seminar held in 1982, Abdul Kadir wrote a letter to the Ministry of Reconstruction or Jihad e-Sazandegi, requesting to be invited together with his companion Latif Ali to join the celebration for the Fourth Anniversary of the Revolution to be held in February 1983. In that letter, to which he added his credentials, he said that he was at the hands of the regime: "... I am seeking for an employment in Iran to contribute in any manner whatsoever so that my family and I may receive more education about the words of Allah...." This was acknowledged by Kadir when he testified to the United States Courts. (pp. 71, 171/2, 1735/1736, 1878/1879, 2018 and 2122/2123, Docket 419) -----

Moreover, the note ends as follows: *"I pray so that Allah (S.W.T.) grants victory to the mustazafin⁴¹ and that the hands of oppressors be cut off. I wish that we may grow in Imam Wa Jihad⁴² and die as Muslims."* (pp. 71 and 171/2, Docket 419)-----

Now, we cannot overlook that Jihad e-Sazandegi was an organization inside the Iranian government known as the Crusade for the Reconstruction or Ministry of the Reconstruction and due to its growth and significance- the Iranian parliament granted it ministerial rank. Originally, this agency was created to handle the development of rural areas in Iran but, beyond the activities carried out by this governmental office on the surface, the truth is that different elements added to the file confirm its use as frontage for intelligence activities and that it acted undercover for terrorist operations abroad, as already disclosed in the relevant chapter. -----

Now then, as requested to Jihad e-Sazandegi, in February 1983 Abdul Kadir travelled to Iran for the first time and as he had requested, he travelled with his friend and companion in the project for the Islamic spreading in the Caribbean, Latif Ali. The foregoing is confirmed by his manuscripts, the seals contained in his Passport and, basically, his own testimony in the prosecution. (pp. 34/38, 107/109, 138/142, 209/212, 925/926, 2019 and 2123, Docket 419) -----

During his first visit, Kadir established relationships with individuals and organizations which were specified in his detailed trip annotations which, he acknowledged as his own in the trial. (pp. 1736 and 2019, Docket 419) Also worthy of mention is the fact that the document seized by federal authorities of the United States contained even the different flights and layovers of the journey and among others, the following: the General Consulate of the Islamic Republic of Iran in the former West Germany, Mustazafin Foundation in New York, the Ministry of Islamic Guidance and the Islamic Center of Hamburg in West Germany. (pp. 34/38 and 138/142, Docket 419) -----

In this connection, worthy of mention separately is the contact to the Islamic Center of Hamburg, - in Kadir's handwriting. According to witness Mesbahi, during the eighties this institution was directed by Mohamed Moghaddam, cooperator of Vevak and Mohsen Rabbani's brother- in- law. (pp. 3448/3461, Docket 204) -----

As testified by Mesbahbi, he precisely met Mohsen Rabbani in the mosque or "Islamic center" in the German city of Hamburg, also in 1983. At that time, Rabbani - who was a member of Khomeini's intelligence "bureau" - told Mesbahi that he was travelling to Argentina to create support groups to export the Islamic revolution, since Argentina was

⁴¹ The "poor, disinherited or oppressed." -----

⁴² "Faith" and "Effort." -----

considered – according to prior reports received by Iran – as a place of “opportunities.” (pp. 381/416 and testimony on pp. 141, both of Docket 204) -----

And it should be reminded that this Islamic center, included in the contacts contained in Abdul Kadir’ 1983 address book and where, on the same year, Mesbahi had been informed about Rabbani’s plans in Argentina, was then related to the “Mykonos” case, that is, the terrorist attack carried out in Berlin in 1992, where four members of the opposition to the Islamic regime were murdered. (pp. 34/38 and 138/142, Docket 419)----

As a matter of fact, in the “Mykonos” Case, when reviewing the activities of Kazem Darabi –identified by the court of Berlin as the “local connection” for that terrorist act– the German court which analyzed the relationship between the Islamic centers in Berlin and Hamburg, Hezbollah and the Iranian embassy in Germany, sustained that the Islamic Center of Berlin “... served, like the Islamic Center of Hamburg, to the spread of the fundamentalist Islamic belief in the sense of an authoritative “State-God” and collected intelligence information ...” (pp. 186/187 of judgment, kept on pp. 149, Docket 204) -----

To sum up, it should be noted that already in the eighties, Abdul Kadir –and of course, Mohsen Rabbani– operated within a structure of Iranian intelligence, linked to certain Islamic centers and mosques acting as disclosers of a radical view and at the same time, were factories in charge of collecting intelligence information for the Islamic regime. -----

Now then, in the notes about the first trip made by Abdul Kadir to the Islamic Republic of Iran, the Guyanese also included the following data: “Associacao Beneficente Islâmica Arabe do Brasil. R. Padre Lima 151... [Illegible]....San Pablo, Brasil EXP 50.353.” (pp. 34/38 and 138/142, Docket 419) -----

These data must be associated to what has been informed by Interpol Brasilia about the links among “Associacao Beneficente Islâmica Arabe do Brasil,” based in Sao Paulo, the Islamic Republic of Iran and the terrorist organization Hezbollah. -----

The fact remains that the Shiite entity that appears in the notes made by Abdul Kadir for year was managed by the Imam Taleb Khasraji –Iranian citizen naturalized Brazilian – and his premises have been purchased with funds directly coming from Iran. In this regard, Interpol informed that Khasraji was an employee of the Iranian government, and from that entity, he was engaged in recruiting highly politicized believers to get them close to Teheran. (Report of Interpol Brasilia, pp. 122/154 Docket 201)-----

In addition to these, worthy of mention is the alleged link among Taleb Khasraji, Mohsen Rabbani and Abdul Kadir, to be developed in the following sections. In this regard, it should be noted that, on one hand, Kadir’s personal telephone book contained the following: “Shaik Khasraj Sao Paulo 55-11-229-5791” (pp. 86/91 and 194/199, Docket 419), telephone line registered to the said Brazilian Islamic association (pp. 813/855 of the Letter Rogatory 8386-6/080 kept in this Attorney General’s Unit) and

according to Interpol Brasilia, early in the nineties, the telephone line was registered to none other than sheik Thaleb Hussein Khasraji. (Report by Interpol Brasilia, pp. 122/154 Docket 201) -----

Furthermore, in our investigation, we had already detected telephone calls made by Farouk Omaili, member of Hezbollah and contact of Mohsen Rabbani in the "tri-border area," to this telephone line registered in Sao Paulo (pp. 5726/5727, Docket 201), and even more, we had confirmed telephone calls between the telephone line registered to Khasraji and the telephone lines registered to Rabbani in Buenos Aires, as seen below, that were allegedly related to the trip to be made by Abdul Kadir's son and other Guyanese young men to Argentina in January 1995. (Actuary's Opinion on pp. 336/338, Docket 419) -----

Another record written in Kadir's notebook about the trip to Iran in 1983 reads as follows: "*MOHAMED PIRAYANDE -Mustazifin Foundation of NY - Books Contact - old br.*" (p. 35, Docket 419) -----

The "Mostazafan Foundation in New York," contained in Kadir's notebook, is related to its homonymic agency located in Iran, also known as the Foundation for the Disinherited or Foundation for the Oppressed and the Disabled (Bonyad i-Mostazafan Va Janbazan), an entity considered for many years not only as one of the largest economic groups of Iran, but also as an instrument of the "fanatic terrorists" outside Iran, as testified by Reza Zakeri Kouchaksaraee. (pp. 101.765/101.768 and p. 890, Docket 209) -----

The foregoing has also been confirmed by reports sustaining that Mostazafin Foundation "*...played an active role providing logistics for Terrorist Acts, in several countries ...*" (p. 1135, Docket 399) and that its board of directors had been made up by several members of the Iranian Islamic Revolutionary Guard Corps. (pp. 101.765/101.768) -----

Now then, the contact used by Kadir to travel to Iran again represents another link to the activities of Mohsen Rabbani in Argentina, since Rabbani received financial aid from Mustazafin Foundation in New York under the name "Alavi Foundation." -----

The fact is that according to the testimony received to Hadi Roshanravani, Iranian activities in Argentina led by Mohsen Rabbani, received part of the financial aid through Alavi Foundation. This testimony confirms that Mustazafin Foundation in New York, is the organization whose director, was contacted by Kadir in his trip to Iran in 1983, and changed its name to precisely, "Alavi Foundation" to prevent being linked to the Iranian entity that was forbidden to transact business in the United States. As a matter of fact, in 2009, the Judicial Authorities of the United States filed a complaint for infringement of the International Emergency Economic Powers Act seeking the seizure of its assets. (pp. 101.765/101.768 and testimony on pp. 129/138, Docket 209) -----

As indicated, Kadir's written notes containing the links made in his first trip to Iran in 1983, reveal the nature of the relationships established by him – some of them already linked him to Mohsen Rabbani – and contacts with entities or individuals not only related to the Islamic Republic of Iran as a state, but directly related to terrorist activities, even those against which a judgment was passed, like in the Mykonos case in connection with the Hamburg Islamic Center. -----

Therefore, considering the evidence attached to the file we conclude that the first trip to Iran made by Abdul Kadir became a milestone in the link to the Ayatollah's regime, as shown by the contacts made there. From then on, his first task for the consolidation and spread of pro-Iranian Islamic movement in Guyana and neighboring countries, was directly supported and promoted by the Islamic Republic of Iran which, by adding Kadir to its group, achieved a means to establish the structure for the export of the revolution in the distant Caribbean region. -----

c.4 Development of Pro-Iranian Islamic Movement in Guyana. Kadir: An Agent of Iran. -----

For a decade, Abdul Kadir and his environment committed to spread the principles of the Islamic revolution, recruiting followers, both in Guyana and in the neighboring countries. The activities organized by Abdul Kadir during that period – which shall be specifically explained below- included both the practice and/or spread of Islam and its culture, and other types of tasks, entirely alien to religion, or worst of all, hidden under religious garments, and which were tasks inherent to an intelligence agent serving a foreign power. We shall describe how Kadir reported to the Iranian leaders issues utterly alien to his pretended religious and cultural tasks, such as the situation of the Guyanese security forces (pp. 20/1, 25/6, 127/9 and 131/2, Docket 419), while he organized activities and projects which – in certain cases– included illegal acts such as passport counterfeit to be able to travel abroad without leaving any traces in immigration records. (pp. 40/41 and 142/3, Docket 419) -----

Indeed, there is abundant evidence and documents that reveal a particular side of Kadir. When he came back from Iran, he established a direct relationship with the closest Iranian embassy, to which he started reporting directly. The fact is that true intelligence reports were seized, which Kadir had been sending to Morteza Tavasoli since 1989. Tavasoli was then Iranian diplomat in charge of the Iranian embassy in Venezuela.⁴³ ----- Thus, there is a first letter addressed to Tavasoli with an exceedingly ceremonial heading revealing subordination in the relationship; in this letter, after requesting a series of texts

⁴³ About the office held by Tavasoli in the diplomatic body of Iran, see testimonies of Matthew Levitt and Abdul Kadir during the trial, on pages 1412, 1467, 1739 and 2021, all of Docket 419.--

and publications required for his "Spread and Education Program," Kadir wrote to the ambassador that he had devised a "five-year development plan" the contents of which would be delivered to the ambassador as soon as possible. (copy of the letter on pp. 17/8 and 124/127, Docket 419) -----

For two reasons this is a bottom line in the letter addressed to ambassador Tavasoli. First, how he writes this announcement exposes that both for Tavasoli and for Iran, Kadir represented the Shiite movement in Guyana. Second and most importantly, among the elements seized to Kadir, there was a document entitled: "*Five-year development plan to be considered*" (pp. 40/1 and 142/3, Docket 419), that is, the document prepared by Kadir about which Kadir had informed Tavasoli beforehand; in addition, this was acknowledged by Kadir when he testified at the oral trial held in the Courts of the United States. (pp. 1620/1621, 1760/1779, 1890/1891, 1938/1939, 2036/2049 and 2132, Docket 419) -----

This document shall be later analyzed in detail; however, a point to note here is that the five-year plan drafted by Kadir not only included actions that *a priori* are utterly legitimate, -teaching languages or theology-, but also contemplated openly illegal actions, such as infiltration into Guyana's armed forces and police, and forging passports as well circumventing immigration controls. (pp. 40/1 and 142/3, Docket 419) -----

But there is more information in the letter addressed to Tavasoli. Kadir also informed that a new group had been formed in Georgetown, Guyana. He explained that most of the members of this group are *mustazafin* who need a financial aid center. (pp. 17/8 and 124/7, Docket 419) From this, it arises that Abdul Kadir operates as a local leader who bridged the relationship between Iran and the several vernacular undertakings intended to achieve the interests promoted -and definitely sponsored- by Iran. -----

The truth is that Kadir, in his note, among other tasks and domestic political issues, informs the Iranian diplomat that he needed transport and also a building - to be rented or preferably, purchased. In this connection, he adds that with USD 15,000 they could purchase a four-bedroom house in concrete and wood with some land located at a good downtown area. Beyond the specific use to be given to this property, the request reveals the existence of prior commitment by the Iranian authorities to the tasks performed by Kadir in Guyana. The type of request made by Abdul Kadir in this letter, demonstrates that pre-existing agreements had been made between the Iranian regime and Kadir on which Kadir bases his expectations for financial aid to acquire the necessary assets for the performance of the task entrusted to him. There is no other rational explanation for the form and content of this letter. During the trial, Kadir acknowledged having requested bibliography, other resources and funds to Iran to finance both his programs and his organization. (pp. 1750, 1752, 1777, 2028/2029, 2031 and 2047, Docket 419) -----

Now then, six intelligence reports —numbered from 1 to 5 and the remaining an unnumbered report- were seized from Kadir's house; although the addressee is directly identified and the reports are not dated, taking into account the references contained therein, it could be established that they were addressed to Ambassador Tavasoli by the end of 1984 (pp. 20/32 and 127/138, Docket 419), a fact that was acknowledged by Kadir during his trial, when he precisely admitted having reported to the Ambassador of a foreign country (Iran) about local Islamic organizations and political, economic, military, social, diplomatic issues of Guyana, his country. (pp. 1747/1760, 1890, 2026/2036 and 2131/2132, Docket 419)-----

Broadly speaking, the reports refer to Guyana's political, economic and social condition, to certain issues related to the Guyanese State, to the distinctive features of its armed forces and police, to the local repercussions of international events and several events that took place within the Muslim Guyanese community and the neighboring countries. (Trinidad and Tobago, Surinam, etc.) On this issue, the reports broadly detail the power struggles among different local groups, confrontation with Muslim groups receiving support from Libya and the level of consolidation of the Shiite movement in which Abul Kadir is involved.-----

In "Report No. 1" —pp. 30 and 134/6, Docket 419—, Kadir describes the political instability of Guyana in light of a change in the cabinet, the constant alert of the armed forces, the disconformities of different powerful politicians (with private armies), the economic disaster, the lack of food and commodities on offer, and the subsequent growth of the black market, high prices of certain products and the severe stagnation of wages in the country. Moreover, he mentioned that on September 8 and 9, 1984 —the first time reference- an international seminar sponsored by the "Brothers in the Activities" was held in the Old mosque Alexander Village, and, according to his report, delegates of Surinam, Trinidad, Jamaica and the Caribbean, were present thereat. They discussed about their role in the communities and made projections and plans for the future. That is, Kadir prepared and sent to his contact, reports pertaining to a foreign official or agent reporting to his own government. -----

The contents of "Report No. 2" —pp. 32 and 136/8, Docket 419— is certainly revealing as to the tasks performed by Kadir. He describes the circumstances in which the Shiite group led by him —together with Latif Ali—, suffered infiltration by a member of a Sunni group, with support of the Embassy of Libya. According to his report, this individual received money to infiltrate the group and build up the trust of Ali and Kadir. This man, Arno Jaffar, managed to steal letters and books, but then confessed and repented. In his account, Abdul Kadir explains that the infiltrated individual had been requested to "...verify and collect all information about Shiite leaders (i.e., Brother Latif and I) in

detail.... He should discover our connections (local or international) to those whom we visit and the dates of such visits and he should discover whether we had international support. Furthermore, he should see the chance to poison us... He should destroy all the books and materials deemed detrimental to their interests..." (pp. 32 and 136/8, Docket 419) -----

The truth is that this report evidences that Abdul Kadir was not only the Shiite leader in Guyana but also that his duties were not exclusively related to educational or religious purposes... What was the point in infiltrating his group? Why were Abdul Kadir's international connections secret? -----

If the relations established with the Islamic Republic of Iran were just to spread culture in the region, what was the secret about his connections and activities so that someone infiltrated his environment to build up his trust to discover them? If the material received and kept by him only dealt with theological and/or cultural topics, what was the point in infiltrating a group to eventually steal or destroy certain "detrimental" material?

There is convincing evidence that shows that Kadir had established relationship with the Islamic Republic and reported to it through Tavasoli in terms of religious or cultural interests. The truth is that from the beginning of the relationship with Iran, Abdul Kadir's activities greatly exceeded the mere Shiite cultural and religious promotion and were focused on laying the foundations for the construction of an intelligence station to serve the interests of Teheran, and its subsequent use to carry out terrorist attacks, if required. -----

Logically, the remaining reports are riddled with references and estimations about the Guyanese reality. From a development of the agricultural prospects of the Caribbean country – see Report No 3, pp. 20/1 and 127/9, Docket 419–, to the analysis of social-economic aspects –Report No. 4, pp. 23 and 129/131, Docket 419– or political issues as the reference to the visit of the Cuban Council –see unnumbered report, pp. 28 and 133/4, Docket 419–, to the assessment of specifically military issues as those contained in Report No. 5 which informs about the demoralization of the local army and the desertion of soldiers who joined the armed forces of Venezuela or Brazil. (pp. 25/6 and 131/2, Docket 419)-----

That is, Abdul Kadir reported to Tavasoli not only those issues strictly related to the development of the pro-Iranian Islamic faction, the correlation of forces into the core of the movement and its disputes with other factions, but also provided information of political, economic, social and even military nature. As already indicated, when he was questioned during the trial, Abdul Kadir had to admit the fact that he had reported on different aspects related to his country to the Ambassador of a foreign power: Iran. (pp. 1742/1760, 1890, 2023/2036 and 2131, Docket 419) There is no doubt: Kadir operated

as an Iranian delegate in his country, and his direct link to the regime was the Iranian Ambassador closest to Guyana. -----

In its allegations, the Prosecution of Brooklyn sustained that Kadir was aware of the international espionage since he had worked for years for the Iranian intelligence service. (pp. 6425 and 6641, Docket 419) In this connection, witness Addonizio asserted that *"Abdul Kadir worked for the Iranian government and provided intelligence information about Guyana."* According to his testimony received by me, the documents seized from his house demonstrated that Kadir had sent profuse documents to the Iranians and *"when they saw the documents they realized how close where the links between Kadir and Iran."* In fact, Addonizio was concluding: *"the tasks performed by Kadir were those typical of a spy."* (pp. 991/994, Docket 419) -----

Furthermore, the abovementioned Iranian Ambassador not only operated as a recipient of intelligence reports but he was actively involved in the actions performed by Abdul Kadir for the purpose of exporting the revolution to the region. In this regard and revealing the strategic interests of Iranian diplomats in the regional activities performed by Abdul Kadir, worthy of mention is the testimony given by Addonizio when he sustained that *"Ambassador Tavasoli took part in a meeting held by the Caribbean Islamic Movement, headed by Kadir."* (pp. 991/994, Docket 419) -----

However, the connection between Abdul Kadir and the Iranian diplomats does not circumscribe to his consistent and proven relationship with Ambassador Morteza Tavasoli. Other contacts with Iranian diplomats are confirmed, as is the case of the letter sent by Kadir to Ambassador Gharemani – the officer who succeeded Tavasoli as Ambassador in Caracas – a fact that was also acknowledged by Kadir during his trial. (pp. 991/994, 1779/1781, 2049/2051, 4077 and 5014/5015, Docket 419) -----

In the note, which is not dated, Abdul Kadir –in his capacity as Director of the Guyana Islamic Information Center – wrote to the Iranian Ambassador based in Venezuela to request him "cooperation for religious, political and cultural disclosure." Kadir highlights – and confirms in his testimony during trial – that the letter must serve as a confirmation of the conversation previously held, in which Kadir informed the Iranian representative about the needs to be covered to progress in the Islamic spread. Among the items requested, worthy of mention are the following: 1) for a television and radio station: fifty thousand US Dollars (USD 50,000), plus monthly expenses in the amount of seven thousand US Dollars (USD 7,000), 2) for a building to be used as premises of an Islamic center, fifty thousand US Dollars (USD 50,000) and 3) a vehicle, twelve thousand US Dollars (USD 12,000). (pp. 1779/1782, 2049/2051, 4077 and 5014/5015, Docket 419) To further corroborate these elements, Kadir during his trial, acknowledged

having contacted several Iranian ambassadors, from his trip to Iran early in the eighties. (pp. 1737 and 2020, Docket 419) -----

The close relationship between Kadir and the Islamic Republic of Iran even took the FBI agents by surprise. It was within the scope of such connection that during the following decade, Abdul Kadir deployed the activities for the settlement, construction and development of the Islamic movement bearing the imprint of Teheran; and he did so – as he admitted in his testimony during trial, with financial aid provided by Iran. (pp. 1738/1739, 1756, 1777, 1782/1783, 2021, 2031, 2047 and 2051/3, Docket 419) Quoting Addonizio, "*Kadir worked for the Iranian Government.*" (pp. 991/4, Docket 419) -----

The fact remains that, within the framework of the strategy to export the Islamic revolution, Kadir started to institutionalize his relations with the Muslim community in Guyana, a task that was mainly fulfilled through the Guyana Islamic Information Center which he founded and ran. -----

This center was the main institutional "factory" through which Abdul Kadir carried out his activities. He was linked to the Pioneer Shia Muslim Organization in Guyana (Pioneer Shia –Muslim– Association of Guyana), with premises in Berbice, and to entities established in other countries, among which, worthy of mention here is the "At-Tauhid" mosque in Buenos Aires, at that time, led by Mohsen Rabbani. (pp. 60/63 and 153/166, Docket 419) -----

From this perspective, it should be noted that many years later, Kadir would also take advantage of other institutions to broaden his activities in Guyana and in the region. Among them are the International Institute for Advanced Islamic Studies, -the school directed by the Iranian envoy Mohammed Ibrahim and then by Salim Kadir (Abdul's son); the Linden Islamic Trust (related to the project to build a mosque in Linden whose bank account was planned to be used to finance the terrorist attack against the Airport in New York); and the Caribbean Islamic Secretariat, a regional entity involved in the coordination of activities performed in Grenada, Trinidad and Tobago and Guyana, which established its premises in Linden in 1999 and then operated, most specifically, in the Guyana Islamic Information Center, as it arises from the information appearing on the letterheads of the letters seized. (pp. 98, 100, 102, 203/207, 361, 401/402, 995/998 y1012/1211, Docket 419) All these institutions played an important role in the regional activities performed by Kadir for the export of the revolution.-----

However, and going back to those first years, Kadir began to establish and build up relations with other Islamic leaders, both in Guyana and in neighboring countries, who shared the radical view of the Iranian regime. Being aware of the significance of spreading the instructions imparted by Iran, he sought to build a propaganda apparatus to spread his radical view.-----

Now then, the abovementioned document – the authenticity of which was acknowledged by Kadir during his trial - entitled "*The Guyana Islamic Information Center: A Concise Historical Perspective*," explains the process for spreading the pro-Iranian Islamic movement in Guyana. (pp. 107/109, 209/212, 1845 and 2098/9, Docket 419) -----

The document at issue contains a summary of the different stages passed through by the Islamic movement led by Kadir and proves that the Guyana Islamic Information Center, founded by him, was created within the institution that was the axis for promotion and recruitment into the export of the Islamic revolution. (pp. 107/109 and 209/212, Docket 419)-----

To sum up, the document describes that "...this period [early in the 80's] indicated the return of brother Abdul Kadir and his family to Guyana, and with him, the inception and the start of the diffusion of Shiite Thought in Guyana and in the Caribbean. Although it was a brief period, it played an essential role in the evolution of the Guyana Islamic Information Center. It also marked the transition from the Sunni to the Shia School of Thought. Among some of the new converts are Brothers Mohammad Ra'auf, Ahmad Stevens, Brother Yusuf Mohammad, and Brother Abdul Kadir and his family. This period was the commencement of the direct contact with the Islamic Republic of Iran through the visit of an envoy (Brother Muhammad Seyeed) of Dr. Rajie Khorasanie to Guyana, the person who at that time was the representative of Iran before the United Nations." (pp. 107/9 and 209/212, Docket 419) -----

Later on, during "Stage 1982-1991," the document indicates: "this was the stage for the rising and spread of most of the new Shiite Brothers/Sisters. They focused their efforts on recruitment both in Linden and throughout Guyana. To materialize the cause, Brother Abdul Kadir and his wife Isha travelled to Georgetown every week to teach the new converts in the capital city of Georgetown. They also travelled to Trinidad, where they introduced the School of Shia Thought to the Brothers/Sisters with whom they had forged a relationship and lived there from 1978 to 1981. They further expanded and went as far as Dominica, Barbados, Antigua and Grenada. Their primary goal was to introduce the Shia School of Thought locally and in the Caribbean." (pp. 107/9 and 209/212, Docket 419.)-----

Broadly speaking, as testified by Robert Addonizio, the Islamic centers led by Kadir, "presented propaganda on Islam and tried to convert people to join the Shiite movement in Guyana... they searched for people with an adequate profile; in other words, people sufficiently committed to be sent to Iran to complete their religious instruction and then return to their motherland." (pp. 991/994, Docket 419)-----

In this regard, Addonizio explained the dual use of cultural and/or religious spread under which – on occasions - they concealed the export of the revolution in violent terms. As

regards the cultural centers, the witness asserted: "... *these organizations were used for other purposes related to the export of the Islamic radical ideas, taking advantage of the protection or security provided by religious and cultural institutions.*" The export of the Iranian revolution in South America and in the Caribbean was one of Abdul Kadir's goals. Addonizio added: "*these teachings were preached in the centers led by him.*" (pp. 991/994, Docket 419) -----

As to the "Guyana Islamic Information Center" it should be noted that among the elements seized to Kadir, there was a brochure introducing this center, formally intended for the development of Muslims and the spread of "true" Islam, as it reads in the text. The document explains that the center already existed before 1982; that it officially started using this name in 1991 and that it had about 200 members, and around 70% of the members were not more than 27 years old. Among them there were teachers, university graduates, engineers, housewives, and some unemployed. According to the brochure, their commitment was: "*the Islamic movement is my life purpose. Mi life is devoted to it and my death will also pursue this end.*" (pp. 93 and 199/200, Docket 419) -- It should be noted, as already mentioned, that certain relationships established or developed by Kadir in that time with other local leaders -- we shall give detailed information about three members below-- were also critical for the development and spread of the Islamic movement in the region. Under the orders of Teheran, Kadir started to deploy the foundations for an intelligence station, consolidating institutions and structures, recruiting individuals who would later serve as local support for the activities of the Islamic Republic. -----

Finally, as regards the process for the settlement and development of the pro-Iranian Islamic movement after Kadir returned from his first trip to Iran, -which covered the subsequent decade in its entirety- we should analyze the "five-year development plan" which Kadir acknowledged to have prepared and reported to Ambassador Tavasoli. (Letter appearing on pp. 17/18 and 124/127 and testimony of Abdul Kadir during the trial, on pp. 1620/1621, 1742/1746, 1760/1779, 1890/1891, 1938/1939, 2023/2026, 2036/2049 and 2131/2132, Docket 419) It is a critically important document seized from Kadir's house, because it proves that his task in Guyana greatly exceeded the mere cultural and religious aspects to actually cover the greatest development of the infiltration strategy by the Iranian regime in the region. -----

This project to spread Islam --see pp. 40/41 and 142/143, Docket 419-- includes a series of proposed activities, assessing costs and implementation timing. Undertakings related to economic aspects are presented (trading activities with Trinidad and Venezuela, farm activities, etc.); ideological development (visits of Arab scholars, seminars, short and long-term courses on theology, the military, etc.); propaganda (radio programs,

"*madarssa*" (sic), local open film company, construction of a cinema, publications, newspapers, books, open clinic, medical doctors, teachers, etc.); infiltration (armed forces, special security forces, police forces, mass media, etc.); professional training (engineers, medical doctors, electronic technicians, teachers, pilots, languages, journalism, economy, administration, etc.); model communities (Georgetown, Linden, Berbice, etc.); strengthening of links (consolidations and marriages between groups to be able to travel and move) and what is called "*mobility or travel and move*" (multiple citizenship and counterfeited documents) -----

This is a vital document for it displays foundations on which Abdul Kadir performed his tasks to unite and strengthen the Shiite Muslim community, to achieve ideological penetration and infiltration in the local arena of power, for the ultimate purpose of establishing a network to serve the interests of Teheran, which, based on the requirements of the regime, could eventually become the logistic support for terrorist actions. -----

First, in the development plan there was an aspect related to economic activities, such as the proposed agricultural productive processes and business activities with countries such as Trinidad and Venezuela. -----

Second, it envisaged multiple actions intended to development and ideological education. Among them, courses on theology as well as military training were programmed. It is an accurate proof of this dual operation and how access to political and religious training and the preparation to use violence, may be used or overlapped. ----

Third, realizing how significant mass media were for the actions to "spread" the revolution, there was a need to broadcast radio programs, publish books, newspapers, magazines and even to open a film company and build a cinema. -----

Kadir also planned education and training activities in different professional areas: Engineers, medical doctors, electronic technicians, teachers, pilots, languages, journalism, economy, administration, etc., the creation of "model communities" in the largest cities of Guyana. -----

And finally, the "development plan" contained a series of illegal actions to be taken as modeled after the export of the revolution. They posed the need to create, for example, "Madrasah Programs," and also included "infiltration" and "mobility." -----

To achieve this goal of creating an intelligence station, Kadir planned to infiltrate the armed forces, the special security forces, the police, government agencies and even the mass media. Under the "mobility" program multiple citizenship and forgery of documents were included. -----

Although we cannot assess to which level these parts of the plan were developed, the truth is that by the time the plot that put him in jail was prepared, his daughter Sauda was

working for the Ministry of Education of the Republic of Guyana, while his son Mustafa was an officer for the Guyana Customs and Revenue Authority. (pp. 1584/1585, 1697, 1732/1733, 1762/1765, 1911/1912, 1990/1991, 2015/2016 and 2038/2039, Docket 419) -- Considering this plan devised by Abdul Kadir, we sustain that in light of the tasks developed and the relationships established throughout a decade, Kadir could indisputably devise a structure intended for the spread and propaganda of the principles of the Iranian regime to be used, if necessary, for violent purposes. In any event, that dual standard is the essence of the infiltration by the regime in third states. -----

c.5 The Second Trip of Kadir to Iran: Reinforcement of his Relationship with the Regime. Zenjibari, the Envoy from Iran-----

In 1992, Abdul Kadir travelled for the second time to the Islamic Republic of Iran, again with Latif Ali, as it arises from the document entitled "Guyana Islamic Information Center: A Concise Historical Perspective" and which was ratified by Kadir when he testified during his trial. (pp. 107/109 and 209/212, 1604, 1736/1737, 1926 and 2019, Docket 419) -----

The truth is that Kadir testified that every time he travelled to Iran he was invited (pp. 1879/1880 and 2123, Docket 419) and he added that in his second visit to Iran "*...I was invited to attend together with Brother Latifali to what was called AKHLULDAIT World Conference ... Thus, my brother Latifali and I were invited to Iran, and we attended AKHULDAIT World Conference.*" (pp. 1604 and 1926, Docket 419) It is worth noting here that beyond the defective transcription of the records of these proceedings, Kadir was referring to the "*Ahl Ul Bayt World Assembly.*"-----

Consequently, this information deserves to be analyzed separately, especially if we take into account that the abovementioned entity had been part of the Islamic Culture and Relations Organization (pp. 2149/2155 and 2263/2286, Docket 419 and pp. 13/14, Exhibit "Iranian Intelligence" to the "International Report"), that both the OCRI and this organization were led by Mohammad Ali Taskhiri, who, in turn, appointed Rabbani as the Cultural Attaché to the Embassy of Iran in Argentina (pp. 2145 and 2246/2262, Docket 419 and pp. 13/14 of the abovementioned Exhibit "Iranian Intelligence"), and which for a long time, has been in fact suspected for its connection to terrorist activities. (pp. 1243/1245, 1486/1490, 1561/1563, 2149/2155, 2161/2170, 2172, 2175/2179, 2182/2187, 2189/2205, 2213/2222, 2224/2227, 2235/2244, 2294/2299, 2801/2804, 7733/7750 and 7995/8014, Docket 419)-----

Moreover, this relationship between Kadir and the "Ahl Ul Bayt World Assembly" takes on added relevance if we consider that it has funded different publications made by Mohsen Rabbani over years (pp. 1494, 1497, 1500, 1503, 1507/1508, 1512, 1514, 1516, 1518/1520, 1524, 1526, 1528, 1530, 1535/1548, 1550/1551 and 2211/2212, Docket 419)

and was also related to the Iranian cleric Mohamed Taghi Tabatabaei Einaki. (pp. 2175/2179, Docket 419) It should be noted that early in the eighties, Mohamed Taghi Tabatabaei Einaki was sent to Brazil as representative of Iran to control that the Islamic ritual for chicken slaughter was followed and he had to leave the country as a result of his links to Hezbollah and his involvement in sending young men to the City of Qom to attend courses that included military training. -----

In a nutshell, focusing on the relationship between this entity and Kadir, it is worth noting that his personal telephone book contains --at least -- two contacts linked to it: First, Sayyid Fussuri, who appears as "Sayyid Fussuri- Address: Clerk- The AKHUL-Bait World Assembly-...Teheran RII" (pp. 89/91 and 194/199, Docket 419) and second, Mohammed Ali Taskhiri, who --according to the testimony of Addonizio-- appears in the telephone book close to the comment "Alul Bait World Assembly, Tehran, Iran." (pp. 6767 and 6830, Docket 419) It bears repeating that Mohammed Taskhiri is none other than the person who appointed Mohsen Rabbani as Cultural Attaché in Argentina. -----

When Kadir went back to Guyana after his second trip to Iran, the International Islamic Propagation Center of the Islamic Republic of Iran decided to send Muhammad Ali Zenjibari - a Tanzanian cleric who had been educated in Iran between 1984 and 1992 -- to the Caribbean country. (pp. 685/687, Docket 419) His mission was focused on providing support, facilitating broader spread and supervising the activities performed in Guyana, which by then, directly reported to the Islamic Republic of Iran. -----

As it arises from the preface of the publication *Islam and Christians: A Comparative Study*, which presents a brief introduction to the life of the author, Muhammad Ali Zenjibari arrived at Guyana in February, 1992 as a "Muslim Missionary" and acted as Missionary Director of the Guyana Islamic Studies from 1995 to 1998." (pp. 685/687, Docket 419) -----

Likewise, in the document entitled: "*Guyana Islamic Information Center: A Concise Historical Perspective*," which was allegedly written by Kadir, and the authenticity of which was acknowledged by Kadir during the trial --pp. 107/109, 209/212, 1845 and 2098/2099, Docket 419--, it is also mentioned that "...*Brother Abdul Kadir and Brother Latif Ali made a trip to the Islamic Republic of Iran for the second time (the first trip was in 1983). On that same year, after his return (1992), they invited the Iranian scholar (Brother Mohammad Zanzibar) to travel to Guyana to cooperate in the work of Dawah.*"

Robert Addonizio remembered that Zenjibari was sent from Iran at the request of Kadir and explained that Kadir "*wanted to foster his view and interpretation of Islam and Shiite Islamic centers in Guyana so he requested that these individuals visited Guyana to assist him in Islamic proselytizing.*" (pp. 991/994, Docket 419) -----

This second trip, and particularly the visit of Zanjibari –to be analyzed below, was the first contact between Abdul Kadir and Mohsen Rabbani–, and was the beginning of a new stage in the relationship between Abdul Kadir and the Iranian regime; from then on the tasks being performed locally by Kadir began to be assisted and monitored by different religious leaders directly sent to Guyana by the Islamic Republic of Iran. -----

Certainly, the relationship between Kadir and Zanjibari suffered tensions specifically related to the management of financial resources from Teheran. Thus, Addonizio after sustaining that Zanjibari had been involved in "Islamic proselytism," remembered that then there was a fight between them *"for the management of money sent from Iran to finance these centers. As a result, their relationship broke off and Zangabari left Guyana early in the first decade of the 21st century..."* (pp. 991/994, Docket 419) -----

There is also a series of documents from the mid- nineties, admitted by Kadir as his own. (pp. 1782/1783 and 2051/2053, Docket 419) They illustrate how his relationship with Iran strengthened since they reflect a number of contacts which, while keeping the imprint of control over the development of the regional Islamic movement, they go far beyond strictly religious or cultural aspects, to penetrate into aspects related to the economic development of the project to export the Islamic revolution to the region or political aspects, as the letter dated in 1998, addressed to the Ambassador of the Islamic Republic of Iran in Venezuela, in which Kadir underlines that Guyana was selected as seat for Caribbean Islamic Secretariat. (pp. 98, 203/204, 1782 and 2051, Docket 419) ----

The truth is that among the documents seized to Abdul Kadir there is a letter dated December 3, 1996, signed by him as director of the "Guyana Islamic Information Center" (founded by him). In the letter, addressed to "SAYYID KHADEMI, Representative of the Islamic Republic of Iran," Kadir requested a loan in the sum of USD 70,000, which was also acknowledged by him during the trial. (pp. 95/96, 200/203, 1783 and 2052/2053, Docket 419)-----

Kadir explained that he was renting a building that housed a mosque, classrooms, a shop and a dwelling area for ten of his followers. Moreover, he indicated that at the shop different products were on sale and that he intended to supply it and that he sought to open a farm of about 500 acres (around 200 hectares), for primary production. He added that he had built a cold storage, with capacity to store over twenty thousand pounds of meat (around 10,000 kg) and that he had spent eight thousand dollars in the construction. Finally, he explained that he needed to buy a truck and other equipment. (pp. 95/96 and 200/203, Docket 419)-----

In the letter, Abdul Kadir also reported monthly expenses to be borne by the mosque and the dwelling complex, the shop and the school; he submitted to Khademi the investment program for the requested amount: 1) to pay the local bank USD 24,000; 2) to open the

aviary establishment USD 9,000; 3) to purchase equipment and truck USD 15,000; 4) to open the agricultural establishment (bovine cattle, coconut trees, cashew) USD 15,000; and 5) other expenses USD 7,000. (pp. 95/96 and 200/203, Docket 419) -----

In his final lines, Kadir asserted: *"I pray that the abovementioned request may come true so that we can better comply with our duties in the face of Allah (SWT), in the face of our kinsmen but also with ourselves."* (pp. 95/96 and 200/203, Docket 419)-----

It should be noted that in the text, Kadir explained the use allocated to the funds, the existing needs for the activities being performed in Guyana and the schemed undertakings to heighten his task. As noted, Kadir did not expect any conditions on the part of those who were going to grant the loan. As a matter of fact, he merely informed the allocation given to the requested financial aid. Nowhere in his letter, had Abdul Kadir strived for persuading the addressee, indicating that the amount of money requested would be allocated to the fulfillment of his duties. Concisely enough, the letter proves the existence of strong links to Iran, which --in this case- are revealed in a request for funds to cover financial needs for activities performed in Guyana, channeled through the representative of Iran. -----

After having analyzed the above mentioned document, there is no doubt about the existence of prior agreements between Kadir and the Islamic Republic of Iran. Within the scope of this relationship, Abdul Kadir developed a number of activities in Guyana and in other Caribbean countries that were linked to the political goals set by Iran and encompassed in the project to export the revolution and to facilitate, support and sustain his task, Iran provided him with the necessary means to consolidate its institutions and establish the bases for the intelligence station. -----

Programs and notes seized from Kadir's house reveal that in October 1998 a course was given in Trinidad and Tobago. The course was entitled: "One day seminar: an agenda for the non-millennium. One of the lecturers was Abdul Kadir. Among the contents of the seminar worthy of mention are topics such as "recruitment, communication with leaders of the global Islamic movement, and Jihad." Kadir was precisely in charge of lecturing on the "Islamic Movement in the Caribbean." (pp. 43/47, 143/147, 896, 1007/1011, 1087 and 1201/1211, Docket 419)-----

From another set of documents, also seized during searches carried out in Kadir's house, we can assert that by 1999 and as a result of the seminar mentioned before, Abdul Kadir and other Islamic leaders, such as Zenjibari, Latif Ali and Ibrahiim- decided to create the "Al Zahra Foundation," a company aimed at forging a regional Islamic economy. (Documents appearing on 999/1006, 1191/1201, Docket 419) This information was confirmed by Robert Addonizio, when he testified before me. (pp. 991/994, Docket 419)-

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In addition, as stated in the evidence herein analyzed, within the export of the Islamic revolution to the Caribbean, Abdul Kadir courageously devoted to spread his radical and violent view, recruiting and indoctrinating followers, until he became a leader in Guyana and the Caribbean. In his testimony during his trial, Kadir did not hesitate to acknowledge his role as leader of the local Shiite communities "for over twenty years," underlying that he had followers both in Guyana and in other Caribbean countries. (pp. 1605, 1859, 1927 and 2110, Docket 419) Other elements evidence the existence of these "followers" and/or "students" whose referent was Kadir. (pp. 3678, 4009, 6267, 6349, 7236, 7239, 7251, 7297, 7301 and 7317, Docket 419) -----

Here, we make a parenthesis to go into detail about three relationships of Kadir which provide key elements to understand the format of the export of the Islamic revolution prevailing in the Caribbean region. That is to say, we briefly review the links that connected Abdul Kadir to Latif Ali (who was also stationed in Guyana), Kareem Ibrahim (Trinidad and Tobago) and Ismail Muhammad (Surinam). -----

As we have accounted, at least since 1983, Abdul Kadir engaged in the establishment of the Iranian revolutionary model in Guyana, but he also became a key player for the regional spread of the regime to neighboring countries, such as Trinidad and Tobago and Surinam. To fulfill this duty, Kadir built up alliances or strengthened links with different leaders, who contributed to the export of the Islamic revolution in the Caribbean. -----

Ismail Muhammad was stationed in Surinam. There, he engaged in the export of the revolution. From Paramaribo he reported about his progress to Abdul Kadir, who organized the regional activities from Guyana as ordered by Teheran. By January 1992, Ismail had been able to establish a Shiite community in Surinam, with its own mosque and a complex with different facilities. -----

A letter seized from Kadir's belongings, not only reveals that Ismail reported to Kadir about his progress in the export of the revolution, but also confirms that the institutional undertakings mentioned above were directly sponsored by the Islamic Republic of Iran and by Hezbollah. (pp. 49/50 and 147/149, Docket 419) -----

As informed by Ismail, it had two official post office boxes recorded as "Islamic Tablighat" and "Hezbollah" and, as stated in the letter sent to Abdul Kadir, the Islamic movement was guided by Iran while the propagation center was directed by Hezbollah in Surinam. (pp. 49/50 and 147/149, Docket 419) -----

While Ismail worked and reported to Kadir from Surinam, Latif Ali carried out similar activities in New Amsterdam (Berbice), Guyana. Latif Ali was Abdul Kadir's person of trust, a friend who worked together with him since early in the eighties until his death in January 2005. (pp. 328/330 and 662/667, Docket 419) While Kadir operated from Linden, and alternately, from Georgetown, Latif Ali operated from New Amsterdam,

North West of Guyana. Thus, both allies strategically covered different geographic areas of their country. -----

In his task, Latif Ali –who founded and directed an entity called “Pioneer Shia (Muslim) Association of Guyana,” which matches up with “Guyana Islamic Information Center”–, was Abdul Kadir’s most important ally, and in fact, as documented, Ali - accompanied Kadir in his trips to the Islamic Republic of Iran in 1983 and 1992 (pp. 107/109 and 209/212, Docket 419), at the request of Kadir. (pp. 71, 171/172, 1735/1736, 1879, 2018 and 2122/2123, Docket 419) These facts were acknowledged by Kadir during his trial (pp. 1604, 1736/1737, 1926 and 2019, Docket 419), of whom –according to Addonizio– Latif Ali was a close cooperator. (pp. 2542 and 2630, Docket 419)-----

This fellow companion in Abdul Kadir’s political activity shared his view and had been influential in certain religious aspects, as acknowledged by Kadir in his testimony (pp. 1602/1604 and 1925/1926, Docket 419) and as revealed in documents prepared by Ali, the pioneer Shia (Muslim) Association of Guyana, like the Islamic Information Center of Kadir, was engaged in spreading political religious views inspired in Teheran’s regime. (pp. 886/889, 892/893 and 1082/1087, Docket 419)-----

According to Latif Ali, the Islamic Revolution in Iran was the first stage in the Muslim rebirth with a view to the Islamic community or Ummah. Quoting him, “*The blessed Iranian Islamic Revolution is the greatest incentive to organize the Islamic forces... This major achievement needs us.... That we support the Islamic Republic in its Jihad against united Kufr*⁴⁴ ...*That we benefit from the Guide of the Revolution and its support in the intellectual and social fields of work ... Unlike other revolutions, the Islamic Revolution will not have to export itself, it shall be imported by all others around Iran....*” (pp. 886/889 and 1082/1085, Docket 419) -----

Moreover, the letter dated between 1985 and 1986, addressed to Abdul Kadir and seized from his belongings, reveals the absolute confidence between both, which was admitted by him during the criminal trial, and how this circumstance enabled them to jointly advance on their task for the export of the Iranian revolution to Guyana. In his letters, Latif Ali commented on publications, brochures, incidents in the local Islamic community, contacts made during his trips and meetings held at Trinidad and Venezuela, and in certain passages he used cryptic expressions to refer to individuals or comments he chose not to explain. (pp. 899, 1088, 1623/1624 and 1941/1942, all, Docket 419)-----

The omnipresence of the Islamic Republic of Iran, with preaches, instructions or orders, is outlined in these documents. Note the strange circumstance included in the letter dated June 22, 1985: “(...) *In addition to all these, I received a call from Iran asking me*

⁴⁴ Lack of faith in God.

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to be available. In other words, I was asked to stay at home. You should not transmit this to the Three Musketeers... please, remember that the call made by the Islamic Republic of Iran must be kept secret. I will keep you informed..." (pp. 52 and 150/151, Docket 419) -----

Unquestionably, for many years, the activity carried out by Abdul Kadir in Guyana was supported from New Amsterdam (Berbice) by his friend and ally, Latif Ali, and the tasks inherent to the export of the Islamic revolution were extended to Surinam, under the protection of Ismail Muhammad. According to verified documents, these local leaders assisted Abdul Kadir by answering without excessive wordiness, the principles promoted by the Islamic Republic of Iran in its attempt to set the foundations of the intelligence station for the Caribbean sub-region. (pp. 49/50, 52, 147/151, Docket 419) -----

And, worthy of mention separately is sheik Kareem Ibrahiim or Abdul Kareem, leader of Trinidad and Tobago, closely related to the expansionist project of the Islamic nation and who was sentenced to life imprisonment, like Abdul Kadir, for the conspiracy to attack John F. Kennedy Airport in New York. -----

As evidenced in these proceedings, the relationship between Abdul Kadir and Kareem Ibrahiim dates back to 1978, when Kadir lived in Trinidad and Tobago. Kadir studied civil engineering at the University of the West Indies and frequently visited Yasin Abu Bakr, founder of the terrorist group of Trinidad, Jamaat al Muslim (JAM). In addition to the record of conversations wiretapped by the FBI, these facts were mentioned by Baiynah Kadir and by Steven Francis in their testimony during the trial and -basically- they were acknowledged by Kadir and by Ibrahiim. (pp. 1343, 1360, 1607, 1928, 3241/3242, 3263, 3265, 3673, 4006, 6043, 6158, 6225, 6304, 7240 and 7302, Docket 419) -----

Certainly, the activity performed in Trinidad and Tobago by Kareem Ibrahiim -identified by Addonizio as one of the Shiite representatives in the Caribbean- was also instructed by Teheran. In this regard, witness Francis, when he testified before me, sustained that Ibrahiim "*had connections in Iran and he received financial aid...*" (pp. 995/998, Docket 419) and in the criminal trial he testified that Ibrahiim received visits from Iranians in Trinidad. (pp. 7251 and 7317, Docket 419) -----

The fact is that in his testimony during the trial, Ibrahiim acknowledged having received visits of Islamic scholars and Iranian diplomats, among which he identified Ambassador Tavasoli. (pp. 5934, 5960/5961, 6048, 6065, 6088 and 6162, Docket 419) Moreover, in one of the conversations wiretapped by the FBI, he says: "*And I am related to Iran ... you do not know what type of connections I have... two people of the Ministry of Iran came here ...*" (pp. 3613 and 3967/3968, Docket 419) -----

The activities promoted by Iran in Trinidad, via this ally of Kadir, were also orchestrated by certain institutionalized instances. Ibrahiim was the religious leader of "Iman-E-Zamana", the first Shiite community created in Trinidad which over time, was divided into different small groups and Ibrahiim was placed in control of the "Iman Mahdi Islamic Community," and ran it until his arrest. These data arise from the testimonies given during the trial by Ibrahiim's daughters, Huda and Ayessha. (pp. 5608, 5628, 5676/5677 and 5697/5698, Docket 419)-----

Now then, the importance of the recruitment and indoctrination in these entities is revealed years later when, within the framework of a terrorist plot to attack New York Airport, the conspirators decided that a person of trust should travel to Iran to progress with the terrorist plan, by pretending to be part of a religious pilgrimage and they selected a follower and disciple of Kareem Ibrahiim, called "Salim" to perform this task. Salim precisely belonged to the "Iman Mahdi Islamic Community." (pp. 5609, 5629, 6222, 6228, 6300 and 6307, Docket 419)-----

It should be noted here that Ibrahiim shared with Kadir the radical view, a fact that was asserted by the American prosecutors, who underlined the relevance of this relationship. (pp. 2382/2384, 2573/2574, 6875, 6887, 6996, 7066, 7265/7266 and 7337/7338, Docket 419) Francis testified that he had been present during a speech delivered by Ibrahiim in which he praised the values of martyrdom and exalted the activities carried out by Hezbollah, and he stressed that Ibrahiim considered himself more "revolutionary" than the terrorist of Trinidad who was leader of JAM, Yasin Abu Bakr. (pp. 7243/7244, 7254/7255, 7306/7308 and 7321/7322, Docket 419) -----

Besides, as proved by the US Prosecution of Brooklyn, Kadir and Ibrahiim kept related for years. The documents about the "One-day Seminar: Agenda for the Non-Millennium," organized in October 1998 in Trinidad and Tobago are some of the findings that contributed to confirm the persistence of their relationship over the years and also their significant role as examples of the Iranian expansionism in the Caribbean. (pp. 1007, 1011, 7468/7471 and 7506/7508, Docket 419) These documents --pp. 43/47, 143/147, 896, 1007/1011, 1087 and 1201/1211, Docket 419-- confirm that Ibrahiim also attended the above-mentioned course and he expounded on "Jihad: Redefining Qital" which, as explained by Addonizio, means "redefining killing." (pp. 2400/2401 and 2579, Docket 419) Likewise, the US Prosecutors considered the project Al Zahra Foundation" as another flagrant indication of the continuity -- over the years- of the joint activities performed by Kadir and Ibrahiim. (pp. 7002/7003 and 7072, Docket 419) -----

Thus, beyond the small differences as to the administration of resources --see pp. 891 and 1085, Docket 419--, the truth is that Kadir and Ibrahiim continued working for the export of the revolution in the Caribbean region and both actively took part in the plot to

destroy the International Airport in New York, for which they were convicted by American courts and sentenced to life imprisonment. -----

In this connection, when witness Francis testified before me, he provided information of utmost importance. He asserted that there was a relationship between the plot devised by the Shiite leaders of Guyana – Abdul Kadir- and Trinidad –Kareem Ibrahiim– to attack John F. Kennedy Airport and the Islamic Republic of Iran. The witness sustained that the contacts that Ibrahiim had in Iran were going to give financial means and religious authorization, that is, a *fatwa*. This testimony is critically important for the establishment of this relationship. (pp. 995/998, Docket 419)-----

As a matter of fact, from the conversations wiretapped by witness Steven Francis, arises a series of references made by Ibrahiim in connection with his contacts in Iran and how this relationship would be used to advance on the terrorist plan. It is certainly a dramatic demonstration of the dual use – or direct perversion of religious activities; the audio and testimony of Francis revealed references to the need that a person of trust should travel to Iran to progress in the terrorist plan pretending to be part of a pilgrimage to Mecca to avoid arousing suspicion. (pp. 2659, 2733, 1307/8, 1310/1311, 3689/3690, 3698/3699, 4018/4019, 4024, 4097, 4139, 6181, 6201, 6220/6222, 6228, 6298/6300, 6307, 7441/7442, 7449, 7465, 7485/7486, 7491/7492 and 7503, Docket 419.)-----

During the prosecution of Kareem Ibrahiim, the US prosecution underscored the importance and confidence of the long lived relationship between him and Abdul Kadir, as confirmed by the conversations wiretapped during the investigation and the testimony of Frances, who repeated the words of Ibrahiim when he described Kadir as a loved and trust worthy friend, "member of the Shiite revolutionary party." (pp. 7004, 7073, 7438 and 7483, Docket 419)-----

On his part, Russell Defreitas –another conspirator of the thwarted bombing of the New York Airport – carried out a detailed description of Ibrahiim and his relationship with Abdul Kadir that leaves no place for additional comments. In one of the audio wiretapping made by Steven Francis –pp. 3673 and 4006, Docket 419– Defreitas indicated that both leaders had identical education and opinions about how to act. In fact, he directly identified them as "twins." -----

c.6 The Relationship between Abdul Kadir and Mohsen Rabbani-----

In strengthening the structures for the Iranian export of the revolution – and generally, all the Islamic radical movement in the Caribbean- there is a consolidation in the relationship between Kadir and the Iranian regime. And, it is during the development of such relationship that Abdul Kadir built-up a privileged relationship with the Islamic Republic of Iran though Mohsen Rabbani, a leading player in the operation that concluded with the attack under investigation in these proceedings. -----

As confirmed by the evidence attached to the investigation, the relationship between Kadir and Rabbani dates back at least to 1994, -a short time after the terrorist attack perpetrated in Argentina -, and this relationship strengthened in the course of time, until Kadir became a direct subordinate to the Shiite cleric -who was in charge of coordinating efforts to export the Islamic revolution to Latin America - and who in turn, admitted Kadir as a man of trust. Already in 1994, Mohsen Rabbani, who had played a critical role in the terrorist operation that bombed the AMIA premises, had faithful followers like Abdul Kadir, who later conspired to carry out a terrorist attack. -----

The origin of this relationship is related to the organization of the trip to be made by some Guyanese young men to receive "indoctrination" at the "At-Tauhíd" mosque, by then led by Rabbani. But the relationship between both advocates of the radical ideas of the Iranian regime strengthened to such an extent that Rabbani, after he settled in Iran on a permanent basis, supervised the studies of Kadir's son and daughter in the City of Qom while Kadir -in Guyana- fulfilled the requests made by Rabbani - who in older times had been Cultural Attaché to the Embassy of Iran in our country. Even a representative of the regime -Mohammed Ibrahimi- was sent by him to Guyana to cooperate with Kadir in the consolidation of the spread of the Islamic Revolution in the region. -----

As already explained, the initial relationship between both representatives of the Islamic regime is linked to the joint organization -between the Islamic cultural center created and led by Abdul Kadir and the "At-Tauhíd" mosque- which was presented as a program of studies for a group of young men from Guyana -among them, Salim Kadir, Abdul's son- who intended to travel to Argentina to be instructed by Mohsen Rabbani in the mosque located at Floresta. -----

According to the elements added to these proceedings, at least from September 8, 1994, the Cultural Attaché Office of the Embassy of Iran, headed by Mohsen Rabbani, knew that a group of individuals from Guyana was going to travel to Buenos Aires from January 5, 1995, and in fact, Kadir admitted in the trial that he had "sent" those young men to study with Rabbani in Argentina. (pp. 1786, 1789 and 2055/2056, Docket 419 and pp. 7823/7829)-----

In this regard, a series of communications made between November and December 1994 are particularly significant for our investigation, since they serve to confirm the direct relationship between Mohsen Rabbani and those who sponsored the trip -Abdul Kadir and Muhammad Ali Zenjibari-on one hand, and on the other, the deep concern of the Shiite cleric stationed in Argentina to solve the problems of the young travelers who could not enter our country and finally were "educated" directly in the City of Qom, Islamic Republic of Iran. -----

These were the calls made from Mohsen Rabbani's home address in Buenos Aires – telephone line No. 672-5272– and to a lesser extent, from the Cultural Attaché Office under his charge – telephone line No. 802-1821–. From the telephone records, worthy of mention are a set of sequences of successive alternating calls between a telephone line registered in the City of Linden, Republic of Guyana (592-4-3874) and some telephone lines registered in Iran, five of them in Teheran. (Nos. 98-21-6014697, 98-21-974131, 98-21-6468543, 98-21-6420133 and 98-21-890186) and two in Qom (Nos. 98-251-25179 and 98-251-37556)-----

In this connection, worthy of mention are the records for November 21, and December 3, 4, 6, 19 and 20, 1994, in which the telephone lines Nos.98-21-6014697, 98-21-974131, 98-21-890186 and 98-251-25179, are involved.-----

To clarify the above, the chart below illustrates the calls made (Actuary's Opinion on pp. 336/338, Docket 419): -----

Date	Time	Issuer	Recipient	Country	City
11/21/94	11.06 pm	672-5272	98-21-6014697	Iran	Teheran
11/21/94	11.13 pm	672-5272	592-4-3874	Guyana	Linden
11/30/94	04.52 pm	802-1821	98-21-6468543	Iran	Teheran
11/30/94	06.59 am	802-1821	98-251-25179	Iran	Qom
12/2/94	05.25 pm	802-1821	98-21-6420133	Iran	Teheran
12/2/94	05.28 pm	802-1821	98-21-6468543	Iran	Teheran
12/2/94	05.30 pm	802-1821	98-251-25179	Iran	Teheran
12/3/94	10.39 pm	672-5272	98-21-6468543	Iran	Qom
12/3/94	10.44 pm	672-5272	592-4-3874	Guyana	Linden
12/4/94	07.36 pm	672-5272	592-4-3874	Guyana	Linden
12/6/94	12.27 pm	802-1821	592-4-3874	Guyana	Linden
12/6/94	07.13 pm	802-1821	98-21-890186	Iran	Teheran
12/9/94	05.43 pm	802-1821	98-251-37556	Iran	Qom
12/19/94	11.53 pm	672-5272	98-251-25179	Iran	Qom
12/19/94	11.57 pm	672-5272	98-21-974131	Iran	Teheran
12/20/94	00.01 am	672-5272	592-4-43874	Guyana	Linden
12/26/94	00.38 am	672-5272	98-251-25179	Iran	Qom

With the available information we conclude that the referenced calls were made by Rabbani either from his house or from his office, and were intended to organize the arrival of the group from Guyana coming to take courses at the mosque at which he was sheik. As evidenced by the sequences of telephone calls already identified, for any reason, may be because they greatly exceeded the alleged academic motives, this activity required the knowledge, supervision and acceptance of the Iranian authorities. -----

By the way, the Letters Rogatory issued to the Republic of Guyana and the Islamic Republic of Iran requesting information related to the above referred telephone lines are pending reply. However, it could be established in these proceedings, that telephone line No. 98-21-974131 was registered in Teheran and corresponded to the Ministry of

Reconstruction or Jihad e-Sazandegi, an agency of the Iranian government closely linked to tasks related to the export of the revolution under the terms explained above. -----

Likewise, by that time, several telephone calls were made that evidence the interest of the Cultural Attaché Office under the leadership of Rabbani, in obtaining air tickets for the individuals coming from Guyana. As it arises from the cross-link, calls were made by the cultural attaché office with different air ticket providers, either airlines and/or travel agencies, such as Iberia or "Arab Tour" travel agency. Therefore, we conclude that not only had been Rabbani actively involved in the trip of the Guyanese, but also that the Cultural Attaché Office had covered the expenses for their transfer. (p. 9970, Docket 129 and pp. 36.491 of the Embassy Case) -----

The truth is that Mohsen Rabbani along with the "Guyana Islamic Information Center" headed by Abdul Kadir was organizing the trip of the Guyanese young men to Argentina, and among them was the son of the man who, after all, was convicted and sentenced to life imprisonment for the plot to bomb New York International Airport. -----
Among the items seized to Kadir there was an issue of the newspaper "Guyana Chronicle" dated January 16, 1995, containing an article entitled "Islamic Students are flying to Argentina." It mentions that "FOUR Islamic students from Linden have travelled to continue their studies at the Religious Institute of the Altawmid Mosque in Argentina. The teenagers -Marlon King, Kenton Bowen, Salim Kadir and Cleveland Williams- left Guyana on Thursday thanks to the scholarships granted by the Guyana Islamic Information Center. They will study Islamic training and languages. The director of the centre, the Major of Linden, Abdul Kadir, said that the scholarships were granted by certain Islamic associations to which he was associated. Kadir commented to the Chronicle that the group was going to study Spanish, Arab, Farsi, and will attend to Islamic teaching, logic, math, physiology, principles of law, studies of Koran and comparative religious ethics." (pp. 60, 153 and 155, Docket 419)-----

Different significant data arise from this chronicle. First, the note confirms the existence of a joint project between the "Guyana Islamic Information Center," led by Abdul Kadir, who was also Major of Linden at that time, and the mosque that for over ten years was led by Rabbani, and which, as it could be established in this investigation, continued operating under his control even after being appointed as Cultural Attaché to the Embassy of Iran in Buenos Aires. Second, the note - seized together with a letter signed by Kadir in his capacity as Major of Linden, blessing the four travelers and requesting that they be aided in their trip to Argentina - lists the names of the young men selected to take training courses in our country, among which is his son, Salim Kadir. (pp. 58, 60, 152/3 and 155, Docket 419)-----

The foregoing evidences the early convergence of interests between Abdul Kadir and Mohsen Rabbani. Moreover, when interviewed by the Chronicle, Kadir acknowledged that the materialization of this project results from the involvement of "Islamic institutions associated to him," in this case, the mosque led by Rabbani. (pp. 1789 and 2056, Docket 419)-----

The abovementioned article also contains a significant time reference: the group of young men left Guyana on January 12, 1995. This information takes on huge relevance when combined with the analysis of the calls made by Rabbani on these dates. -----

In fact, from January 13, 1995 and during the whole month, there are calls made by Mohsen Rabbani, mainly from his home address, though some are made from the Cultural Attaché Office, to a telephone line in Guyana (No. 592-4-20803) and, alternatively, to a telephone line in Sao Paulo, Federative Republic of Brazil (No. 55-11-2295791). The chart below shows the sequence of communications, in particular, the interchange on January 17, 18, and 23, 1995. (Actuary's Opinion on pp. 336/338, Docket 419)-----

Issuer	Line Registered	Recipient	Place	Date	Hour
672-5272	Rabbani's house	55-11-2295791	Sao Paulo	01/13/95	10.24 pm
633-5000	Ahmad JC ⁴⁵	55-11-2295791	Sao Paulo	01/14/95	12.24 pm
802-1821	Cult. Att. Office	55-11-2295791	Sao Paulo	17/01/95	03.44 pm
802-1821	Cult. Att. Office	592-4-20803	Guyana	01/17/95	04.32 pm
672-5272	Rabbani's house	55-11-2295791	Sao Paulo	01/18/95	9.18 am
672-5272	Rabbani's house	592-4-20803	Guyana	01/23/95	11.49 pm
672-5272	Rabbani's house	592-4-20803	Guyana	01/26/95	8.58 am
672-5272	Rabbani's house	592-4-20803	Guyana	01/29/95	3.26 pm

Now then, first of all, and in connection with the telephone line registered in Sao Paulo, as already mentioned in the preceding sections, we could establish that at least up to the end of 1994, this telephone line was registered to the "Associacao Islamica Do Brasil" and its regular subscriber was sheik Taleb Hussein Khasraji, Iranian clergyman, Brazilian naturalized, who -as informed by Interpol Brasilia - received a salary from the Islamic government. (pp. 122/154, Docket 201 and pp. 813/855 of Letter Rogatory No. 8386, kept in this Attorney General's Unit)-----

The same report delivered by Brasilia reflects that the Associacao Islamica Do Brasil - which operated in Sao Paulo and which also housed the premises of the Profeta Maomé mosque - was a common place for meetings of Hezbollah. Certainly, this telephone line had been already noted in these proceedings for having received telephone calls from different points in the "tri-border area" in July 1994, among which, worthy of mention

⁴⁵ The name of the subscriber at that time was Juan Carlos Ahmad, who was then the administrator of Rabbani's property in Argentina.-----

are the contacts with Farouk Omairi, prominent member of Hezbollah in the tri-border area and closely connected to two players in the bombing against the AMIA premises: Mohsen Rabbani and Samuel Salman El Reda. (pp. 122/154, 5726/7 and 5739, Docket 201 and pp. 813/855 of Letter Rogatory No. 8386, kept in this Attorney General's Unit) Here the dual use of religious and cultural institutions serving to their specific goals but also operating as bases for undercover activities is again repeated and evidenced. -----

Furthermore, and as mentioned in the preceding sections, Abdul Kadir established direct contact with this Iranian entity located at Brazil when he travelled to Iran in 1983. (pp. 34/38 and 138/142, Docket 419)-----

Also a point to note here is that, as is clearly indicated, by the time of the calls under analysis, telephone line No. 592-4-20803, was regularly used by Muhammad Ali Zenjibari. -----

Indeed, among the elements seized to Abdul Kadir there was a letter translated by the American authorities into English, and according to the text of the letter – was addressed to Rabbani and countersigned by Zenjibari, as confirmed by Kadir in his trial –, among other contact information there was a telephone number mentioned above but with only one different digit: 592-4-2083. (pp. 54, 56, 151/152, 1610 and 1931, Docket 419)-----

Moreover, allegedly this telephone line was installed in a house next to Abdul Kadir's house, located a few meters away from it. This letter not only contains Zenjibari's telephone number, but also his address. According to this documentary evidence, the Tanzanian clergyman lived at 113 Riverside Drive, Watooka, Linden, while various elements reflected that Kadir lived at 95 Riverside Drive in the same city. (pp. 54, 95/96, 151/2, 200/203, 1587, 1743, 1912 and 2023, Docket 419)-----

Evidence appearing in these proceedings confirm that the telephone number mentioned above-592-4-2083- was registered to "Mohammad Ali Zingebar" and – precisely- confirm the relationship between Rabbani and Zenjibari to whom – according to information- Rabbani provided information about two contacts in Brazil: Ali Samu Abdulbahab -2922259- and the Sao Paulo mosque -2295791, used by Taleb Hussein Khasraji. (pp. 5203/5243, Docket 143) -----

This telephone line, - the line registered to the Sao Paulo mosque-, provided by Rabbani to Zenjibari appeared in Abdul Kadir's personal telephone book, where it reads: "*Shaikh Kharaj Sao Paulo 55112295791*." That is, Abdul Kadir had written down in his personal telephone book – next to Rabbani's address, the Cultural Attaché Office and the "At-Tauhid" mosque-, the contact of Taleb Khasraji, provided by Rabbani to Zenjibari and to whom, Rabbani himself had called to solve the problems around the trip of the Guyanese young men in 1995. (pp. 86/91 and 194/199, Docket 149)-----

On a separate paragraph, it should be noted that from the letter addressed to Rabbani and signed by Zenjibari we obtain different elements that confirm the type of relationship between both a short time after the terrorist attack against the AMIA premises, of which, the Iranian cleric stationed in Argentina was already a suspect. We should consider the subordination of Zenjibari in the letter; before addressing the addressee, he paid tribute to him and then showed his gratitude for his *"unforgettable cooperation in the students' issue, who are currently in your hands."* (pp. 54 and 151/152, Docket 419) -----

Now, going back to the trip of this group of Guyanese young men, it should be borne in mind the testimony of Baiynah Kadir, received by me and by the Assistant Federal Prosecutor, Marshall Miller, that his brother Salim, together with other young men, went to Iran to study, although the group had previously travelled to Brazil. (pp. 1225/1232, Docket 419) This testimony also coincides with the testimony of Kadir who said that the group of Guyanese students never came to Argentina, but went to Brazil and finally studied in Iran. (pp. 1795 and 2060, Docket 419) -----

According to immigration information provided by the Ministry of Justice of the Federative Republic of Brazil, the group of Guyanese young men arrived at Brazil on January 13, 1995, from Guyana bound for Belem, and departed on January 27, 1995 bound to Surinam. This information conclusively confirms the presence of these individuals in Brazilian territory for the abovementioned period. (pp. 3177/3235 and 7405/7419, particularly, pp. 3180, 3184/3185, 7405 and 7407, Docket 419) -----

Finally, to these elements we must add the testimony of detective Addonizio who testified before me that only three of the four Guyanese students finally travelled to Iran since Kenton Bowen desisted. (pp. 991/994, Docket 419) -----

Broadly speaking, due to the harmonious interpretation of the body of evidence added to the case, we conclude that the group of young men, among whom was Kadir's son, left Guyana bound to Argentina on January 12, 1995. The following day, on January 13, 1995, they arrived at Brazil via Belem and went to Sao Paulo where they contacted Sheik Khasraji since the group was not admitted to Argentina. Rabbani, Khasraji, Kadir and Zenjibari kept in contact due to this issue and the young men went back to Guyana and finally, three of them, travelled to the City of Qom, Islamic Republic of Iran. -----

The issues about the trip of these young men reveal the commencement of the relationship, at least as long as we have confirmed up to now- between Kadir and Rabbani, the length of which has been confirmed by different evidence produced in these proceedings. In this connection, among the elements seized from Kadir's house, they found a document that reveals his attempt to organize a trip to Argentina on an unspecified date but which must be between 1995 and 1997, the year that Rabbani left our country. -----

Interestingly enough, the American courts referred certain handwritten notes from which it arises that Kadir was planning to contact Rabbani to organize a "two-month program" for Kadir, Latif Ali and, as stated in the note, "*three other individuals*." Three topics are related to this trip: "*Education, Economy and Coordination*." (pp. 65, 166/7, 1796 and 2061, Docket 419) Although the notes do not provide specific information as to each item and beyond the fact that they expressly mention the "need to communicate with Iran," the truth is that Argentina, more precisely, the "At-Tauhid" mosque and its leader, Mohsen Rabbani, appear mentioned next to "South America," which, in addition to the three topics mentioned above—Economy, Education and Coordination—allow us to infer that by that time, in our country and specifically through Rabbani, they organized the Islamic education but at the same time, the Cultural Attaché to the Embassy of Iran was waiting for the time to address the economic aspects and the efforts to coordinate relations among different pro-Iranian leaders in South America. (pp. 65 and 166/7, Docket 419) -----

The truth is that taking into account that both Rabbani and Kadir ended up engaged in large terrorist operations, we cannot dismiss the fact that those "study trips" could have followed the same parameters of the trip which, concealed under the pretense of a pilgrimage trip, was aimed at transferring sensitive information related to the terrorist plan. In this connection, and as already indicated, it was proved that the pilgrimage to Mecca was going to be used as a frontage to travel to Iran and progress in the stages to plan the terrorist attack. Besides, to make this undercover trip under the pretense of a religious pilgrimage, they selected Salim, a student and Kareem Ibrahim's person of trust and member of his Islamic group, who after having been informed about the role he would play in the plot, he accepted. All these facts arise from the testimony of Steven Francis and—mainly—from the conversations held by Kadir, Ibrahim, Defreitas and other conspirators, which were wiretapped within the scope of the investigation conducted by the American courts. (pp. 2659, 2733, 1307/1311, 3689/3690, 3698/3699, 4018/4019, 4024, 6222, 6228/6229, 6231, 6300, 6307/6308, 6310, 7235, 7295, 7457 and 7497, all of them, Docket 419) -----

Up to here, the initial links between Abdul Kadir and Mohsen Rabbani were gradually developed and by the end of the nineties, they had established a relationship of subordination and trust that unquestionably went beyond mere cultural and religious aspects. As asserted by agent Robert Addonizio: after reviewing the available documents, we concluded that "*Kadir reported to Rabbani*." (pp. 991/994, Docket 419) -- According to the documents attached to these proceedings, the relationship between Mohsen Rabbani and Kadir has another essential aspect: the studies carried out by two of Kadir's sons and daughters in the City of Qom, Islamic Republic of Iran. -----

In fact, some of Kadir's sons studied in Iran. This fact was acknowledged by Kadir to the US Courts when he was convicted. (pp. 5867 and 5914, Docket 419) As per the evidence, these studies were financed by the Islamic regime. One of his daughters, a witness in the prosecution, sustained that both the trip and accommodation could not be financed by her parents and stated that "the trips made by my family who studied in Iran were financed by a sheik we had in Guyana", that is to say, by Zenzibari. (pp. 1225/1227, Docket 419) -----

According to the available information, Salim – one of the young men that tried to travel to Argentina to be educated by Mohsen Rabbani- and Sauda, were Kadir's son and daughter that received the most intensive education in the City of Qom. (pp. 1733, 1886/1887, 2016, 2129, Docket 419) Sauda Kadir, who developed a significant relationship with Rabbani when she was in Iran – even she acted as intermediary in certain communications between Kadir and Rabbani- remained at the Islamic Science Institute Jameat al-Zahra for more than five years. Similar was the case of Salim Kadir, who studied at the "Islamic Sciences World Centre, Imam Khomeini Seminary" for years. (pp. 1333/1334 and 1354/1355, Docket 419) It should be reminded that, according to information collected in the case, Mohsen Rabbani was professor at this educational center –also mentioned on pp. 48/58, Docket 272. (pp. 3489, Case No. 1627) Some of his disciples in Argentina also attended that institute, among them, Roberto Rubén Medina, according to his own testimony. (pp. 1303/1309, Docket 251) -----

Besides, as Steven Francis remembered (he infiltrated the terrorist cell that plotted to bomb JFK Airport), and confirmed by agent Robert Addonizio, Salim established numerous relationships during his permanence in the Islamic Republic of Iran. According to information gathered, the witnesses sustained that Salim knew Hassan Nasrallah. According to Francis, he could have had a direct contact with Nasrallah, leader of the terrorist group Hezbollah, after a speech delivered by him at the school in Qom headed by Rabbani," a fact that at least cast a doubt about the exclusively religious imprint of the education of those students. (pp. 991/998, Docket 419) -----

Moreover, Kadir tried to justify his relationship with Rabbani alleging that the relationship was limited to the presence of his sons in Iran since, according to Kadir, Rabbani was in charge of taking care of foreign students while they were in Iran. According to Kadir, Rabbani should take care of the scholars and missionaries who travelled to Qom from different parts of the world. (pp. 1609, 1738, 1886/1887, 1930/1931, 2020, 2129, 5867 and 5914, Docket 419) But, as it arises from this analysis, the relationship between Kadir and Rabbani remained before and after this specific issue. The importance of the relationship between Kadir and Rabbani was remarked by the Federal Prosecution of Brooklyn in the accusations. (pp. 6996, 7066, 7265/7268 and

7337/7341, Docket 419) In this connection, the most irrefutable evidence of the relationship between Abdul Kadir and Mohsen Rabbani arises from the copies of three faxes seized from Kadir's house and which date back to the years 1999 and 2000 – although according to the statements of Addonizio, their relationship extended even more over time. As it arises from their contents, they confirm the existence of subordination in the relationship of Kadir with respect to the Iranian cleric, and at the same time, reveal the trust placed on Kadir by Rabbani who had already settled permanently in Iran. -----

The first of the abovementioned letters coincides with a series of answers transmitted by Kadir to Rabbani after the Iranian cleric consulted him through his daughter Sauda, who, by then, was already connected to Mohsen Rabbani due to her stay in Qom. -----

The text, dated February 22, 1999 written on a sheet of paper with the letterhead of Guyana Islamic Information Center, mentions: "*AGHA RABBANI, SAZMAN MODARES, QUM, Islamic Republic of Iran.... Please take note of the following, arising from the questions asked by SAUDA KADIR on your behalf. 1) The term to submit applications to join the Hajj Caravan from Guyana expires on Wednesday, February 24, 1999 (in two (2) days) 2) The Caravan leader is Brother MUNTAZ ALI. 3) The Caravan joins others in N.Y., the United States, and then, from there, they are bound to Mecca...*" Finally, the cost of the caravan is detailed, which amounted to around USD 3,500. (pp. 361 and 401/402, Docket 419)-----

First, worthy of mention is the fact that clearly Rabbani himself was in charge of coordinating the "Hajj" –one of the pilgrimages to Mecca known as "the long pilgrimage" or "the great pilgrimage"– of a group of Guyanese, and we assume that other South American countries would do the same, even more if we consider the statements of Robert Addonizio. According to the investigator, Rabbani was coordinator for the region in everything related to the Shiite movement, not only as to religious aspects but also in connection with operative details, including the cost of the trip of Muslim pilgrims. (pp. 991/994, Docket 419) -----

On the other hand, it is utterly relevant the fact that Rabbani's contact in Guyana was directly Kadir, who, by 1999 informed to Rabbani not only purely operative issues like dates or stopovers but also about who was "the leader" of the pilgrimage and basically, he detailed the expenses to be incurred in the trip. At this point, there is no doubt about the fact that Rabbani's man of trust in Guyana was Abdul Kadir. -----

And the other letter seized confirms what has been asserted in the previous paragraph. It is dated March 20, 1999, that is, a month later, a fact that infers the regularity in the mutual contact and clearly reveals the position of trust placed on Kadir by his leader in the Islamic Republic of Iran. -----

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The fax seized, which was acknowledged as his by Kadir in his trial, informs about a mission entrusted by Rabbani to Kadir requesting him to provide information about certain individuals. (pp. 1786, 2054/2055 and 2059/2061, Docket 419) The relevant parts of the document read as follows:-----

"Agha Rabbani, Sazmaan Tablighat, Qum, Islamic Republic de Iran. From Abdul Kadir... This is to inform you that I have received the fax dated Thursday March 18, in which you requested me to provide information about Brothers Ahmad and Khalfani (Trinidad), and Brothers Ibrahim, Abbas, Farced and Ati (Guyana) I have contacted Brother Amgad (Marlon King) and informed him about my mission. I also told him that I was visiting the school that afternoon to meet the brothers. On Thursday afternoon, when I went, only Khalfani was present and I informed him about the mission. I also told him that I would go back the following day (Friday afternoon). I went back on Friday afternoon but once again, only Brother Khalfani was present. He asked to see the fax and I showed it to him. Then he informed me that I would have to go the following day again (Saturday afternoon). On Saturday morning I met Brother Ibrahim and told him about my mission. He commented that nobody had informed him before. Some hours later, Brother Ibrahim telephoned me and told me that them (the Brothers) refused to give me any information. Sazman already has all the information required and Sazman has your telephone number if he needs more information; personally, I am not going to speculate on his reasons but if you want to speak to the Brothers directly....(my off-the-record comment, no one qualifies) Sincerely Abdul Kadir." (pp. 100 and 204/205, Docket 419)-----

The heading of the text is not longer the letterhead of the Islamic Center led by Kadir but the letterhead of "Caribbean Islamic Secretariat." This also evidences that Kadir's prominence and institutional significance had grown to transcend the boundaries of his homeland.-----

In the letter addressed to Mohsen Rabbani, there appears the reference to "Sazman Tablighat" which, as explained by Kadir in his trial and then confirmed by agent Addonizio, is an Iranian religious organization where Rabbani worked at least in those years. (pp. 991/994, 1737 and 2020, Docket 419)-----

Furthermore, it should be noted that the seized fax shows a mission entrusted by Rabbani to Kadir requesting him to provide information about certain individuals. Certainly, the "mission" and the destination of the information were not specified in the text, so we have to speculate on several possibilities, but, what is unquestionable here is that Rabbani does not have any other contact in Guyana. The Shiite cleric entrusted the "mission" to Abdul Kadir, a fact that is of outmost importance. -----

On its part, in the answer sent by Kadir, he underlined the occasions on which he tried to contact the relevant individuals and that they were reluctant to provide information, which leads us to presume that there were certain inner quarrels with respect to Kadir, who in this case was obviously trusted by the authorities of the Iranian regime, and who, even makes the off-the-record comment to Rabbani, "*no one qualifies.*" (pp. 100 and 204/205, Docket 419)-----

The last of the texts seized, dated April 18, 2000 contained certain singularities that should be mentioned. First, unlike prior communications, this is a request made by Kadir to Rabbani. Second, the request has a very special content: Kadir requests Rabbani that the regime send a "*Mubalig*" (a kind of missionary) to establish himself in Guyana to support the construction of an Islamic movement. Third, Rabbani fulfilled Kadir's request - which was confirmed *a posteriori*. Not only did he send a person to Guyana but also he was the individual specifically requested by Kadir. -----

See that Kadir addresses to Rabbani in a letter acknowledged by Kadir as his in his criminal trial (pp. 1785 and 2053/2054, Docket 419), sustaining: "*... the purpose of this letter is to request you to send a mubalig to Guyana as soon as possible. Also, I would be grateful if he has a direct analysis and a direct consideration of the Shiite movement in Guyana. He must also be efficient and be ready to work with local Shiite members to contribute to our development process... I recommend that Mr. Ibrahimi travels to Guyana on account of the reports of my daughter's experience (Sauda Bint Abdul Kadir) with his work. Mr. Ibrahimi's fluent English, his awareness of the social intricacy and his willingness to help in the development of the movement are certainly essential assets to carry out the task that lies ahead.... Abdul Kadir.*" (pp. 102 and 205/207, Docket 419)-

Short afterwards, Ibrahimi⁴⁶ arrived at the Republic of Guyana. The relationship between Mohsen Rabbani and Abdul Kadir was definitely sealed. -----

The truth is that as it arises from the information added on pp. 58, 152/153, 331/332, 668/669, 670, 3523/3525 and 3551/3554, Docket 419, Mohamed Hassan Ibrahimi was sent to Guyana in 2002, through an organization called "Sazman Modares," based in Qom and coordinated by Mohsen Rabbani, as acknowledged by Kadir in his trial. (pp. 1737/1738 and 2020, Docket 419) The fact remains that the first and the third fax being reviewed, were addressed to "Sazman Modares" by Rabbani. (pp. 102, 205/207, 361 and 401/402, Docket 419)-----

It should be noted that Ibrahimi established and directed the International Islamic College for Advanced Studies o ICAS, a private institution based in Georgetown and

⁴⁶ As already indicated, this name has several transliterations, to wit: Ibrahimi, Ebrahimi, Ebrahimi, etc.-----

financed by Iran. There, Abdul Kadir's son and daughter who studied in Iran and were related to Rabbani -Salim and Sauda- were teachers. (Information on pp. 331/332, 549/551, 668/669, 670, 678/682, 3523/3525 and 3551/3554, Docket 419)-----

According to the information produced, the funds sent by Iran were received by Ibrahimi who was linked to higher officials of the Islamic regime, pp. 671/673, Docket 419-- through a currency exchange house named "Swiss House Cambio," located at Georgetown, where Abdel Nur worked. Abdel Nur was another convicted for his involvement in the terrorist plot to attack New York Airport. (pp. 549/551, 678/682, 991/994 and 995/998, Docket 419)-----

In fact, Abdel Nur --founder of the terrorist group based in Trinidad, JAM- confessed to Steven Frances that his tasks in Swiss House Cambio had included raising funds from the sale of drugs and he had also committed murders. (pp. 2444, 2596, 2885, 3063, 3354, 3473, 7254 and 7321, Docket 419) Likewise, the United States received reports of witnesses who saw in the foreign exchange house a man named Adnan Gualgair El Shukrijumah, a terrorist member of Al Qaeda searched by the police. On the other hand, the owner of "Swiss House Cambio," Farouk Razac, was murdered in May 2007, under unclear circumstances, not even a month after the arrest of Abdul Kadir. (pp. 549/1, 678/682 and 991/4, Docket 419)-----

Almost two years after his arrival at Guyana, in April 2004, Mohamed Hassan Ibrahimi was kidnapped by unknown authors, an event that shook the Iranian officers. Thus, Abdul Kadir's son, Salim, replaced the "mubalig" sent by Mohsen Rabbani in the control of the Islamic Studies College and the Guyana Islamic Information Center. (pp. 549/551, 678/682 and 991/994, Docket 419)-----

Considering the subordination relationship confirmed in these proceedings -- which leads to assert that Kadir was a man who reported to Rabbani and operated both in Guyana and in neighboring countries, worthy of mention is the fact that these two individuals had a first-class education in the most radical principles of the Iranian regime; also, from early in the eighties, they had been engaged in the construction and development of the pro-Iranian Islamic movement in Latin America, and fully endorsed to the principles of the export of the revolution, and were aware of the fact that resorting to violent methods was among the possibilities. Rabbani had already tested it in Argentina. Kadir was on the way of doing so when he was arrested. -----

The fact remains that in Kadir's opinion, Mohsen Rabbani was not only a religious leader whose imprint extended throughout Latin America, but he was the discloser of the radical ideology of the Iranian regime to which Kadir endorsed; in addition -- and this circumstance was not minor for it was public and notorious- he was a person involved in

a bloody attack against "the enemies of Islam." To sum up, in addition to being a remarked Shiite cleric, Mohsen Rabbani was an "efficient" terrorist. -----

c.7 The Conspiracy to Attack "John F. Kennedy" Airport in New York-----

If we take into account Abdul Kadir's profile – a person who endorsed to the most radical principles spread by Teheran, who from the beginning of the eighties had become the representative of the Islamic Republic of Iran in his country of origin (a relationship that had been developing through years, specifically through Mohsen Rabbani) and who had established the bases for an intelligence station that served to the interests of the regime – it is not casual that – he was selected to take part in a terrorist attack.-----

The American courts confirmed the existence of a conspiracy – approximately between January 2006 and June 2007 – which consisted in planning the explosion of fuel tanks and fuel pipe-lines under John F. Kennedy International Airport in New York, and the airplanes parked there, in order to spread terror in the city again, and the resulting death of individuals and damage to properties. On June 1, 2007, a court in the United States requested the arrest of four accused individuals: Russell Defreitas, Abdel Nur, Kareem Ibrahiim and Abdul Kadir, for their involvement in this conspiracy. (pp. 362/394 and 402/435, Docket 419)-----

The fifth individual accused, Donald Nero, admitted having been involved during the initial stages of the plot against John F. Kennedy International Airport and – consequently, on October 28, 2011, he was convicted and sentenced to four-year imprisonment *in re*: "U.S. v. Nero" (Docket. No. 08-CR-621, as part of the main proceedings "U.S. v. Defreitas", No. 07-CR-543, pending before US Court for the Eastern District of New York, Brooklyn –pp. 5821/5824, Docket 419) -----

Before the criminal lawsuit against the remaining four accused, Nur pled guilty and was convicted and sentenced to 15 years imprisonment on January 13, 2011 for the crime of supply of material support to terrorists. (pp. 1262/1276 and 1277/1306, Docket 419) -----

Abdul Kadir and Russell Defreitas were judged and convicted in open trial being heard from June to August 2010 and –on December 15, 2010 and February 17, 2011, they were sentenced to life imprisonment for having conspired to carry out the terrorist attack against John F. Kennedy International Airport.-----

As regards Kareem Ibrahiim, due to health problems, his trial was stayed and it was conducted between April and June 2011; he was also convicted for his involvement in the plot and sentenced to life imprisonment on January 13, 2012. (pp. 227/228, 236/240, 832/834 and 5819/5820, Docket 419)-----

Abdul Kadir was convicted for the charge of conspiracy to attack a public transportation system; conspiracy to destroy a building by fire or explosive, conspiracy to attack aircraft and aircraft materials, conspiracy to destroy international airport facilities, and

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conspiracy to attack a mass transportation facility. (pp. 6465/6472 and 6660/6663, Docket 419) He was sentenced for conspiracy to attack a public transportation system with 20 years imprisonment, respectively, for each of the remaining charges for which he was convicted. (pp. 5877 and 5923, Docket 419) -----

As it arises from the transcription and other evidence of the abovementioned criminal lawsuit, the mastermind who initially plotted the attack was Russell Defreitas, an American citizen who lived in Guyana and had worked for over twenty years in JFK Airport, and consequently, he largely knew the facilities and more importantly, the weak aspects in the security system. -----

According to the documents referred by the US Courts, during 2006 Defreitas contacted several persons -- in the United States, in Guyana and in Trinidad and Tobago-- to combine efforts, obtain technical knowledge, financing, human and operative resources, logistics and other aspects required for the execution of his terrorist plot. -----

Shortly after he began taking steps to materialize the criminal idea, Defreitas contacted Steven Francis or "Annas" who gradually became a person of trust. The fact is that Francis was a confidential informant working for the American Federal Agencies, and his involvement in the investigation was critical to collect valuable evidence that contributed to thwart the plot. -----

It was early in 2007 --and after his first group of conspirators had failed- Defreitas, who was aware of the close links between Abdul Kadir and Iran, contacted Kadir. Once he was informed about the terrorist plot, Kadir accepted to take part in the conspiracy and committed to contact his links in Venezuela and the Islamic Republic of Iran. It was then when the actual plan started, since it was not the mere contribution of an individual with skilled technical expertise, instead; Kadir's introduction into the conspiracy entailed the introduction and support of the intelligence station established in Guyana following the guidelines of the Islamic regime. -----

As it arises from the evidence produced in the criminal lawsuit, Defreitas knew that Kadir "*had links with military officers in the Middle East and in South America*" (pp. 362/394 and 402/435, particularly item 36 of the criminal report, on pp. 383 and 423/424, Docket 419) and thus, he decided to submit the plan to Kadir, guided by the firm intent to obtain, through Kadir, the logistic and financial support required to carry out the attack. Everybody was aware that the links between Kadir and the Middle East related him to the Islamic Republic of Iran. As the plot advanced, the conspirators agreed that the revolutionary leaders in Teheran would contribute funds and would issue the *fatwa*. (pp. 995/998, Docket 419) In his testimony, Francis explained the need of the conspirators to have the decision of a religious leader who would order that the terrorist attack be carried out. (pp. 7119, 7179/7180, 7437 and 7482, Docket 419) -----

As already mentioned, the conspirators had decided to send a person of trust to Iran to meet the leaders of the Islamic revolutionary movement in Iran and thus, to progress in the plan. (pp. 2659, 2733, 6180, 6200, 6219, 6229, 6297, 6308/6309, 6875/6876, 6887, 7174 and 7221, Docket 419) In the criminal trial of Ibrahiim, the US Prosecution of Brooklyn indicated that the conspirators had agreed to contact "*the highest ranked individual in the revolutionary movement of Iran.*" (pp. 6877 and 6888, Docket 419)-----

As testified by Steven Francis, confirming the conversations wiretapped during the investigation, the plotters had decided that the Iranian contacts would sponsor the attack, providing religious and financial support. The first funds obtained would be used to implement the first stages of the terrorist plan, for example, purchase of vehicles, explosives, air tickets and training of operatives. (pp. 6180, 6200, 6219, 6221, 6229, 6297, 6299, 6308/6309, 7245, 7260, 7309/7310, 7330, 7430, 7436/7437, 7440/7441, 7449, 7453, 7465/7466, 7476, 7481/7482, 7484/7485, 7491, 7494 and 7503/7504, Docket 419) -----

As already mentioned, Defreitas considered Kadir as greatly important not only for his role as Islamic leader and local political leader, but also because he was deeply rooted and had strong connections with Venezuela and Iran. (pp. 7161, 7211, 7228, 7232, 7286 and 7291/7292, Docket 419) The prosecution in the accusation of Kadir remarked that according to Francis, when the plan was presented to Kadir, he said that he knew people who could be interested, he put forward the idea of using his contacts in Venezuela and Iran and he accepted to submit the plan to them. (pp. 6424, 6428, 6444/6445, 6641, 6643 and 6650/6651, Docket 419)-----

Moreover, as it arises from the conversations wiretapped by the American authorities and the testimony given by Steven Francis, Abdul Kadir mentioned that his contacts in Iran had already been developing a plan to attack the same airport, but that they thought that the idea put forward by Defreitas was substantially better due to the logistic information and - essentially- the extensive knowledge of the target acquired by Defreitas. -----

In this connection, when Steven Francis testified before me in the Prosecution Office for the Western District of New York, he said: "*...Kadir mentioned that his contacts in the Embassy [of Iran] in Venezuela and his contacts in Iran were developing their own idea about an attack against JFK Airport, but that the plan devised by Defreitas was better since it has been carefully analyzed due to the years that Defreitas worked at the airport....*" (pp. 995/998, Docket 419) Furthermore, in the testimony given by him in both oral trials heard by the US Courts, he added that Kadir had told him that "*his friends had liked the idea, that they thought that the path of sheik Mohammed [Defreitas] was a better path...*" (pp. 4442 and 4583, Docket 419) and that "*Muhammed*

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[Defreitas] had information that there were people already investigating this activity and the attack against JFK Airport ...we were told that there were already persons investigating this issue, but not with the knowledge that sheik Muhammed proved to have acquired...," that is, Defreitas. (pp. 7449 and 7491, Docket 419) As proved by the transcriptions of the discussions and other judicial documents added by the US courts, Abdul Kadir greatly contributed to definitely go ahead with the conspiracy. -----

As civil engineer with expertise in the mining industry, he made technical recommendations as to the logistics for the attack, including, suggestions related to the type of explosive material required for the expected detonation, considering the specific structure of the fuel tanks of the airport. (pp. 6386, 6390, 6406 and 6408, Docket 419) When Defreitas travelled to Trinidad and Tobago, to nail down the details for the progress in the plot, Abdul Kadir provided him with transport from the airport and accommodation during his stay in the island. (pp. 3236, 3258, 6391 and 6408, Docket 419)-----

Furthermore, Kadir accepted to use the bank account held by him to conceal the funds that would be required to finance the terrorist act, which according to Steven Francis statements, would be supplied from the Islamic Republic of Iran. (pp. 995/998, 7245 and 7309/7310, Docket 419) Originally, the bank account was allocated to raise funds for the construction of a Shiite mosque in Guyana. (pp. 6392 and 6409, Docket 419) In a clear example of the dual operation of the components of an intelligence station, the conspirators had decided to conceal terrorist actions behind their religious undertakings.

Abdul Kadir's involvement in the plot proved by the American authorities also included a set of guidelines to implement the plan, some of which were intended to prevent being discovered by security agencies as for example: a) use encrypted language in telephone calls, to avoid being detected by the authorities; b) not carrying pictures or video of the target to avoid suspicion by the authorities; c) resort to satellite pictures available at the Internet to transmit the plan details to new partners; d) not wearing religious clothing in Trinidad, so as not to call attention; e) not contacting Yasin Abu Bakr -leader of a terrorist group in Trinidad and Tobago, known as JAM-, due to the risk entailed by linking a closely monitored person and because he was considered not suitable for the plan; and if contact was made, to take that sensitive action through Abdul Nur, a safe contact to Abu Bakr. (pp. 3236/3237, 3258/3259, 6386, 6390/6391, 6406, 6408, 6444 and 6650, Docket 419)-----

During the months following the introduction of Abdul Kadir into the plot, Defreitas -at all times accompanied by Francis - went back to the United States, then returned to Guyana and finally, he travelled to Trinidad and Tobago. Adbel Nur also went to this last trip. He was in charge of contacting Yasin Abu Bakr, leader of the Trinidad-based

terrorist group Jamaat al Muslim (JAM). Eventually Defreitas, following the advice of Abdul Kadir and Kareem Ibrahiim, his new partner in Trinidad, decided not to meet Abu Bakr, and the plan would be finalized and executed through the contacts in the Islamic Republic of Iran. (pp. 6583, 6589, 6709 and 6712, Docket 419)-----

Shortly after these advances, on June 1, 2007, Abdul Kadir was arrested while he was on board of an airplane at the airport of Trinidad and Tobago, in trip to Venezuela bound to the Islamic Republic of Iran; all of these were admitted by Kadir in his trial. (pp. 835/837, 1074/1075, 1603/1604, 1716/1717, 1927 and 2004, Docket 419) The American authorities, who were following the development of the conspiracy, directly took part to prevent that in this stage the plot could advance and thus, the terrorist attack could be eventually materialized. -----

According to witness Addonizio, as Abdul Kadir promptly renewed his passport, got his air ticket and other travelling documents - one day before departure- made the authorities disregard that the reason for his travel was that he had been invited to attend a conference, as Kadir alleged, and they concluded that the real purpose of this untimely trip was to "*finish the details of the plan for the plot against Kennedy Airport with his contacts in Iran.*" (pp. 839/850, 852/853, 991/994, 5733/5734 and 5785/5787, Docket 419 and documents kept in the Attorney General's Unit identified as "Government Exhibits Nos. 157 and 158," pp. 274, Docket 419) The fact that soon after Kadir was arrested one of his sons named Salim contacted Iran to seek help is also another hint that leads to the same conclusion. (pp. 991/994 and 1225/1227, Docket 419) -----

c.8 Dual Use of Cultural and Religious Spread-----

As confirmed in the previous sections, the investigation of this case clearly exposed the use of lawful activities such as cultural and religious spreading, commercial and diplomatic activities, for undercover of intelligence activities; basically, it revealed that such dual use may facilitate the preparation of acts of terrorism. In other words, during the investigation that led to thwart the plot and to the arrest of Abdul Kadir, Kareem Ibrahiim, Russell Defreitas, Abdel Nur and Donald Nero, different elements of evidence were obtained which evidenced a modality consisting in using the legitimacy of certain activities, to conceal behind them criminal goals and actions. -----

Certainly, when the conspirators started planning the terrorist attack, they took many actions and planned to conclude others, all of which were "disguised" by the legitimacy of legal and valuable activities carried out by institutions in charge of cultural and religious spreading. There are abundant examples of this modality of operation. -----

First, it should be reminded that when Francis and Defreitas arrived at Trinidad and Tobago and were accommodated in Ibrahiim's house, Ibrahiim was not aware that the travelers had arrived at his country to progress in their terrorist conspiracy. Precisely to

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undercover this goal, they previously told Ibrahiim that they were going on a mission to raise funds to build a mosque in the City of Linden, Guyana, and they were seeking to contact Abu Bakr so that he provided financial support for the undertaking. Francis acknowledged that it was a lie and under that alleged objective they concealed their terrorist activity. (pp. 6268, 6351, 7240/7241, 7250, 7303 and 7316, Docket 419) -----

Clearly, the project to build a mosque in the city of Linden existed and was fostered by Kadir, but the truth is that the purpose of the trip to Trinidad and Tobago was to contact Bakr so that he joined the emerging plot. -----

As already asserted, the project to build a mosque in the city of Linden, Guyana, was a real objective of Abdul Kadir even before he knew about the plot, a fact that arises from different conversations wiretapped during the investigation and from a brochure found among the elements seized to the conspirators. Furthermore, this was confirmed by the testimony of Steven Francis in the oral trials. (pp. 2343, 2558/2559, 2644/2645, 2658/2659, 2718/2719, 2732/2733, 3615, 3676, 3968, 4008, 7430/7431 and 7476/7477, Docket 419) -----

Second, another flagrant example provided by the investigation about the dual use of religious institutions as frontage for terror, is the decision made by Abdul Kadir to allow that the funds allocated to finance the terrorist attack against the Airport in New York, were deposited in the bank account opened and allocated to funds raised for the construction of a mosque in Linden. -----

As mentioned before, the project to build the mosque was both legitimate and real. Dual use appears when the conspirators decide to make use of this legitimate project to try to conceal the financing of a terrorist act. -----

On this issue, when witness Francis testified before me, he was convinced that Kadir "*provided a bank account opened to raise funds for the mosque to be also used to receive funds for the attack against JFK.*" (pp. 995/998, Docket 419) This had already been mentioned in his testimony in the trial against Kareem Ibrahiim, where he explained that Kadir had provided the information regarding the bank account and had agreed that funds to be allocated to the attack be deposited there, though, originally, the account had been opened to raise funds to build a mosque. (pp. 7442/7443, 7450, 7456, 7486/7487, 7492 and 7496, Docket 419) -----

This extremely significant information about the dual use of institutions was confirmed by agent Robert Addonizio. In his testimony given in the trial against Kareem Ibrahiim, he sustained that during the investigation he had managed to wiretap several conversations in which it was mentioned that the account for the mosque that Kadir intended to construct would be used to deposit the funds to finance the attack. The witness also underlined that at the time of his arrest, Abdul Kadir, who was on his way to

Iran, held handwritten notes that included the bank account number and the code to receive transfers and to make deposits. (pp. 873/879 and 1077/1078, Docket 419) The agent stressed that these documents related the abovementioned bank account with entities linked to Abdul Kadir. (pp. 5734/5736, 5787/5789, 6765 and 6828, Docket 419)-- The testimonies given by Francis and Addonizio are supported by the wiretapping made during the investigation. Among them, worthy of mention is an audio recording in which Kadir asserted that he was ready to use the account for the mosque to deposit the funds allocated to the attack, provided that the "sponsor" agreed to deposit the funds in that account. (pp. 2663/2664 and 2737/2738, Docket 419) -----

This was also mentioned by other conspirators and it was recorded in a conversation held between Defreitas and Ibrahiim. (pp. 2656 and 2730, Docket 419) Besides, having agreed to use the account for the mosque to deposit the funds allocated to the attack is one of the charges for which Abdul Kadir was held liable. (pp. 6428, 6459/6460, 6614/6615, 6643, 6657 and 6723, Docket 419)-----

Third, to give another example of the dual use, worthy of mention is the fact that as an allegation for his defense in trial, to explain why he was travelling at the time he was arrested for his involvement in the plot, Abdul Kadir sustained that he was travelling to seek financial aid for the project to build the mosque and also, to attend a conference to be held to commemorate the anniversary of Khomeini's death. This explanation arises from the testimony given by Kadir and from a handwritten document seized to him, which appears to contain a speech draft. (pp. 873/878, 1077/1078, 1603/1604 and 1927, Docket 419) -----

Now, even if Kadir was planning to attend the conference and was also seeking to get financial aid for the mosque, the construction of which, as already indicated, was a real project devised before the plot (pp. 2343, 2558/2559, 2644/2645, 2658/2659, 2718/2719, 2732/2733, 3615, 3676, 3968, 4008, 7430/7431 and 7477, Docket 419), the remaining elements of evidence strongly suggest that his trip to Iran was in fact aimed at advancing in the terrorist plan, as was testified by Addonizio (pp. 991/994 and 5733/5734 and 5785/5787, Docket 419) and as alleged by the prosecution in the accusation. (pp. 6620/6624 and 6725/6727, Docket 419)-----

That is to say, in his defense, Kadir tried to use his religious activities as an excuse for the trip, while the main incentive was terrorism. This priority of the terrorist plan over the possibility to seek financial aid for the mosque arises from the words of Kareem Ibrahiim, wiretapped during the investigation; he asserted: "...priority now is to establish contact..." inside Iran, "...inside the country of the revolutionary movement...", even though "...we could have been saving money to build a masjid..." (pp. 2667 and 2741, Docket 419)-----

Fourth, another clear example of the dual use of religious or cultural institutions could be confirmed because the plotters had decided to disguise the purpose of the trip to Iran to progress with the plan. For that purpose, they resolved that the envoy would travel in a religious pilgrimage to Mecca, either in Umrah or in Hajj, to then visit the contacts in Iran and advance with the plot. Thus, once again, under the facade of an Islamic institution, they tried to conceal the actual goal and by doing so, they could dispel any possible suspicion. -----

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The plotters considered different alternatives as to the steps to be taken to advance on the terrorist plan, many of which involved a pilgrimage to Mecca to conceal the trip to Iran. - In this regard, Steven Francis said that, after considering the available options, they decided that Salim (Michael Smith) -- a native of Trinidad and who was Kareem Ibrahiim's student, would travel to Iran to meet the conspirators' contacts while pretending to be in a pilgrimage to Mecca; consequently, they informed these facts to the envoy. Once in Iran, he would show the video, the aerial images of the international airport and the information about the attack. (pp. 1309/1310, 6181, 6201, 6222, 6228/6229, 6300 and 6307/6309, Docket 419) But the plotters reconsidered their decision and they agreed that Salim would not carry those materials but would explain the details of the plan verbally. (pp. 1309 and 1311, Docket 419)-----

Either way, that is to say, whether he carried the plans, the picture and the videos, or not, Francis explained that the group had agreed to give it an encrypted form as "*trip in Hajj or in Umrah*" to refer to the trip to Iran to advance on the terrorist plan. That is, the witness sustained that they had agreed on the fact that it was convenient to send a representative to Iran including him in the pilgrimages of Hajj or Umrah, so as to avoid making themselves conspicuous to sharp-eyed international security agencies; the person sent to Iran would be hidden in a pilgrimage to Mecca to avoid control or suspicion by the authorities. The final destination of the envoy was Iran and every time the plotters referred to the trip in Umrah or in Hajj, they were in fact, making reference to the trip to Iran for the plot. (pp. 6181, 6201, 6220/6222, 6228, 6298/6300, 6307, 7441/7442, 7449, 7465, 7485/7486, 7491/7492 and 7503, Docket 419)-----

These facts were confirmed by Kareem Ibrahiim when he testified in his trial; he said that when they talked about sending Salim to the "Umrah," it was an encrypted term created in reference to the trip to Iran for the purpose of advancing on the plan previously established. (pp. 6113/6114, 5990/5991, Docket 419) -----

In the conversations wiretapped within the scope of the investigation performed by the federal agencies of the United States there are references to this idea of concealing the trip to Iran for the terrorist plan under the pretense of the pilgrimage to Mecca. (pp.

1307, 1310/1311, 2659, 2733, 3689/3690, 3698/3699, 4018/4019, 4024, 4097, 4139, 6228/6229, 6231, 6307/6308 and 6310, Docket 419)-----

In this connection, when the prosecutors analyzed the contribution made by Kareem Ibrahiim to the conspiracy, they underlined that Ibrahiim had good reasons to believe that the revolutionary leaders would be interested in attacking the United States when he put forward the idea to travel in a pilgrimage (Hajj) to Mecca, to then present the terrorist plan in the Islamic Republic of Iran. According to the prosecution, Ibrahiim was aware of what he was doing when he proposed that the plan be presented in Iran to secure financial aid, knowledge about logistics, explosives and operatives for the execution of the attack. (pp. 6946/6947 and 7023/7024, Docket 419) -----

Fifth, another example of dual use is the decision to allocate the funds raised by voluntary donation of Muslims for charity purposes, to the financing of expenses to be incurred in sending the envoy to Iran. Specifically, they planned to use the "*sadaqah*" for the expenses incurred in the issuance of Salim's passport, a fact that arises from both the conversations recorded during the investigation and Francis' testimony in Ibrahiim's trial. (pp. 1307, 6286 and 6369, Docket 419) -----

Sixth, the conspirators expressed their concern for the suspicion that could be raised if they made bank transfers for huge amounts of money. Specifically in these conversations they came up with the idea of using an existing non-governmental entity, created by Russell Defreitas and based in the United States to conceal under the façade of social aid activities, the transfer of funds allocated to finance the plotted terrorist attack. (pp. 2687/2688 and 2751/2752, Docket 419)-----

Seventh, as another example of "dual use," bear in mind that in certain stage of the plot, the conspirators had planned to call a contact in England. According to the plan, this individual would travel to Trinidad and Tobago and after being informed of the conspiracy he would be sent to Iran to advance on the plot. To avoid being discovered by the authorities and/or leaving any trail in telephone calls related to the plan, they had agreed to tell him to travel to Trinidad to build a mosque. (pp. 4102 and 4145, Docket 419) This religious purpose was false and was intended to hide, to the eyes of the authorities, the terrorist goal sought in the actions they plotted to take. -----

Abundant evidence revealed the existence of Abdul Kadir's "students, followers and/or disciples" in Guyana and in the Caribbean, who --whether aware or not - took part in certain actions taken by the group of terrorists who conspired to bomb New York Airport. This was the case of Abdul Raheem, Kadir's student who in May 2007 went to Trinidad Airport to fetch Defreitas and Francis and provided them with accommodation. Or the case of Yasin, who provided his address in Trinidad for reference to travelers so as not to raise suspicion by Trinidad immigration authorities. Or the case of Salim,

Ibrahiim's student who, being aware of the plot, accepted to travel in a "pilgrimage" to Iran to advance on the terrorist plan. (pp. 1307/1309, 3690, 4018/4019, 6222, 6228/6229, 6231, 6267, 6300, 6307/6308, 6310, 6349, 7235/7236, 7239, 7251, 7295, 7297, 7301, 7317, 7457 and 7497, Docket 419) -----

Considering these circumstances we can see how on certain occasions, the "religious education" was unfortunately used as a means to recruit members, which, if necessary, became human resources available to perform terrorist acts. -----

Making use of their efforts in Guyana and in other Caribbean countries, Abdul Kadir and some followers resorted to this dual use of religious or cultural institutions to undercover the establishment of an intelligence station with potential to become operative and to carry out terrorist acts. This is true since this activity was carried out under the veil of legitimacy of the "spread of Islam," the "cultural and religious diffusion" and all the legitimate aspects which are also inferred in the export of the revolution. -----

In this regard, Robert Addonizio noted that the cultural and religious institutions created and/or fostered by Abdul Kadir were also used for the purpose of exporting an Islamic radical ideology, taking advantage of the protection or security provided by those activities. (pp. 991/994, Docket 419) Thus, the use of this resource predates the start of the conspiracy, as part of the establishment of an Iranian intelligence station which, as already anticipated, indisputably served to the criminal activity. -----

Evidence gathered in the investigation of the conspiracy in which Abdul Kadir was involved, revealed certain aspects to be considered in connection with this modality of terrorist actions. On one hand, several actions aimed at advancing on the plot for the terrorist attack were taken concealed under cultural or religious spreading, which are convincingly reflected in the examples given in the preceding paragraphs. -----

But these were not the only activities performed following this modality. Abundant evidence confirmed that numerous actions were taken years before the conspiracy was planned, which made it possible and encouraged it. These actions were also through the abovementioned dual use. Thus, when Russell Defreitas put forward the idea, Abdul Kadir in Guyana, along with Kareem Ibrahiim in Trinidad and Tobago, put into operation the structure on which they had worked for some many years. -----

Precisely, evidence revealed the long and gradual process during which Abdul Kadir made great efforts to establish, at domestic and regional level, an intelligence station sponsored by Teheran. To that end, he executed the same maneuver: the true nature of activities was hidden behind the legitimacy of commercial undertakings and/or cultural and religious spread and diplomatic representations. -----

It is worth pointing out that not all the activities related to religious spread, diplomatic tasks and/or social and educational promotion are really aimed at concealing terrorism.

Such an absurd conclusion could lead to curtail legitimate and valuable activities, endangering freedoms that are the foundations of our current laws and which are protected by them. -----

However, it does not prevent authorities of different states from being warned about this situation, in cases where it is proved that dual use of religious and cultural institutions serve to conceal illegal activities, so that they may act accordingly. -----

The core issue is that this type of institutional structure, as in the case herein reviewed, may be used in a dual manner. Therefore, terrorists may take advantage of legitimate institutions and activities to slowly establish the bases for the expansion of spurious projects with many years in advance. These facts are a regrettably true confirmed by the evidence produced in the wiretapping added to the case. We quote one of the conspirators, Kareem Ibrahim, who said: *"in order to create and deploy a true Islamic movement, the key is to build institutions in times of peace because this is the way to grow and become strong when the time comes for the Jihad."* (pp. 2661 and 2735, Docket 419) -----

d. Comparison between the Activities Performed by Mohsen Rabbani and Abdul Kadir-----

Once we have described the activities carried out by Mohsen Rabbani in Argentina -- which culminated in his involvement in the terrorist attack against the AMIA premises-- and those performed by Abdul Kadir in Guyana --which culminated in the thwarted attack against John F. Kennedy Airport--, and notwithstanding the subordination relationship between them, we found an obvious parallel in the activities performed by both of them. -----

A point to note here is that notwithstanding the fact that cultural, social, economic and geopolitical differences between Argentina and Guyana are clear -- and therefore each of the Iranian leaders gave a specific imprint to his task-- a qualitative approach of those activities reveals the above-mentioned similarities. -----

From this point of view, their behavior was not only completely subordinated to the intents of the Islamic Republic of Iran but also borne great similarity, to wit: radical ideological profile, time coincidence to start making efforts to export the revolution, proselytism and ideological duplication, indoctrination under the revolutionary radical principles, dual use of Islamic cultural centers and mosques, receipt of funds from the Islamic Republic, relationship with Iranian diplomatic representations and preparation of intelligence reports serving to the interests of Teheran. -----

It should be noted that what is relevant here is not the articulation of isolated actions even if they are common to both men, but that those tasks had an indirect goal, a criminal intent, as is to establish an intelligence station developed under the guidance of

the "policy to export the revolution." The truth is that, according to Iran's instructions, Rabbani established the intelligence station in our country while Kadir did so in Guyana. To better understand the scope of this goal, there follows a specific study of each of the coincidences mentioned above. -----

d.1 Radical Ideological Profile -----

Both Abdul Kadir and Mohsen Rabbani were ideologically identified with the "policy for the export of the revolution" and were committed to the spread of the revolutionary principles formulated at the Seminar held in Teheran in 1982. Such affiliation was extremist, that is to say, they both justified violence in as far as it was a useful means to attain the goals set by the regime. -----

As regards Kadir, it should be reminded that a series of elements seized, revealed his fundamentalist view and that he considered violence and terror as valid methods as far as contribution to the revolutionary expansion was concerned. -----

It is precisely the material seized from Kadir --the analysis of which was made in the preceding chapter (v gr. *Manual for Allah's Soldier*, pp. 73/84 and 172/194, Docket 419) -- which adds another element that reinforces the idea of his radical view and enables us to understand the reasons why he called for the physical destruction of his opponents. (pp. 1085, Docket 419) -----

This view did not go unnoticed by those who interacted with Kadir, such as Steven Francis who asserted that Kadir said that they should emulate the actions taken by players involved in establishing Islam at any price. His hostility was also noted by the investigators in charge of reviewing his case, such as agent Robert Addonizio, who defined Kadir as an individual with a radical view of Islam. -----

Mohsen Rabbani also adhered to the same principles as Kadir did; he fiercely defended the Iranian Islamic revolution which he considered his own, and had been educated at religious schools in Qom. In other words, and in view of the events, he had adhered to a fundamentalist view of what the "export of the revolution" meant. -----

His position was disclosed in the speeches given as pray leader in the "At-Tauhid" mosque in Buenos Aires, in the indoctrination of his followers and expressed in graphic publications and radio broadcastings. -----

It is worthy adding that fundamentalism of Iranian agents in Guyana and Argentina was reflected in their open support to the terrorist organization Hezbollah. In this regard, witness Steven Francis expressed: "*Kadir is one of the most resolute individual I have ever met; he is resolute about his ideology, he admires and boosts organizations like Hezbollah and other terrorist organizations. Kadir conveys it in his prayers, (...) he spoke in favor of Hezbollah (...) he wanted to create an organization like Hezbollah in the Caribbean.*" (pp. 995/998, Docket 419) Khosrow Iamania clearly described that

Rabbani indoctrinated his students telling them "*we are all Hezbollah*" and with that phrase he explained the violent meaning of the export of the revolution. (pp. 2210/2222, Case No. 1627) -----

Thus, on account of the pattern of behavior displayed by both leaders based on extremist ideas, they became – in the eyes of Teheran- the ideal men to carry out the policy for the export of the revolution" in Guyana and in Argentina, respectively. -----

d.2 Time Coincidence to Start Making Efforts for the Export of the Revolution. Funds provided by the Islamic Republic of Iran. -----

Both Iranian leaders started making efforts to export the revolution by 1983. As already indicated, the date is not casual since it was the logical consequence of the decision made at the Seminar on Ideal Islamic Government held a year before in Teheran, in the sense that the activities of the Iranian agents abroad should become much more militant and active, introducing into the doctrine of revolutionary expansion, violence as an eventual and viable resource to remove obstacles in the way to achieve the goals set by the regime. -----

Thus, at that time, Abdul Kadir started developing a Shiite Islamic movement in Guyana after the relevant Iranian authorities accepted him as their representative in the country of Northern South America. -----

It should be borne in mind that his acceptance was gained after he made his first trip to the Islamic Republic in February 1983 at the request of the Ministry of Reconstruction (*Jihad e-Sazandegi*), a government office which, as already explained in the relevant section, in addition and in parallel to its tasks of promoting rural regions in Iran, played a significant role in the intelligence structure implemented to "export the revolution." -----

From then on, his efforts to start, consolidate and spread the Shiite Islamic movement in Guyana began to be directly supported and sustained by the Islamic Republic of Iran, which instructed him on the shape that the export of the revolution should adopt, and which entailed the establishment of an intelligence base. -----

On his part, Mohsen Rabbani also arrived at Argentina in 1983 as an alleged commercial representative of Iran, although the truth is that his activity in our country was not solely intended to do business. Instead, it is conclusively proved that Rabbani was involved in spreading the ideals of the Iranian regime in our country, that he made use of the mosques and cultural centers to recruit elements who served to its interests, developed an intelligence station in Argentine territory sponsored by Iran which, as already broadly expounded in the Opinion issued in 2006, was critically involved in the terrorist attack against the AMIA premises. -----

All the foregoing fuels the version presented by witness Abolghasem Mesbahi, who testified that Rabbani had been sent to our country by Mohammad Taskhiri, Islamic

Head of Iranian Propaganda worldwide and, at the same time, leader of the organization "Ahl Ul Beyt." (Testimony on pp. 141, Docket 204) The witness added that the information was given by Rabbani himself whom he met in 1983, in a visit to the sheik of the mosque in Hamburg, Germany, who was a brother of Rabbani's wife. At that time, Rabbani -who was already member of Khomeini's intelligence bureau-, said that he was travelling to Argentina to create support groups to export the Islamic revolution and take advantage of the ample and favorable opportunities offered by our country, as stated in previous reports. (pp. 3448/3461 back, Docket 204)-----

The time coincidence at to the beginning of Iranian efforts in the Americas was due to a series of specific instances being taken in Iran. -----

Certainly, it should be recalled that in March 1982, a Seminar on Ideal Islamic Government was held in the City of Teheran which was considered a turning point as to the method to be applied to export the revolution. In other words, the use of violence and terror was approved as a valued tool to remove obstacles in the way to achieve the revolutionary expansion. -----

It is not casual that the year after the seminar, that is to say, in 1983, and in the pursuit of the goals set, Iran decided to extend its revolutionary imprint to other latitudes. Within this framework are the tasks entrusted to Rabbani in Argentina and to Kadir in Guyana, and that one year later the cleric Tabatabaei Einaki was sent to Brazil for equal purposes. On the other hand, we should describe another element which is not only as equal as is the deployment made by Rabbani and Kadir but also is strongly indicative of the fact that the activities carried out by both served to plans previously devised by Iran. This element is the financial support provided to both of them. -----

When reviewing the abundant letters exchanged between Kadir and his Iranian counterparts, we can envisage the funds provided to Kadir. The development of the cultural center and the mosque led by them confirms the Iranian financing. There is no other reasonable conclusion, especially considering what Baiynah, one of Kadir's daughters said; she assured that her father did not have enough money to send her or any of her brothers or sisters to study at Qom, despite the fact that three of Abdul Kadir's children -Salim, Sauda and Baynah- were educated at that city. -----

In case there is still any doubt, the witness added that the quarrels between her father and an envoy from Iran, Mohammed Zenjibari, were related to the "management of funds," which was confirmed by witness Addonizio. -----

On the whole, the indisputable fact is that Islamic Republic of Iran provided financial support to the activities performed by its disciple in Guyana. It could not be otherwise, since he had been entrusted the export of the revolution and the establishment of an intelligence base in Guyana. The case of Mohsen Rabbani was similar; however, as he

was the highest Shiite leader in the region, it was on a higher scale. Indeed, it has been described in detail in the Opinion issued in October 2006, that all his tasks were supported by the Iranian Islamic Government, and, in this case, financial aid included the purchase of at least four real properties, the issue of several graphic publications, the development of two radio broadcastings, the support to three mosques and many cooperators who were acting close to the sheik and received payments as scholarships. -- As shall be hereinafter described and considering Rabbani's position as leader for South America, financial support for other cultural centers in countries like Chile, Uruguay and Colombia was provided through Iranian resources managed by Rabbani from Buenos Aires. -----

d.3 Propaganda and Ideological Reproduction-----

The establishment of the diffusion and propaganda apparatus focused on a fundamentalist view through mass media was similar both in Guyana and in Argentina. - Abdul Kadir started spreading the ideas imposed by Teheran following the parameters of its "five-year development plan," which exhibits the significance of the ideological reproduction and the Islamic propaganda in the projects ran by Kadir. There, courses on theological as well as military training were designed. And, with an interpretation broadly similar to that made by Rabbani in Argentina, they were committed to the need to broadcast radio programs and publish books and magazines that contained their radical position. To sum up, and according to the statements made by Steven Francis, *"in the case of Kadir, they were embracing the revolution, they were creating an organization; they were seeking to imitate Hezbollah. They wanted to create an organization like Hezbollah in the Caribbean, with their ideology."* (pp. 995/998, Docket 419) -----

Their ideas were put into practice. Thus, Kadir founded and managed the "Guyana Islamic Information Center," which enabled him to have the ideal coverage to spread the principles of the "export of the revolution," while he was establishing the intelligence base without raising suspicion. -----

Following the same trend, he organized Islamic seminars and established the sole Shiite mosque in Linden, which operated on the first floor of his home address; there, he could deliver indoctrinating speeches to his followers. It is a clear example of the dual use of religious centers, to be described below. -----

Through this deployment he could first extend to Georgetown, Guyana's capital and largest city- and then to Trinidad and Tobago, Dominica, Barbados, Antigua and Bermuda and Granada. (pp. 107/109 and 209/212, Docket 419) So, he could establish and strengthen relationships with other regional Islamic leaders, to such an extent that by

1998, he was the representative of the Caribbean Islamic Secretariat. (pp. 98, 100 and 203/205, Docket 419)-----

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Mohsen Rabbani played a similar role in our country: he created and directed three mosques, he was considered as one of the major representatives of the local affiliate of the "Muslim Brotherhood," from which he spread the Iranian theocratic revolution, while turning it into a weapon of permanent rhetorical attack on the United States and Israel; he also made graphic publications, developed two radio stations to enlarge recruiting of adherents to the cause and indoctrinating with those extreme views local followers who could serve the goals of the Iranian regime. -----

It has already been explained that the intelligence station set up in our country behind its legitimate frontage allowed Mohsen Rabbani to locally assist the operative group of Hezbollah in charge of bombing the AMIA premises. Therefore, we become aware of the importance attached to these activities, since the regime of the Mullah has implemented a strategy that, in this connection, entails having the necessary framework and some agents waiting, possibly for long terms, so that they serve to their goals – in other words, to make use of them, when needed. -----

d.4 Recruiting and Indoctrinating under the Revolutionary Principles -----

One of the main purposes of the establishment of the propaganda apparatus and the radical ideological reproduction is to attract persons who display commitment and responsive attitudes to carry on the spread of extremist views conveyed by the Iranian regime. -----

Well, recruiting followers and their indoctrination under the principles of the "export of the revolution" has been another task fulfilled with striking similarity in Argentina and Guyana. -----

Again, Abdul Kadir wrote the progression of his works. In a summary of the history of the Islamic Information Center, he illustrated the expansion of the pro-Iranian Islamic regional movement, even stating the names of certain new members. -----

He indicated that they travelled to Georgetown every weekend to give lessons to new followers and then he underlined that they have managed to send eight individuals to continue their religious studies at Qom, Iran. -----

Mohsen Rabbani, in his position as religious authority not only for Argentina but also in South America, strongly and decisively impacted on the recruitment and indoctrination of adherents to the Iranian cause, who were inculcated into the thoughts of violence and devotion to organizations like Hezbollah. -----

Besides, he played a significant role in recruiting followers sent to religious centers in Qom (it was Rabbani who arranged the trip of the Guyanese students related to Kadir, among whom Kadir's son was included). As explained below, according to available

information, while they stayed in Qom in addition to becoming specialized in religious issues they received political indoctrination and eventually paramilitary training by Pasdaran. (pp. 11.290/11.393, Docket 263; pp. 2108/2111 of case No. 1627 and pp. 2143/2343, Docket 209)-----

This recruiting and indoctrination is in the final analysis, one of the main foundations of the task performed by Iranian agents, since while it develops the intelligence structure it makes it possible to enlarge the regime's military ranks with followers. They become cooperators for their local leaders since they are capable of gathering information and they are suitably trained; therefore, they may serve to carryout terrorist acts. -----

d.5 Dual Use of Cultural and Religious Spreading -----

Another aspect in common between the activities performed by Kadir in Guyana and those performed by Rabbani in Argentina is the dual use of cultural centers and mosques under their charge.-----

This is a highly important coincidence because the use of cultural centers and mosques is one of the foundations of the Iranian architecture for the export of the revolution. The truth is that the cultural and religious frontage to conceal illegal actions has been a landmark in the infiltration strategy devised by Teheran. The fact that two of its leaders had taken equal steps in respect of these cultural and religious structures -- though in each country with clearly distinctive national traits-- clearly discloses that the activities performed by the Iranian envoys abroad have a common origin focused on crystal clear objectives: to develop, under the support of the export of the revolution, an intelligence station with capabilities to operate independently in the infiltrated country and in doing so, ensuring cooperation to actions that eventually may be carried out in the territory by decision of the Islamic Republic. -----

Not only had Abdul Kadir carried out the tasks entrusted to him but he also wrote them in a document which he entitled: "Five-Year Development Plan;" this plan included both legal activities (trade, propaganda, education) and illegal ones (infiltration and counterfeit of documents to move freely without being detected). -----

The structure developed in Guyana through the Linden mosque, the Guyana Islamic Information Center, through followers who served Kadir's ideological guide, among others, was properly assessed by Teheran's Government. This was so much so, that in the opinion of this Attorney General's Office, the conspiracy to attack John F. Kennedy Airport in New York was organized under its protection; furthermore, considering the evidence produced in the file and as explained in the relevant Chapter, it had the approval of the Islamic Republic of Iran. -----

In parallel, the intelligence station established by Mohsen Rabbani on Argentine soil also included a dual purpose as to the activities developed in mosques and cultural centers: in

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tandem with its regular functions, they were involved in spreading the grounds for the Islamic revolution and detecting suitable recruits for the creation and maintenance of an intelligence station. -----

The truth is that Mohsen Rabbani, in addition to being one of the major architects of the intelligence station established in our country, had been sheik of "At-Tauhíd" mosque in the City of Buenos Aires; however, he was then appointed Cultural Attaché to the Iranian Embassy for the purpose of granting him diplomatic immunity; therefore, his specific involvement in spreading culture and Islam is revealed. -----

However, we need to stress the dual goal stamped on those institutions, which was evidenced both by witness Reza Zakeri Kouchaksaraee, who asserted: "*...the main task of the cultural attaché is to acknowledge the groups and individuals who support targeted terrorist activities...*" and the statements made by Abolghasem Mesbahi who said: "*the religious activity of mullah consists in delving into communities, watching dissidents and recruiting individuals who will be used in the future, who even commit murders in the name of religion.*" (pp. 3.448/3.461 back, Docket 204) Along these same lines were the statements made by Kenneth Timmerman, who stated: "*Suicide-bombers are recruited from Islamic centers, mosques (...) and from these places the infantry of terror is created.*" (pp. 76/80, Docket 352)-----

Rabbani's work was more effective because the "intelligence station" established in the City of Buenos Aires, through the joint work of all components, enabled the execution – on July 28, 1994- of the criminal attack against the building where the AMIA premises were located. -----

d.6 Relationship with Iranian Diplomatic Representations-----

In light of the evident implication of the Ministry of Foreign Affairs of Iran in implementing the regime's strategy for the export of the revolution, it is consistent that the regime leaders bound to its pursuit in third countries had close links with Iranian diplomats. -----

Thus, Abdul Kadir maintained a proven relationship with the Embassy of the Islamic Republic of Iran in Venezuela – it should be reminded that Guyana had no Iranian diplomatic representation–, which was first led by Ambassador Murteza Tavasoli. This relationship revealed Kadir's subordination to Teheran's officials (reflected, as an example, in the exceedingly ceremonial headings of the letters sent by Kadir), the specific work performed for them (evidenced by the intelligence reports identified on pp. 20/32 and 127/138, Docket 419), and the evident preexistence of agreements and commitments with the Iranian regime (evidenced by the requests for financial aid and material necessary to fulfill tasks). -----

The assertion that Kadir was linked to Teheran's Government and not with a mere regional diplomat is proved by his subsequent communication with new Iranian ambassadors in Venezuela whom he contacts, from 1998 in his capacity as representative of the "Caribbean Islamic Secretariat." It clearly arises that the activities performed by Abdul Kadir in Guyana and in other countries in the Caribbean related to the global goal to "export the revolution" and to the specific goal to establish intelligence bases, were supported and supervised by the Iranian diplomatic representations. -----

Mohsen Rabbani was also strongly linked to the Iranian Embassy in Buenos Aires; maybe he forged more important links due to his status as Iranian citizen and highest leader throughout the South American region. Hence, Rabbani had free access to the whole building where the delegation was housed and had been addressed with outmost respect by its personnel. In this regard, worthy of mention are the statements made by the administrative clerk of the Iranian Embassy in Buenos Aires, Viviana Paula Maruffo, who said: *"Rabbani went there at least once a week to meet any of the diplomats, but particularly, he held meetings with the ambassador (...) he had strong power; she asserts this fact because she noted that when he arrived at the Embassy everybody took a bow, that is, his mere presence generated respect. She understands that RABBANI had even more authority than Ambassador SOLEIMANPOUR himself..."* (Testimony appearing on pp. 13.708/13.713, Case No. 1627) -----

In this case, we should consider the close relationship between Ambassador Hadi Soleimanpour and Rabbani and the trip of the Third Secretary Ahmad Reza Asghari to attend with Rabbani the meeting held on August 14, 1993, in the City of Mashad, Iran, where the decision to attack the AMIA premises was taken. -----

d.7 Intelligence Reports-----

The responsibility of Abdul Kadir and Mohsen Rabbani in the establishment of an Iranian intelligence station in their respective areas of influence predictably included the referral of reports in this connection to the relevant authorities. -----

Six intelligence reports addressed to the Iranian Ambassador in Venezuela, Murteza Tavasoli, were seized from Kadir's house. Through these documents, Kadir informed the Islamic Republic of Iran about the political, economic and social condition in Guyana, the events related to the local Muslim community and neighboring countries such as Trinidad and Tobago and Surinam, the current status of the Guyanese armed forces, etc. Also, as clearly indicated, Kadir reported to Rabbani about certain members of the Islamic community committed to the revolutionary principles, or about the report informing Iran on the infiltration into his Shiite group by a Sunni group supported by Libyan diplomats. (pp. 32 and 136/8, Docket 419) Upon the analysis of these reports and in view of the specific questions made by me, detective Robert Addonizio

expressed: "*Abdul Kadir worked for the Iranian government and provided it with intelligence information about Guyana (...) the tasks performed by Kadir were those inherent to a spy.*" (pp. 991/994, Docket 419)-----

As regards the tasks performed by Rabbani in our country in this connection, we should bear in mind that due to the financial aid provided by the Islamic Republic of Iran, the control over the greatest Shiite mosques in the country and the effective link with a propaganda apparatus and indoctrination in the revolutionary principles, the Shiite cleric could in the final analysis, as detailed in the relevant Chapter, develop a complete "Iranian intelligence station" in the Republic of Argentina, suitable to gather information which, in the end, provided logistic and operative support necessary for the execution of the terrorist attack against the AMIA premises. -----

Certainly, the information gathered was related to activities carried out by Iranians in our country, information about other Islamic factions and, unquestionably, information on potential targets for terrorist acts like the one at issue. -----

This was confirmed by witness Nasser Rashmany, when he remembered that Rabbani had a group commonly known as "antennas," used by him to obtain information about the Bahai and all the Iranians who arrived at Argentina. (pp. 1006/1015, Docket 71)-----

In this regard, also worthy of mention are the statements made by Mesbahi, who sustained that the reports made by Rabbani allegedly included maps of targets, pictures, videos and a plan for each of the targets. This information was allegedly transmitted in encrypted form to Teheran or else, delivered to Fallahijan. (Testimony on pp. 141, Docket 204) -----

The foregoing explains why Rabbani attended as advisor the meeting held by the Iranian High Security Council in Mashad on August 14, 1993, at which the decision to attack the AMIA premises in Buenos Aires was made. -----

Moreover, having reviewed the similarities and the parity between the tasks performed by Abdul Kadir and Mohsen Rabbani in their respective destinations, they can only be understood as the implementation of the regime's policy to export the revolution under the guidelines adopted at the "Seminar on Ideal Islamic Government" held in 1982; all the more, this is so, if we consider that not only the commencement of the tasks performed by both of them was verified just a year after the event, but mainly if we take into account the contents of the tasks carried out by both of them, that is to say, the establishment of "intelligence stations" serving to the Iranian regime and then used to support terrorist operations, in line with the strategy devised at the seminar, approving the use of violence and terror to remove obstacles in the way to spread the revolutionary principles. -----

CHAPTER FOUR -----

a. The "Policy for the Export of the Revolution." Intelligence Stations -----

Similarities and abundant aspects in common have arisen from the comparison between the activities performed by Mohsen Rabbani in Argentina and Abdul Kadir in Guyana, to wit: the complete combination between politics and religion in speeches and activities carried out by the representatives of the regime; an intense activity intended to recruit and train agents who adhere to the fundamentalist cause; financing from the Islamic Republic of Iran; preparation and delivery of intelligence reports; dual use of embassies or diplomatic representations, use of commercial undertakings as frontage for illegal activities and dual use of cultural centers or mosques, confirmed that the activities of these leaders of the Islamic Republic were carried out modeled after the "policy for the export of the revolution" that resulted from the courses of action adopted after the Seminar on Ideal Islamic Government held in Teheran in 1982. -----

The truth is that the evidence added to the investigation confirmed a decision made by the leaders at the highest levels of the Islamic Republic to give shape to a policy for the "export of the revolution" which, in an effort to extend their fundamentalist principles and doctrines, led to the infiltration into third countries through the establishment of true intelligence stations, which, if needed -as was the case in Argentina in 1994 and in Guyana in 2007- would become essential for the preparation and execution of terrorist operations. -----

These first conclusions must be understood as a supplement to those contained in the Opinion dated October 25, 2006 when this Attorney General's Office confirmed the existence of an "Iranian terrorist matrix." The analysis of a great number of cases, which were examined in detail in the Opinion mentioned above, allowed us to dismiss any improvised action by isolated groups on one hand, and on the other, to assume the existence of a criminal task perfectly coordinated by the government of the Republic of Iran then in office, which consisted in a series of elements from the decision to execute a terrorist attack -centralized in the highest members of the Government, to the involvement of individuals ready to self sacrifice by suicide-bombings. -----

We shall briefly review the components of that "Iranian terrorist matrix" confirmed in 2006, to then underline the significance of the intelligence stations established in infiltrated countries when it came to decide, prepare and execute a terrorist attack. -----

The truth is that to the date hereof, this Attorney General's Unit had only evidenced the existence of an intelligence station established by the Iranian regime in Argentina and its implications in the attack carried out on July 18, 1994. The fact remains that, in view of the evidence explained throughout this Opinion, we brought to light another analogous establishment, now in Guyana - which also served to the preparation of another act of international terrorism-, and the development of which also served to the export of the

revolution as a constituent element of the policy of the Islamic regime that did not dismiss resorting to terrorist acts if needed to remove obstacles to the achievement of spreading their radical view. Now, the abovementioned Opinion issued in October 2006 – which, the federal judge hearing the case took it as his own-, explained the components of the so-called “Iranian terrorist matrix:” centralized decision of the Iranian government authorities, use of its embassies and cultural representations as intelligence stations and of its officers as agents serving to those operations, development of a system of cells and networks, existence of frontage companies, attendance to mosques as source of recruitment and safe transmission of sensitive information, use of “safe houses” in the local logistic and use of a car-bomb in the execution of the attack, presence of an operative group and involvement of a suicide bomber in the attack. -----

From the presentation of the Opinion referred to above, it was evidenced that the procedure conducted by the Islamic Government then in office started upon receipt and analysis of several intelligence reports regularly delivered by different agents of Vevak to the Ministry offices. According to witness Abolghasem Mesbahi, the reports described the situation of the local Muslim community, its financial capacity and the level of commitment to the Islamic Revolution. (Testimony on pp. 381/416, Docket 204) -----

The contents of the reports were carefully analyzed by the Iranian authorities. If they concluded that the territory under review had potential for the attainment of their goals, it was accepted as a target and the global start of activities was authorized; these activities included from espionage and propaganda of the Islamic Revolution to terrorist operations. (Testimony received from Mesbahi on pp. 381/416, Docket 204) -----

The increase in Iranian activity in a country brought about enlarging and supplementing the original reports. These new reports were reviewed by an intelligence office that acted under the instructions of the Presidential office, which, as informed by the UK Parliamentary Human Rights Group, was “*created and directed by Rafsanjani when he took over the presidency of the country...*” (pp. 1919/1982, Docket 204) -----

The projects prepared by this office were approved by the President of the Country and were submitted to the consideration of the National Security Council. By these means, certain members of this Council capitalized on the official meeting to discuss and make decisions on issues that exceeded the jurisdiction of the institution. When they were engaged in this illegal activity, it was considered that the decision had been made by the Special Affairs Committee (*Omure Vijeh*). That was just a change of name because the members were basically the same. (Report of the abovementioned UK Parliamentary Human Rights Group added on pp. 1919/1982, Docket 204; testimony dated October 22, 2001 given by Manoucher Ganji, added on p. 119, Docket 352; and the conclusions

drawn by the High Regional Court of Berlin in the "Mykonos" case, added to Docket 204)-----

Finally, as already extensively explained, the resolution of the *Omure Vije* Committee to carry out a terrorist attack should be approved by the Spiritual Leader. It was his exclusive mandate. In these cases, the issue of a *fatwa* --see document provided by Manoucher Ganji pp. 97/99, Docket 352-- implied the authorization by the Iranian maximum authority to carry out the terrorist attack or to physically eliminate opponents to the regime.-----

Now, as it was the case in the terrorist attack carried out on July 18, 1994 against the Republic of Argentina, once the decision to carry out a terrorist operation was made and the *fatwa* issued, the next step was to plan the details of the operation. To illustrate this, we quote the report by the UK Parliamentary Human Rights Group: "*If the plan is entrusted to the Qods Force, its Commander-in-Chief (...) schedules a meeting and decides who will attend. (...) At the meeting, the details of the operation are planned and the results are referred to the Intelligence Department. (...) The Head of the Intelligence Department then sends a letter to the Minister of Foreign Affairs indicating the level of cooperation needed from the Ministry, including the delivery of passports and visas and the requested budget. (...) The Iranian Embassy in the country of destination is informed and the action groups come into contact with certain individuals inside the Embassy, who are in charge of sending and receiving messages.*" (pp. 1919/1982, Docket 204)-----

This perfectly and accurately organized mechanism had not left any aspect up to fate. Thus, to set this meeting of criminal minds into motion, Teheran appealed to the previously developed resources so as to assure security, unpredictability of the selected target and success in its goal. These resources included a vast network of contacts and relationships among different official agencies and private individuals, which were all linked, despite their different ways, to the Iranian regime. Among them, worthy of mention are the embassies, the cultural attaché offices and centers, the mosques and certain individuals of the local Muslim communities acting in a coordinated manner. ----

In other words, the intelligence bases or stations where each element fulfilled a dual function -- on one hand, formal tasks were performed while, on the other, they also performed undercover tasks - were not simply used by Iran to have operating capacity for the purposes of carrying out an attack if required, but they were the result of strategies devised by the authorities of the Islamic Republic that included violence as a viable resource modeled after its "policy for the export of the revolution." -----

So, the existence of these intelligence bases was confirmed both in Argentina and in Guyana. And as already stated, their origin, evolution and development has always been surreptitious under the umbrella and protection of the fully spread principles of the

Islamic government, the so called "export of the revolution." Therefore, as it was confirmed in these cases, the ayatollahs also used this goal of spreading their political and religious doctrines worldwide to conceal the creation and establishment of bases with terrorist support capacity in third countries while they claimed and pretended that they were just performing a task of Islamic proselytism.-----

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The possibility to infiltrate a country and establish an intelligence station under the veil of legitimate activities and without being suspicious is the intrinsically dangerous aspect of this situation, since once a certain level or development is reached, the intelligence station has capabilities to provide local logistics to carry out, if decided, terrorist actions in the territory where it has been established. -----

That is, through the "policy for the export of the revolution" Iran has developed an elaborate and rigid support structure that allowed infiltrating South American countries and establishing thereat intelligence bases that proved to be a crucial instrument when the time comes to carry out- or seek to carry out- terrorist attacks, as was the case in Argentina and in the Republic of Guyana.-----

In other words, according to the analysis of evidence produced in the investigation, we may confirm that both the Republic of Argentina and the Republic of Guyana were selected by the Islamic Republic of Iran, as quoted by Mesbahi, as "targets" of Iranian intelligence, and that intelligence stations with sufficient capabilities to be a logistic support for acts of international terrorism were established in both countries. In Argentina, one of the primary authors was Mohsen Rabbani --who is a fugitive of the Argentine Courts for his involvement in the terrorist attack against the AMIA premises-- and in Guyana, it was Abdul Kadir, convicted and sentenced to life imprisonment for the crime of conspiracy to commit a terrorist act against an airport in the city of New York. - But besides, and which becomes an essential fact for this Opinion, considering the coincidence in the start of activities, the surprising similarities in connection with the use of propaganda and reproduction of the principles of the Islamic revolution, the attraction and recruitment of individuals, the identical source of financing, the specific intelligence activity carried out by both leaders and the analogous dual use of religious, cultural and diplomatic institutions, we can trace a parallel between the entities which, beyond the necessary flexibility required in this type of structures -- taking into account the diverse culture, thinking, economic and geopolitical significance of each country- lead to confirm that the establishment of the intelligence bases served to the strategies drawn by the authorities at the highest levels of the Government of Iran, and that, indisputably, they are the materialization of the "policy for the export of the revolution" adopted by the Islamic regime in 1982. -----

b. Analysis of the Components of an Intelligence Station -----

Since we are faced with an infiltration strategy, which, notwithstanding its flexibility, has analogous components that have been put into motion in a similar manner in each and every country where it could be applied, it is worth noting here the description made in the Opinion dated October 25, 2006 about what happened in the Republic of Argentina. -----

Then, the focus was on what had happened in Argentina because we were not aware of the establishment, development, formation and functions of Iranian intelligence structures reproduced in other countries, and that such "stations," modeled after what is openly known as the "export of the revolution", were among others, intended to provide support necessary to execute acts of terrorism. -----

Interestingly enough, in the description of the case in Argentina, we indicated that the structure was divided into links, and each link was allocated to a specific and definite role. Thus, the embassy fulfilled its protocol and consular duties; the mosques engaged in the spread of Islam, the companies would be engaged in generating business and the local community was the recipient of the joint work. After a deeper and detailed review of the situation we could realize that there was another aspect of this scheme, an illegal aspect, which was concealed by the legitimacy of the activities mentioned above. -----

In this regard, we added that embassies basically fulfilled a function of protection: they provided coverage to the members by giving them diplomatic immunity, they turned to be the ideal channel to transmit necessary information, and at the same time, they monitored possible reactions by the Argentine government. Mosques were used by leaders of the regime as bases for recruitment of individuals with equal ideas as those advocated by the Iranian Islamic revolution and as centers for the transmission of sensitive information. Frontage companies gave employment and certain members of the Islamic community were manipulated to become gatherers of useful information. Their fluency in the language and knowledge of the environment allowed them to do so surreptitiously without arousing suspicion. -----

The frame and operation of these equal intelligence stations discovered in Argentina and Guyana reveal the creation of a complex structure consisting of religious, cultural, economic and social activities carried out by representatives of Iran abroad, and serving to the strategy adopted after the seminar of clerics called by the Islamic Republic of Iran in 1982. It was in this context, and taking advantage of the ease provided by the intelligence stations already established, that the terrorist attack against the AMIA premises was executed and that an attack against John F. Kennedy Airport in New York was plotted. -----

Therefore, the scheme of intelligence stations is focused on all-encompassing apparently legitimate goals. However, it has been proved that the "policy for the export of the

revolution" may also entail provision of support which comes to mean expediting the execution of terrorist acts to remove obstacles in the way to achieve the goal of spreading Islamic revolution. -----

In this connection, from the repetition of the behavior displayed by Iranian agents abroad, it was more than obvious the existence of common patterns of behavior with carefully planned features, which enabled us to dismiss considering them as isolated acts. So, it is the externalization of a policy that remained unchanged for years the distinctive feature of which is the recruitment of followers or sending leaders of the regime to other countries entrusted to develop the enormous task of infiltrating, with the help of embassies, mosques and cultural centers and local communities. As a result, their response at international level is increased. -----

In other sections below, we shall explain how certain links of these complete intelligence stations verified in Argentina and Guyana, were also reproduced in other regional countries, and specific considerations shall be made on this issue. -----

Now, the typical feature of Iranian practices detected in Argentina and Guyana is defined by the strong dual use of different institutions associated to the Islamic Republic of Iran in the country considered as a "target." This division of tasks was essential to disguise the most secret operations related to the policy for the export of the Islamic revolution, under the veil of typical activities performed by any state, or cultural, economic or religious representation. Included in this type of actions is the recruitment of individuals from local communities for radical indoctrination purposes, recruitment that may even result in military training. -----

The result of these indoctrination training processes is the procurement of subjects serving to the interests of the Islamic Republic of Iran, as elements serviceable for the performance of different tasks in the intelligence station. These tasks cover from areas to gather information on possible targets to direct cooperation in the preparation and execution of terrorist acts. -----

Precisely, this type of criminal actions was possible, as evidenced in the terrorist attack against the AMIA premises- due to the operational capacity installed by the Iranian government in other countries modeled after its "export of the revolution". At the same time, confirming this explains that behind the declared expansionist aim of the Iranian regime, there was a series of strategies intended to provide certain intelligence stations abroad with the required capabilities -through logistics, financing and operational activities- to make viable a terrorist attack decided by the Islamic Republic. -----

Broadly speaking, the work is performed by Iranian agents, financially supported by the Islamic government, whose main duty consists in their establishment in the local Islamic community. Thanks to the financial support, these leaders financially maintain mosques

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or prayer houses, used by them to announce the radical principles of the Iranian Islamic revolution and to recruit elements serving to their revolutionary purposes. The main groups targeted by the leaders are the Muslim communities, preferably, Shiite communities. -----

Proselytism is supplemented by the establishment of cultural centers, brotherhoods or associations which like the mosques are aimed at recruiting and converting individuals. Here we note the tendency to select individuals to be sent to religious schools in Iran – mainly located at Qom- to be subject to further indoctrination. These activities, though appearing as legitimate, have concealed in the cases under study, a dual use of those institutions; the foregoing has been proved both in this investigation and in the action brought in connection with the thwarted attack against Kennedy Airport in New York. --- The relationship between at least one of the religious schools in Qom and the terrorist organization Hezbollah was highlighted by witness Steven Francis who said that the Secretary General of Hezbollah, Hassan Nasrallah, delivered a speech to the students in the religious schools of Qom. (pp. 995/998, Docket 419) -----

Proselytism and cultural and religious indoctrination was the origin of one of the sources of power of Iran, described by Iranian Professor Manoucher Mohamaddi⁴⁷ as an expression of what is known in political sciences as “soft power.” According to the author, the sources of soft power in the Islamic Republic of Iran mainly derive from faith and belief in the existence of predominant values in the Iranian society. (pp. 11.055/11.070, Docket 263) -----

According to the development of this theory by Joseph Nye Jr.,⁴⁸ soft power is the ability to get what one wants through attraction and persuasion rather than coercion or payment. In the final analysis, the Islamic Republic of Iran has used the tools given by soft power (attracting wills through matching communication channels, approach to custom and specific cultural ideals, preparation of a uniform line of discussion, etc.) to associate them with the promotion of the “policy for the export of the revolution” and by doing so, they disguise the establishment of intelligence bases capable of supporting terrorist operations. -----

There follows a detailed description of the institutions and steps that served to the Iranian regime to develop its “policy for the export of the revolution” abroad: -----

b.1 Embassies -----

⁴⁷ Professor of International Relations at the School of Law and Political Sciences, University of Teheran. By 2008, he was Assistant Deputy Minister of Foreign Education and Research. -----

⁴⁸ Professor of International Relationships, former Dean of Harvard Kennedy School of Government Harvard University, former Assistant Secretary of Defense for International Security Issues, former president of the National Intelligence Council. -----

International relationships are primarily built up between the States through the establishment of diplomatic representations. The diplomatic mission is a permanent body of a State in the territory of another State. (Barboza, Julio. *Derecho Internacional Público*, Buenos Aires: Editorial Zavalia, 1999. p. 303) -----

Among its regular functions, worthy of mention are the following: to represent the Credentialing State before the Host State; to protect in the Host State the interests of the Credentialing State and of its nationals, within the scope of International Law; to discuss with the government of the Host State; to become aware through legal means about the conditions and development of events in the Host State and inform about them to the Credentialing State; to encourage amicable relationships and develop economic relations between the Credentialing State and the Host State. (Article 3 of the Vienna Convention on Diplomatic Relations)-----

In other words, on one hand, they inform their minister about the development of the situation in the country where they have credentials and, in this connection, on the development of international policy; and on the other, they control that the relationships between both countries be accurate, and even, if possible, cordial, subtly facing any diplomatic maneuvers of their adversaries. (Halajczuk, Bohdan; Moya Domínguez, María Teresa. *Derecho Internacional Público*. 3rd Issue. Updated, EDIAR, 1999, p. 176; in this regard, Gómez Mampaso, María Valentina. *Una aproximación a la Historia de las Relaciones Diplomáticas*. p. 106) -----

Now then, as the States are benefited from mutual diplomatic relations, they agree to bear the charges or liens resulting from these relations. Thus, and as established by International Law⁴⁹ the representatives of foreign nations are immune from the jurisdiction of the foreign State where they have presented credentials. This means that the Recipient State declines jurisdiction on the basis of the diplomat's immunity.⁵⁰ -----

It is based on the need that the diplomat fulfills his mission thoroughly independently. For such purpose, the diplomatic representative is not subject to any actions of the local authority. (Halajczuk, Bohdan; Moya Domínguez, María Teresa; op. cit., p. 177) -----

The establishment of diplomatic missions is broadly spread; it is the international practice and all countries resort to them to address their interests abroad. -----

The Islamic Republic of Iran, as a sovereign nation, is not alien to international practices and had opened diplomatic missions in several countries. In South America, it has representations in Uruguay, Bolivia, Chile, Brazil, Venezuela, Ecuador and Colombia.----

⁴⁹ Articles 31, paragraph 1 and 39 of the Vienna Convention on Diplomatic Relations. -----

⁵⁰ See in this regard, Egea Lahore, Pedro Eduardo. *Doctrina de las Inmunidades Diplomáticas*; L.L., 1978-A, Bs As; p. 843-845. -----

After having briefly enumerated the typical functions performed by foreign representations, we note that the Islamic Republic of Iran—at least as confirmed in Argentina and Guyana— took advantage of the magnitude of diplomatic activities to surreptitiously introduce and develop an intelligence station that served to its goal of exporting the revolution. Specifically, it had taken advantage of the immunities granted to diplomatic representatives under international practices to secure their impunity. Moreover, embassies were used to transfer sensitive information and monitor governments' reactions. Concisely stated, in parallel to the typical functions, it made use of its embassies as one of the crucial elements for the establishment of "intelligence stations" in other countries. For such purpose, among the personnel sent to its diplomatic missions were members of the Iranian intelligence service as well as members of the Islamic Revolutionary Guard Corps. -----

Protected witness identified as witness "A," plainly stated: "...there is a subject from intelligence at the embassies..." (pp. 56/62, Docket 313) Also, the former French judge specialized in terrorism, Jean Louis Bruguiere, asserted the same in his statement: "*In each Iranian embassy there are members of the VEVAK, some of them in an official capacity, others undercover.*" (p. 12, Exhibit "Operative Method" to the "International Report")-----

Mohammad Mohaddessin expressed: "*A look at the list of officers and ambassadors of the Ministry of Foreign Affairs of Teheran and their past curricula, evidences that this Ministry is, in practice, a terrorist political body, that the conventional diplomatic activities are merely a part of its activities.*" (pp. 2143/2343, Docket 209)-----

The truth is that in these proceedings we found some examples of Iranian officers sent to representations in South America whose backgrounds include involvement in intelligence activities.-----

Hadi Soleimanpour held the office as Iranian ambassador to the Republic of Argentina from June 19, 1991 to August 16, 1994 (pp. 1202 and 1217, Docket 392), that is, during the term in which both terrorist attacks were executed in our country. -----

He was imputed as specialist in the creation of "dormant cells." (pp. 1387 back, Docket 1392) So much so that during his stay in Spain as Business Attaché and then as Ambassador, as informed by Interpol Madrid on pp. 1423 and 3750, Docket 392, he had contacts with members of the organization Hezbollah inside the premises of the Embassy. Such an excess in his diplomatic position resulted in that the Spanish Government invited Soleimanpour to "leave the country." (pp. 706/711, Docket 313) -----

This was confirmed by witness Abolghasem Mesbahi who asserted that Soleimanpour was expelled from Spain due to his espionage activities for the Iranian Ministry of

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Information. (pp. 4105/4137, Docket 204) Thus, he was identified as a member serving to Iranian intelligence. (pp. 7/8, Exhibit "Embassy" to the "International Report") -----

As to Mohammad Mehdi Pourmohammadi, who presented credentials as ambassador of Iran in the Eastern Republic of Uruguay on August 11, 1987, his records included traffic of weapons, links to John Pashai⁵¹ and involvement in terrorist activities. (Testimony of Khosrow Iamania on pp. 30/42, Docket 405 and report on pp. 46.588/46.589, Embassy Case) The next ambassador in Uruguay, Mohammad Ali Sarmadi-Rad, was identified as an intelligence officer for the activities he carried out in Turkey (p. 1719. Docket 392 and pp. 2050/2054, Docket 11) and it is even worth recalling that they departed, along with the Iranian ambassadors of Argentina and Chile, from their respective diplomatic offices at the time of the attack against the AMIA premises. -----

In the Opinion issued by this Attorney General's Unit in 2006, we concluded that such absence could only be perceived as another link in the network of episodes directed by the Government of Iran then in office to execute the terrorist attack. -----

The First Secretary, Ahmad Abousaedi, who presented credentials in the Eastern Republic of Uruguay on April 1, 1991 and terminated his office on January 23, 1995, was identified by witness Mesbahi as member of the Revolutionary Guard Corps, in charge of local planning in each and every future terrorist attack. Considering the foregoing, it is highly suggestive that this individual came to our country on June 18, 1994 – exactly a month before the attack- and there are no records of his departure. (pp. 138/143, Docket 394, copy of cable 050555 on pp. 2295/2297 and reports on pp. 1456/1457, Docket 392)-----

While Hamid Reza Hosseini, Iranian ambassador in the Republic of Chile between November 10, 1993 and September 25, 1996, was described by the Department of Foreign Affairs of Chilean Investigative Police as *"a hardliner ideologist who was probably involved in the occupation of the Embassy of the United States in Teheran in 1979 (...) He was expelled from New York where he served in the Iranian Mission to the United Nations, for his involvement in intelligence activities (...) Probably he served in the Iranian Revolutionary Guard Corps."* (pp. 2178/2211, Docket 392)-----

Seyed Yousef Arabi worked as diplomatic employee for the Embassy of Iran in Chile between June 9, 1992 and November 22, 1995 as Consular Affairs Attaché (pp. 2178/2211, Docket 392) and was identified as head of the intelligence station and member of the Vevak (pp. 90/91 to the "International Report") and as *"encoder"* of the Embassy of Iran in Denmark until 1988. (Report on pp. 3083/3084 back, Docket 392)

⁵¹ Between 1985 and 1992, he was allegedly member of the Department of Weapons of Iran, headed by Hamid Nagashan. -----

Witness Abolghasem Mesbahi asserted that he was a high ranked official of the Iranian Ministry of Information and Security and added that he is an expert in explosives and relevant calculations. (pp. 3609/3635, Docket 204) -----

Worthy of mention here are the statements made by the Iranian dissidents Ahmadi and Eshagi who asserted that the Iranian Ministry of Information receives direct support from the embassies, that most of the first and second secretaries are agents of the Ministry of Information and that since they change their names when appointed, their true identity is not that appearing on their passports. (pp. 502/507, Docket 313) -----

The truth is that the Third Secretary of the Embassy of the Islamic Republic of Iran in Argentina, Ahmad Reza Asghari, against whom an international arrest warrant and a red notice by Interpol have been issued for his involvement in the terrorist attack against the AMIA premises, was acknowledged as intelligence agent by witness Mesbahi, who stated that his real name was Mohsen Randjbaran. (pp. 381/416 and 3448/3461 back, Docket 204) -----

To further illustrate this, worthy of mention is the following: The Federative Republic of Brazil also experienced the introduction of intelligence officers in the Iranian diplomatic ranks. The member of the Iranian embassy in Brasilia during 1991, Jafar Saadat Ahmad Nia, was identified as an intelligence official. (pp. 3083/3084, Docket 392) Moreover, his picture was acknowledged by witness Abolghasem Mesbahi who said that his real name was not Ahmad Nia but that he was known inside Vevak, as Erfanyan and "was one of Khomeini's persons of trust and accredited in the leader's office." The witness added that "he was skilled for any kind of operations." (Testimony on pp. 115/123, Docket 204 and pp. 4697/4699, Case No. 1627) -----

It is particularly noteworthy that he came to Argentina on March 16, 1992 --one day before the attack against the Embassy of Israel in Buenos Aires-- and went back to Brazil on March 18, 1992, that is to say, one day after the attack. -----

Also interestingly enough is the case of Venezuela. In July 1994, the Ministry of Foreign Affairs of Venezuela expelled four officers assigned to the Iranian mission in Caracas. Specifically, the Ministry of Foreign Affairs of the Republic of Venezuela informed that: *"on July 14, 1994, the National Government proceeded to the deportation of four (4) diplomatic officers attached to the Embassy of Iran in Caracas whose name and ranks were HASHEMI FARD MOHAMMAD HOSSEIN, Political Attaché and Second in the Official List of the Embassy; FEKRI MOHAMMAD HOSSEIN, Political Attaché and Third in the List; SHABANI ABOLFATH, Diplomatic Attaché and FARIDI ALI REZA, Political Attaché, who were involved in a serious incident at Simón Bolívar International Airport in Maiquetía, openly infringing the laws of Venezuela and international duties and practices."* (pp. 598/599, Docket 392) -----

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The event that resulted in the deportation of the Iranian diplomats was their involvement in the kidnapping of the Iranian citizen Manoucher Moatamer and his family at the International Airport of Caracas, Venezuela, on July 9, 1994. The Moatamers were forced to get in two vehicles of the Iranian embassy and Moatamer's wife was handcuffed and her passport was seized. Then, they interrogated him and finally the whole family was taken to the Eurobuilding Hotel, where they remained in custody. The following day Manoucher Moatamer managed to escape with his son and they were recognized as refugees by the Caracas-based UN office. -----

These circumstances were verified by the then regional representative of the Officer of the United Nations High Commissioner for Refugees (UNHCR), Guy Prim, who could prevent the forced return of Manoucher Moatamer and his family to the Islamic Republic of Iran. (pp. 42/43, Docket 392)-----

As regards Venezuela, we must stress that the Ambassador of Iran in Venezuela early in the eighties, Murteza Tavasoli, received intelligence reports delivered by Abdul Kadir about the political, economic and social condition in Guyana. The support given by the Iranian diplomats to Kadir - the details of which were stated in the relevant section- was essential for the establishment of an intelligence base in his motherland, which, many years later - in 2007- served to a terrorist conspiracy to attack John F. Kennedy Airport in New York.-----

The truth is that in February 2007, when Abdul Kadir became aware of the terrorist plan devised by Russell Defreitas, he said that he was going to tell about it to his acquaintances in Venezuela and Iran; that is, as clearly indicated by witness Steven Francis- to Kadir's contacts in Iran and to the Embassy of Iran in Venezuela. (pp. 995/998, Docket 419) By way of explanation, to advance on the terrorist plan submitted to him, Kadir knew - as he himself said and then materialized- that the first step was to contact the Embassy of Iran in Venezuela. (pp. 4405/4407, 4425, 4442, 4553/4555, 4570/4571, 4583, 6424, 6428, 6444/6445, 6641, 6643, 6650/6651, Docket 419)-----

These diplomatic officers have operated for the recruitment of subjects who then served as "living sources" of information. These activities were performed in mosques and affiliated cultural centers. In this connection, worthy of mention is the testimony of Nasser Rashmany who asserted that certain Iranian subjects worked as informants for the Embassy of the Islamic Republic of Iran in Argentina. (pp. 1006/1015, Docket 71) -----

But this issue is not exhausted by the appointment to the Iranian embassies of personnel of Pasdaran and members of intelligence service. Several judicial decisions had revealed the abuse of immunities by these missions and the involvement of Iranian diplomats in different criminal actions committed abroad. The High Court of Berlin, in the "Mykonos" case, expressed: "*Foreign representations of Iran in the area of operations,*

which, as intelligence stations, should provide the means for the execution ..." (pp. 40/41 of verdict, kept on p. 149, Docket 204) -----

Moreover, the French courts, in the conviction for the murder of the Iranian Resistance National Movement Secretary General, Chapour Bakhtiar, and his private secretary, Soroush Katibeh, made it clear the support provided by the Embassy of Iran in Bern, Switzerland, to one of the material authors of the murder. In the verdict it was stated: "...AZADI sought refuge in the Embassy of Iran in Bern from August 24, 1991. AZADI was his real surname; presumably he was a high-ranked official of the information service of PASDARANS and presumably he had been transferred to the QODS "Force," in charge of terrorist operations or reactionary operations outside Iran." (pp. 1601/1651, Docket 209) -----

Also, Hadi Roshanravani asserted: "Iranian embassies play a significant role of cooperation in terrorist activities carried out by proxy groups sent by the regime to operate where they are stationed. The embassies are particularly engaged in the political control of the situation and logistics." (Testimony given on May 4, 1998, appearing on pp. 129/136, Docket 209) -----

On his part, Kenneth Katzman⁵² sustained that "Many of the Iranian diplomats who mostly helped Hezbollah turned out to be involved in the seizure of the American Embassy in Teheran in 1979. These Iranians are stationed abroad for the main purpose of promoting international terrorism, following opponents of Iran abroad or recruiting Islamic activists to take part in Iranian efforts to export the Islamic revolution throughout the Muslim world." ("Terrorism: National Security Policy and the Home Front," pp. 9290/9366, Docket 263)-----

Roland Châtelain -Swiss Judge in charge of the investigation of the murder of the Iranian dissident Kazem Radjavi- stated: "The Quds Brigade undertook terrorist operations; the Embassy provided logistic base; and the Ministry of Intelligence distributed information gathered after reconnaissance missions." (pp. 11.868/11.869, Docket 263) -----

And close attention must be taken to the text of the *fatwa* issued by Ali Khamenei against former Minister of Education during the Shah's Government, Manoucher Ganji. (pp. 97/99, Docket 352) It is plainly an order of murder, the relevant part of which reads as follows: "Considering the importance of the subject, we deliver a copy of this letter to the Ministry of Foreign Affairs so that it assists in the execution of its contents and transmission of the orders to the representatives in the abovementioned countries." -----

⁵² Analyst of the Parliamentary Research Service of the Library of Congress of the United States Congress. -----

Focusing on the role played by Iranian diplomatic missions around the world, Yves Bonnet clearly described: "...the Embassy is an ideal place to organize campaigns like the one in Algeria (...) to secure its mission, the regime guaranteed logistic, material and spiritual assistance, financial means, training and propaganda for all Islamic activists, whether Shiite or Sunni, who adhered to the Islamic Republic, and the Embassy or the Cultural Attaché Office played an important role in this regard." (pp. 990/995, Docket 209) -----

Within the scope of these proceedings, we stated in the Opinion dated October 25, 2006 that the Embassy of Iran in Argentina operated as one of the backbones of the infiltration system developed; the Iranian regime and its members performed their diplomatic activities concurrently with those related to the intelligence station. In this connection, it had been sustained that the system was coordinated from the diplomatic representation and from there, instructions required to keep the components of the network perfectly linked were given. The facts indicate that the members of the Iranian Embassy in Buenos Aires were active members of the Iranian intelligence service, and their diplomatic functions were only a frontage for their true activities serving to the information network established by the Iranian government in our country. -----

In line with the above, the Iranian Embassy in Venezuela –with jurisdiction over Guyana– was in charge of receiving intelligence reports prepared by the agent of Iran, Abdul Kadir; also, to finance his activities, and to channel issues of concern – infiltration of Sunni members – or proposals – Five-Year Development Plan to be reviewed- which might be brought forward by Shiite Leader in Guyana. -----

Thus, the abovementioned cases crystal clear evidenced the use of Iranian diplomatic offices abroad as bases for support of the intelligence station when violent actions were required for the achievement of the goals adopted in the Seminar on Ideal Islamic Movement held in 1982, at which the means to be used to carry out the policy for the export of the revolution were devised. -----

b.2 Cultural Spread and Islamic Propaganda -----

From the beginning, the avid interest showed by the Iranian Islamic regime in the education and cultural spreading of its principles, was reflected in political decisions that gave rise to structures and agencies particularly intended to the achievement of this goal. Once again, they chose to perform a complex institutional planning to penetrate the ideology, recruit and indoctrinate subjects who served to them through two fundamental aspects: culture and religion. -----

Cultural aspect: The ambitions of the Ayatollahs as to cultural aspects are deeply rooted on history. María Jesús Merinero Martín gives a detailed explanation when she asserts: "For many centuries, the mullahs were the unique holders of knowledge, both for

traditional schools and for the highest scholars of high theological schools (madrasas) in urban centers."(op. cit., p. 31) The revolution in 1979 strongly refloated this tool as the government realized the renowned efficacy of culture to arouse ideological fervor in followers who adhered to the regime extremist precepts, which, ultimately, became staunch supporters to the service of the interests of the government. -----

Not surprisingly, in cases where the strategic action for the "export of the revolution" included the establishment of an intelligence station in other countries, the task was entrusted to subjects who strictly adhered to the radical mandates of the Iranian authorities, and were in control of different cultural centers or religious entities. -----

Moreover, the spread of Iranian culture may be transmitted through multiple channels (cultural centers, associations, mosques, brotherhoods, students' organizations, etc.) Thus, Iranian cultural centers may be generally defined in generic terms as institutions intended to promote certain culture related studies or research to spread Islamic civilization in all its spheres: art, literature, religion, philosophy, custom, etc. -----

To illustrate the foregoing, we quote the presentation made by the President of the Islamic Cultural Center of Chile⁵³, Fuad Musa; he stated: *"This corporation represents Imamite Islam or Islam of the Twelfth Imam and intends to contribute to increase the religious, cultural and social levels of Muslims; furthermore, it aims at consolidating brotherhood through the study and spreading of Islamic culture and charitable activities which leads to improving spiritual, social and economic conditions of the Islamic community in Chile."* (pp. 11.865/11.866, Docket 263)-----

Therefore, the main activity on which these institutional organizations are focused, that is to say, the spread of Islamic culture, is used as a channel of communication to make contact with natives of host countries. This was how Iran could attain the ideological penetration sought by it, and in doing so, Iran not only added followers but furthered its alignment plan. -----

However, and as with other institutions, in certain cases, the regime of the Islamic Republic of Iran has distorted the purposes of these cultural houses. Thus, formal activities carried out by centers in foreign countries -cultural promotion activities- have been used as frontage for other activities to serve the intelligence network and other irregular operations which, if not subtly carried out - could result in failure to attain the illegal goal, what this means in practice, the construction of an intelligence agency under the principles of the "policy for the export of the revolution." -----

⁵³ Also called Corporation of Charity and Islamic Culture. -----

A perfect example of the dual functions is drawn by the French Courts, in reference to the murder of the former Iranian Prime Minister, Chapour Bakthiar, when they assert: *"Jaffar JALALI, came to FRANCIA in 1980 as a student, and he was promptly known for his political and religious fanatics. In 1981 he became employee of the Embassy of Iran in Paris (...) In 1983, in his capacity as political commissioner for the Embassy, he was actively involved in Khomeini's propaganda from the Iranian Cultural Center in Paris (...) and he was engaged in an intense activity engaged in the provision of information about the movements led by Chapour BAKTHIAR."* (translation of material provided by Former Judge Jean Bruguiere, appearing on pp. 1203/1350, Docket 209) -----

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Also the German Courts detected this dual function when they asserted that the Islamic Center in Berlin *"...like the Islamic Center in Hamburg, served to spread the Islamic fundamentalist thought in the sense of an authoritative State-God and to gather intelligence information ..."* (pp. 186/187 of judgment in the "Mykonos" case, kept on p. 149, Docket 204) -----

In the specific case of the attack against the AMIA premises, it was confirmed that under the cultural frontage, as the likely scenario for social relations, through the use of agents or "antennas," they gathered information related to political, economic and social aspects of the "targeted" Buenos Aires, the conclusions of which were referred to Iran; also that Mohsen Rabbani, who was in charge of the local logistics for the attack, was appointed Cultural Attaché of the Embassy of Iran in Argentina and many of his actions, for example, meetings and demonstrations of the "Muslim Brotherhood," regular publications, radio broadcastings and speeches to believers congregated in the mosques of Buenos Aires, Cañuelas and Tucumán- were directly focused on an ideological propaganda aimed at recruiting followers who adhered to the radical principles of Iran. -- Similar activities were verified in Guyana. There, Abdul Kadir, in his position as Director of the Guyana Islamic Information Center, Secretary of the Caribbean Islamic Movement, founder of the sole Shiite mosque in Linden and Islamic leader in the country, gathered and transmitted to the Iranian authorities essential information about the development of the political, economic and social situation in Guyana, with specific reference to the armed forces and security forces. -----

Moreover, we quote the statements made by Roland Jacquard⁵⁴ in his work: *El activismo integrista en Francia: ¿en pos de la guerra santa?* He asserted: *"...broadly provided with material and financial aid by the Iranian authorities and their representatives in France, the 'Muslim Brotherhood' started a slow infiltration in most of the Muslim religious*

⁵⁴ President of the International Observatory of Terrorism and the Observatorio Internacional de Terrorismo and Center of Studies for Contemporary Threats and expert before member countries of the UN Security Council. -----

associations established in our territory with a real network of information and propaganda." (pp. 928/954, Docket 209) -----

Along the same lines, on September 3, 1997, the Head of the Middle East Department of DST, Home Office, Bernard Millerat, informed that the department under his charge detected elements of Iranian intelligence in the Islamic Center in Paris, upon the assessment of the characteristics of different crimes in which the involvement of Islamic fundamentalist extremists was verified. (pp. 503/503 back, Docket 313) -----

Hans Vorbeck, Director of Government of the Federal Republic of Germany, specialized in Terrorism, when consulted about the investigation performed in the "Mykonos" case, revealed that the places where the members of Hezbollah meet are the Islamic centers, the mosques and the business premises owned by its members. (Report dated September 29, 1997, appearing on pp. 10/12, Docket 204) -----

In turn, Manoucher Ganji explained: "...the Vevak always uses diplomatic coverage of cultural attaché offices." (Testimony given on October 23, 2001, appearing on pp. 65/69, Docket 352) -----

Reports attached to these proceedings, emphasized this dual use of Iranian cultural houses and explained that notwithstanding the fact that the Iranian Ministry of Islamic Guidance and Propaganda (Ershad) was engaged in cultural and religious activities and in spreading the Islamic revolution abroad – and as such, it was responsible for the establishment of mosques, cultural centers, associations, brotherhoods, student organizations and religious services worldwide-, the truth is that those who focused on those activities abroad, many times acted as coverage for the people of the Ministry of Intelligence and Security. (p. 26 to the "International Report") -----

The foregoing was confirmed by Reza Zakeri Kouchaksaraee when he asserted that the main task of a cultural attaché consists in recognizing the groups and individuals compatible with the targeted terrorist activities. (Testimony on October 29, 2001, appearing on pp. 844/855, Docket 209) -----

Finally, in connection with information gathering, Abolghasem Mesbahi stressed: "...the best way to obtain this [intelligence] information was through cultural activities. From cultural activities, reports like the one mentioned above were prepared and sent to the Propaganda Organization..." (Testimony given on May 22, 2000, appearing on pp. 381/416, Docket 204) Then he added: "...there are two types of cultural activities in foreign countries (...) one type is purely cultural and specifically refers to Iranian culture and history. The other refers to the revolutionary cultural activity. The organization of Islamic propaganda is in charge of developing this type of activity..." (pp. 381/416, Docket 204) -----

As it arises from the abovementioned case, structures controlled by Iran engaged in the promotion of cultural spread, on certain occasions operated as recruitment and meeting centers, bases for support of activities performed by terrorist cells, providing them accommodation and financial aid, and also served as suitable scenarios to gather intelligence information acting at all times under the coverage of activities for cultural spread. -----

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And the most useful summary about dual use of certain institutions to conceal activities that serve to terrorist acts was made by the United Nations when it warned about the *"undue use of organizations, groups or associations, including those seeking charitable, social or cultural aims, by terrorists who resort to them to undercover their own activities."* (Item 3.d of A/RES/51/210 dated December 17, 1996)-----

b.3 Mosques -----

In the Opinion issued in 2006 we made it clear that the Iranian fundamentalist elements considered the mosques as the adequate and favorable scenario for intelligence activities and for the recruitment of those who adhered to the cause, specifically because common people considered mosques as shrines and places for preaching. -----

Witness Abolghasem Mesbahi underlined it when he asserted: *"...the base for gathering information (...) is the mosque and when contact with the Iranian parts starts, if they are found in the mosque, they trust in them more quickly because they think that they share the same ideology. Of course, this does not mean that a hundred per cent of the people who attend the mosque are sources for the Iranian, but, in general, the best sources are found in these places."* (Testimony given before Federal Criminal Oral Court No. 3, pp. 4105/4137, Docket 204) -----

As previously explained we do not think that mosques are centers where terrorist activities are carried out or that all believers or most of those who attend mosques are terrorists or cooperate with them. We respect and fervently believe in freedom of religion guaranteed by the Federal Constitution of the Republic of Argentina and we shall never intend to involve in the criminal practices under study, either Muslims or believers in other religion whatsoever, for the mere fact of being Muslims or believers. -- What we intend to make it clear -though repeatedly- is the fact that mosques are used as religious cover by Iranian intelligence agents who attend them. They infiltrate mosques, sometimes they even lead them (as is the case of Rabbani) and through surreptitious actions they seek to recruit believers who may potentially adhere to the extremist principles they profess. In other words, Iranian agents take advantage of the religious practices and the special spiritual willingness of believers, to disclose the radical principles of the regime and get cooperation of those who eventually adhere to such stance. -----

Once this goal has been achieved, that is, once they have recruited sympathetic human resources, it is clear that from then on, these subjects are assigned tasks utterly unrelated to the practice of the Islamic faith. -----

Thus, within the scope of the tasks performed at a intelligence station, the mosque is erected in the ideal scenario, not only for recruitment of radical followers but also as frontage to conceal illegal activities related to espionage and the eventual execution of terrorist acts.-----

The fact remains that this dual use of mosques was openly proclaimed on January 5, 1984 by one of the leaders at the highest levels of the Iranian revolution, Ayatollah Montazeri, who explained that mosques should not only be places for prayer but also centers of cultural, political and military activity. (pp. 11.529/11.533, Docket 263)-----

Besides, many experts have warned about this terrorist methodology. One of them, Bruce Hoffman, stated before the House of Deputies: *"instead of taking advantage of established terrorist organizations, they are increasingly using these more permeable and ad-hoc structures (...) So, we realize that a pattern in terrorism is emerging. Before, we got answers. In contrast, now they are much more reluctant to give those answers. Instead, they are increasingly taking advantage of this type of consolidation in ad-hoc structures, in certain cases, made up by individuals who share thoughts, who have certain ideological relationship or even, who merely profess the same faith and attend the same mosques and belong to the same ample factions."* (pp. 778/915, Docket 267)-----

Furthermore, the High Regional Court of Berlin said about Kazem Darabi, convicted for the four-fold murder of Iranian dissidents affiliated to the Democratic Party of Kurdistan, that *"Under the veil of a religious activity he could contact his fundamentalist brethren of Lebanese origin and confirm their position and trust. These qualities pre-destined Darabi to organize the attack against the representatives of DPK-I in Berlin, both personally and logistically with so much detail that the act could have been committed with the support of other forces from Iran with high prospects of success and with the minimum risk of being discovered."* (p. 189 of the judgment kept on p. 149, Docket 204)

In this regard, worthy of mention is Kenneth Timmerman, who sustained, *"Suicide bombers are recruited in Islamic centers, mosques (...) from there the infantry of terror is generated."* (pp. 76/79, Docket 352) -----

The National Council for Iranian Resistance expressed: *"Preliminary training is carried out in mosques or other places of worship."* (Documents referred by our Embassy in the United Kingdom, 2399/2428, Docket 209)-----

Likewise, worthy of mention is Mohammad Mohaddessin, who underlined that *"throughout the years in power the mullah had shown an outstanding capacity to*

manipulate Shiite religious message in such a way that it focuses on violence and hatred." The author thinks that this way of making use of religion *"seeks true acts of terror by calling them divine duties and promising to their perpetrators "a place in Heaven."*(pp. 2143/2343, Docket 209) -----

Even a private citizen, Eduardo Lescano, who was in previous days member of Rabbani's environment, and who is neither an expert on international security issues nor has completed special studies on Islam to be deemed as specialist in the topic, could realize that there was a dual action by the Iranian operators when he sustained that the religious activity performed by Rabbani was a *"mask."* (pp. 3945/3950, Case No. 1627) -- Due to their significance, we transcribe the statements made by witness Steven Francis about a key aspect of the "policy for the export of the revolution," as is the dual use of religious institutions. In this case, the use of a bank account, originally intended to raise funds for the construction of a mosque, to which a second purpose was added, this time, an illegal purpose: to conceal the money allocated to the attack against John F. Kennedy Airport in New York. -----

The witness sustained: *"Kadir provided a bank account opened to raise funds for the mosque to be also used to receive funds for the attack against JFK."* (pp. 995/998, Docket 419) The account No. was 680-551-9 to the name of Linden Islamic Trust. The funds, as specified in the evidence produced in the trial against Abdul Kadir, as a result of which he was convicted and sentenced to life imprisonment – came from his contacts in the Islamic Republic of Iran. We cannot overlook the fact that among Abdul Kadir's contacts in Iran was Mohsen Rabbani, core participant in the terrorist attack against the AMIA premises. -----

In other passage of his statement, made on July 13, 2011 before Assistant Prosecutor of the Prosecution Office for the Eastern District of New York, Marshall Miller and also before me, witness Francis referred to the mosque, among others, as one of the places where people talked about the attack. (pp. 995/998, Docket 419) -----

In turn, Mesbahi illustrated: *"As regards the transfer of information, in general religious ceremonies or cultural meetings are used to give, for example, a telephone number."* (Testimony on pp. 115/123, Docket 204)-----

On his part, witness Hussein Ferdowsipour⁵⁵ declared that the mosque Imam Ali in the City of Copenhagen, Kingdom of Denmark, had been financed by the Islamic Republic of Iran through the association Al Uhl Beyt – according to evidence attached to the case, an

⁵⁵ Independent journalist of Iranian origin and Danish nationality who has been actively involved in the organizations "Free Iran" and "No to Iran Clerical Project," mainly made up by Iranian dissidents living in the Kingdom of Denmark. -----

organization suspected of sponsoring terrorism—, allegedly used by agents of the Iranian regime to monitor dissidents and to radicalize members of the local Shiite Muslim community. (pp. 1243/1244, 1486/1487, 1561/1563, 7733/7750 and 7995/8014, Docket 419)-----

He added that the organization Ahl Ul Beyt serves to the Supreme Leader of Iran –Ali Khamenei; it is financed by the Iranian regime and Hezbollah actively participates in this organization. It should be reminded that for several years, the organization was led by Ali Akbar Velayati, former Iranian Embassy Official and one of the charged individuals against whom an international arrest warrant has been issued for his involvement in the attack against the AMIA premises. According to Ferdowsipour, *“the Ahl Ul Beyt World Assembly has a legitimate side,”* which, in the words of the witness, *“is a declared goal”* which consists in spreading Shi’ism and Iranian values. For such purpose, it makes use of mosques, cultural centers, radio stations, Islamic centers, etc. But, undercover, the organization engages in recruiting individuals, indoctrinating them, using brainwashing techniques and then, in many cases, using them for terrorist attacks against *“the enemies of Iran.”* (pp. 7733/7750 and 7995/8014, Docket 419)-----

Taking into account these numerous testimonies, it is clearly evidenced the dual use of institutions originally created with legitimate ends. The examples have been illuminating: a bank account, originally intended to raise funds for the construction of a house of prayer would be the recipient of the funds to be applied to an attack; and a mosque that directly hosted and gave refuge to terrorists who were planning a terrorist attack which, according to the prosecution in the case, could have been even more serious than the attack against the Twin Towers on September 11, 2001. -----

Thus, in certain cases, the religious and cultural aspect appears as a frontage, a mere excuse to undercover activities serving to the establishment and operation of an intelligence station and useful for planning events like the attack against the AMIA premises, which are plainly, crimes against humanity. -----

Furthermore, it should be repeated that the dual use of these structures –for legitimate actions and for intelligence actions as well – facilitates the already established defense claimed by Iranian extremists on each occasion that one of these centers has been identified as suspicious of being involved in intelligence activities or even in terrorist activities. Thus, the Iranian state accuses that everything is an attack against Islam and a discrimination against Muslims, when the truth is that the dual use of legal and illegal activities given by Iranian extremists has been the unique reason why these cultural and religious centers have been considered as engaged in unlawful actions. -----

b.4 Indoctrination -----

Proselytism developed by Iranian extremists is focused on recruitment and/or conversion of individuals to their principles. It is not about approaching the Islamic faith to people but an indoctrination process where the component of religion has a marked influence but is not itself the goal. The true goal is to achieve, through this task of ideological-religious indoctrination, adherence of subjects permeable to the interests of the regime to add them as elements useful for the execution of different tasks required by the intelligence station. -----

Logically enough, Muslim communities of each country are the starting point where Shiite radicals initiate the development of tasks related to their "policy for the export of the revolution". Thus, under the instructions of Iranian agents who profess fundamentalist ideological positions, the spread of Islamic culture conceals their undercover intent, in other words, to recruit followers and indoctrinate them under the radical principles of the regime. -----

Worthy of mention here is the study performed by S Roland Jacquard in the work mentioned above, in connection with the situation in the country; he explained: "*An enormous quantity of propaganda material directly brought from Iran or from other countries in Western Europe crosses our frontiers to overfill the mosques and houses of immigrant workers settled in France (...) Demonstrably, it is intended to the indoctrination of Arab nationals who reside in our land, to turn every Muslim into a fanatical religious 'combatant of faith' (Modjahedin); and blind server of Ayatollah Khomeiny.*" (pp. 928/955, Docket 209) -----

This radical and distorted view explains the noticeable inner intent of speakers of the Iranian "export of the revolution." Religious conversion is not an end in itself, recruitment of followers does not simply seek their conversion to Islam but mainly securing that they become supporters of the extremist ideals fostered by the Iranian regime. -----

In light of the foregoing, the statements made by Abolghasem Mesbahi are illustrative. He asserted: "*Religious activities of Mullahs consist in penetrating communities, monitoring dissidents and recruitment of individuals to be used in the future, and even to commit murder in the name of religion.*" (pp. 3448/3461 back, Docket 204) -----

Certainly, the highest Iranian leader in South American Region, Mohsen Rabbani, changed his role as religious educator to transmit extremist ideas to students who attended his classes at the "At-Tauhid" mosque. This fact was explained by witness Khosrow Iamarian, who asserted that during 1990 certain students "*told him on several occasions that Rabbani had told them that they should export the revolution and said to them 'we are all Hezbollah' (...) Rabbani said this expression to the three individuals*

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named in the context of the indoctrination to which they were subject as part of their study." (pp. 2210/2222, Case No. 1627) -----

This witness also specified the meaning of the expression "we are all Hezbollah," explaining that Khomeini intended that his students "...could understand the violent meaning given by him to the export of the revolution" (pp. 2210/2222, Case No. 1627) ---

This modality is reproduced in the Republic of Guyana, as specified by witness Robert Addonizio; he expressed: "...in the Islamic centers led by him [Abdul Kadir] there was propaganda on Islam and efforts were made to convert subjects to join the Shiite movement in Guyana. In doing so, they searched for individuals with an appropriate profile, that is to say, with sufficient commitment to be sent to Iran to complete their religious instruction (...) Also, these organizations were used for other purposes related to the export of the radical Islamic ideas, taking advantage of the protection or security provided by religious and cultural institutions (...) Also, we found documents with songs the lyrics of which expressed 'death to Israel' and 'death to the United States', from which we may infer that these were the teachings taught by Kadir to his students in such organizations." (pp. 991/994, Docket 419) -----

Strictly speaking, indoctrination not only covers the study of Islam in their countries of origin. They are expected to eventually continue indoctrination in the city of Qom, Shiite religious center per excellence. The explanation given by Roberto Rubén Medina, whose Islamic name is "Abdallah Madani," who is currently sheik at the a "Al Iman" mosque in Cañuelas, is amply illustrative: "after having visited the mosque to pray on several occasions, the witness joined a group of students of Islam who were already studying under the supervision of RABBANI. From then on, he started studying the elementary aspects of religion, such as Islamic philosophy, ethics, moral, Arabic, and reading of the holy Koran, all these courses given by RABBANI (...) In 1989, the deponent completed preliminary studies with Sheik RABBANI, therefore he was ready and qualified to lead a mosque (...) in January 1998, he travelled to the City of QOM to continue his religious education, together with his wife and their three children for about two years. During those years, he always lived in the City of QOM, since the University Imam JOMEINI, the highest university for those who intend to study and graduate with the diploma of "sheik" is located there. His studies in QOM during that term as well as the other expenses incurred by his family were borne by the government of the Islamic Republic of Iran through a scholarship granted to him through Sheik RABBANI (...) He adds that when he was studying at QOM, RABBANI was also residing there, and he was holding a cultural office at offices called 'cultural offices' (...) as a result of his qualification to lead a mosque, the deponent was appointed by Sheik Rabbani to lead the "Al Iman" mosque in Cañuelas." (pp. 1303/1308, Docket 251) -----

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Valuable conclusions are drawn from this detailed account. Again, it is evidenced that Mohsen Rabbani was the cultural and religious leader of this region; he was in charge of giving classes to students of religion and he had the financial means to grant a scholarship to a 'disciple' to continue his studies in Iran. Besides, he had authority to appoint those who would be sheiks at the mosques installed in Argentina. -----

This position is confirmed by César Gabriel Duarte, Rabbani's chauffeur at the Cultural Attaché Office. When asked to mention the activities performed by this agency, he explained: "...in the promotion of Iranian culture, it also acts as vehicle for students who intend to learn more about such culture, either sending them to courses given at San Nicolás or Tucumán mosques or else granting them access to centers of study in Iran." (pp. 5568/5576, Case No. 1627) -----

Evidence added to the case indicates that in order to study at Qom, applicants should be sponsored; for such purposes, they must previously undergo a strict selection which consists in the analysis of their religious knowledge but primarily, their commitment to the principles of the Islamic revolution. Interestingly enough is a specific example about how this selection is made. Abdul Kadir - Iranian leader in the Republic of Guyana - sent a letter to Rabbani on March 20, 1999, in which he answered about "one mission" entrusted to him. From the analysis of the evidence produced, it arises that he had to check the skills and commitment of certain members of the local Islamic community. This is so much so, that his conclusion was that none of them was eligible. (pp. 204/205, Docket 419) -----

The foregoing was also certified by witness Robert Addonizio; he stated: "...according to the documents we reviewed, Kadir reported to Rabbani and Rabbani asked Kadir to carry out certain tasks in Guyana, such as providing information about individuals who would go to Iran to study." (pp. 991/994, Docket 419) -----

That is why those who could have access to religious seminars in Qom did so through a recommendation. Indeed, many of the Argentineans who completed these studies had been proposed by Mohsen Rabbani. On this issue, Ricardo Horacio Elia stated: "Rabbani recommended SANTIAGO PAZ BULLRICH or ABDUL KARIM PAZ and BENJAMIN MAHMUD AID, both Argentine citizens, to study Islam in Qom, Iran in 1987, and both graduated. Another case is that of ALI ABDE RRAHMAN, who studied Islam in Qom, Iran, and could complete his studies in 1996; he currently lives in the mosque of San Nicolás. He underlines that the Argentine citizens FAISAL, whose family is Muslim and ABDALA, who has converted to Islam, are currently studying Islam in Qom, Iran." (Testimony dated March 17, 1998, appearing on pp. 884/895, Docket 313) -- Recommendation is not a minor issue. As shown by the evidence gathered, it can only be made by a leader who is aware of the peculiarities of each region, since the

recommendation reflects being convinced that the student is deeply committed to the values of the Iranian Islamic revolution. -----

We must take into account that this indoctrination in Qom, Iran, is a key aspect of the export of the revolution. There, students learn Farsi to better understand the texts they are going to study. Students are received by a regional coordinator who has the difficult task to make them adjust to the new cultural system. Baiynah Kadir, who studied at Qom, expressed: "*I studied Farsi and Islam, how to pray, what to eat, etc.*" (pp. 1225/1227, Docket 419) -----

Thus, the "schools of Qom" or the "Islamic Seminars of Qom" are names used to identify a learning center that gathers hundreds of institutions and thousands of students, and turns to be the greatest Islamic Shiite center in the world. -----

In connection to the schools in Qom, the Secretary of the Supreme National Security Council expressed: "*Quom and its seminars are the arsenals of Iran in the area of the soft war.*" (Article published in Tehran Times on July 28, 2011, p. 11.080, Docket 263) --

It is worth noting here this statement. A high official of the Iranian government openly admits that the seminars held at Qom are used to ideologically build loyalty of thousands of Shiite Muslims to secure that the principles of the 1979 revolution are maintained. ----

The foregoing was also warned by Mehdi Khalaji,⁵⁶ who studied at Qom from 1986 to 2000, and was awarded a doctorate in legal studies and theology; he indicated that the institutes that were in favor of the government started admitting foreign students with a different curricula than those given to nationals, focused on Islamic ideology but not theology, so that those students could spread Islam in their homeland. The center of Islamic Propaganda started to teach Arabic and English to their students to send them abroad as "prophets of the revolution." Thus the seminar became the ideological arsenal of the revolutionary system. (pp. 11.290/11.393, Docket 263) -----

As explained, the development of training different from traditional academic education could be verified. The author Mohammad Mohaddessin asserted: "*The Qods Force also operates a University in Qom, the Beit-Ol-Moqaddas University. This place is also known as the Melal (Nation) training centers, since the recruits come from different countries. The university offers ideological training strikingly different from traditional education...*" (pp. 2143/2343, Docket 209) -----

These assertions are supplemented by the statements made by the author of the report, Farzad Razi⁵⁷ who in 2006 published a list of terrorist training centers in Iran, among

⁵⁶ Member of *Washington Institute* specialized in Iran's policy and Shiite groups in the Middle East. Hi is a Shiite theologian by profession and worked in two major Iranian newspapers and in the BBC. -----

⁵⁷ Specialized in Islamic radicalism and terrorism. He writes articles for *Iran Focus*. -----

which was the Beit-Ol-Moqaddas University in Qom. This information was obtained from a former officer of the Islamic Revolutionary Guard Corps who, in turn, added: *"The Qods Force has a widespread network that employs the facilities of Iranian embassies or cultural or economic missions or certain religious institutions such as the Islamic Culture and Communication Organization, to recruit radical Islamists both in Muslim countries and among Muslims living in the West."* (pp. 11.082/11.083, Docket 263)-----

In this connection, worthy of mention is the reference given to Qom *"a special school attended by students sponsored to study religion and methods of armed insurrection,"* by the Australian newspaper The Age, on January 5, 1984. (pp. 11.529/11.533, Docket 263)- On his part, witness Hussein Ferdowsipour testified that for the organization Ahl Ul Beyt, financed by the Iranian regime and in which Hezbollah is involved, *"the methods depend on the country of operation"* and, notwithstanding the stated goals, in the West, it is engaged in recruiting *"uprooted young Muslims,"* "who are easy to be shaped," and who are offered possibilities like travels and education abroad. According to the witness, they are funded to travel to the city of Qom where *"they are indoctrinated and subject to brainwashing into Shiite Islam and the views of Ayatollah Khamenei,"* and the purpose of such recruitment and indoctrination is, in many cases, to use their subjects in terrorist attacks against *"the enemies of Iran."* Furthermore, the witness revealed that Iran endorses that those who execute terrorist attacks should not be Iranian subjects as a strategy *"to reduce any implication of Iran in murders and terror."* (pp. 7733/7750 and 7995/8014, Docket 419)-----

Undercover tasks carried out in some of these institutions were also underscored by Abolghasem Mesbahi as he asserted that "dormant sources" are agents of MOIS.⁵⁸ The agents of MOIS must attend Baker University for two years. This University serves the MOIS. There, they select those individuals who meet the requirements to carry out activities abroad as part of the intelligence station or as "dormant sources." (pp. 3448/3461, Docket 204) As a matter of fact, the National Council of Iranian Resistance informed that Ali Fallahijan, against whom an international arrest warrant under red notice has been issued by Interpol for his involvement in the terrorist attack against the AMLA premises, was in charge of the school ran by the Ministry of Intelligence known as Imam Baqer. (pp. 735/742, Docket 204) -----

In this connection, the National Intelligence Director of Colombia then in office, Lieutenant Colonel Luis Gilberto Ramirez Calle, explained: *"As it has been established,*

⁵⁸ The English acronym refers to the Iranian Ministry of Intelligence and Security.-----

the 'Mois' usually uses [student] scholarships to take potential agents to Iran for recruitment and training." (pp. 2109/2111, Docket Assets of Mohsen Rabbani, Case No. 1627) -----

In line with the foregoing, it should be noted that the "Al Quds" Force recruits foreigners to add them to their ranks, which was also illustrated by the National Council of Iranian Resistance, which stated: "...the procedure followed by the Qods Force to recruit and train foreign forces is divided into four stages: cultural activities and the export of the Islamic revolution to the target society. Training: it covers ideological and military training. Training passes through several stages: Preliminary training is carried out in mosques and other places of worship. Then, general and special training is carried out. Over 40% of the lessons are of ideological nature. Organization: Once the two first stages are completed, the subjects who qualify are organized. Forces are deployed according to their organization. The four stages mentioned above are the activities performed by the regime in each country and also in the places where it has bases." Mohammad Mohaddessin, pp. 2403/2404, Docket 209) -----

Therefore, in some cases, what starts as a cultural and religious indoctrination ends up in training of extremist fighters. It should be noted that both Robert Addonizio and Steven Francis informed that none other than the Secretary General of the terrorist organization, Hassan Nasrallah, delivered at least one speech in the schools of Qom. (pp. 991/994 and 995/999, Docket 419) It is no wonder that Nasrallah be present thereat, since he himself was student at Qom (pp. 1553/1564, Docket 263) but, oddly enough, the individual who is giving a speech to thousands of students is none but the head of the terrorist group which acted as the operational arm in the attack against AMIA, and that, he encourages the unlimited use of violence. (pp. 1553/1564, Docket 263)-----

The foregoing is clearly stated in a letter seized from the business premises "Casa Apolo" located at the "tri-border area" and signed by Hassan Nasrallah, in which he states: "...I appreciate your constant contribution and support in taking care of the children of those who fulfilled their commitment to God and became martyrs, sacrificing their own blood...Your support is a true example of the devotion of faithful people, who have all the values attached to martyrs in the holy war..." (pp. 273/3294, Docket 201) ---

Also, worthy of mention are the following statements made by him: "...this barbarian Zionist aggression will strengthen our determination to struggle whatever the sacrifices might be. Our war is long and our hostility to the murderers of the prophets is endless, and our will to put an end to the doors of Khyber inflexible." (Cable 010233/94 of our diplomatic representation in Lebanon, the copy of which appears on pp. 104.454/56)-----

In this connection, Nasrallah also sustained: "...to ensure victory we must fight at all fronts. We must be global and fundamentalist..." and he stressed that "...it is not casual

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that the emblem of Hezbollah portrays a hand raising a machine gun against a background of the Earth and the slogan that comes from the Koran: "Only Allah's congregation shall be victorious..." (pp. 11.828/11.862, Docket 263)-----

As previously explained in the Opinion issued in 2006, the Secretary General of Hezbollah, Hassan Nasrallah, in the journalist report taken by "Al Wasat" magazine and which was reproduced in the issue dated March 11, 1996, asserted: "*as regards our brothers in Iran, we have made contact with them and they showed their willingness and gave support and this is a fact that we do not conceal, and it is no use denying that we have been provided with financial and political support by Iran. (...) We are not ashamed and they [the Iranians] are not afraid.*" (Translation appearing on pp. 23.229/23.230 and 24.416/24.434) -----

Most recently, in February 2012, Nasrallah acknowledged that the support that the regime of Teheran has been providing to Hezbollah includes military material: "*From 1982 we have received all types of moral, political and material support from the Islamic Republic of Iran... In the past, we talked about moral and political support, without mentioning their military support to avoid implicating Iran. But now, we have decided to talk.*" (pp. 11.511/11.513, Docket 263) -----

Finally, a point to note is that, as already explained in the Opinion issued in 2006, experts belonging to the "Task Force on Terrorism and Unconventional Warfare" of the House of Representatives of the United States, mentioned that on June 17, 1994, Hassan Nasrallah declared in a subjective manner: "*there are 1,000 suicide squads ready to confront Israel throughout the world*"⁵⁹ (p. 3.755 back, Docket 392)-----

Going back to the indoctrination provided at seminars in Qom, a point to note is that it was confirmed that the individuals who received education in theology were ultimately involved in terrorist operations. Curiously enough, Assad Hussein Berro (brother of Ibrahim, who self-sacrificed by suicide bombing in the terrorist attack against the AMIA premises), was the suicide-bomber in the attack carried out in Southern Lebanon, crashing a van loaded with explosives against a convoy of Israeli soldiers on August 8, 1989. (According to the account of his brothers Hassan and Abbas Berro in testimonies appearing on pp. 120.036/120.093 and 120.154/120.238) This individual received religious and ideological education in Qom. (pp. 109.603/606 and pp. 76, Exhibit "Attack" to the "International Report") -----

Moreover, the Tunisian Fouad Ali Saleh, responsible for the terrorist wave that lashed Paris between 1985 and 1986, killing 13 people and wounding more than 250, who was

⁵⁹ Statement s published in the Al-Watan Al-Arabi newspaper on June 17, 1994. -----

convicted and sentenced to life imprisonment for those events, also studied religion at the seminars held in Qom. Specifically, in 1981, Saleh travelled to Iran where he remained until 1983 to study at the Seminars held in Qom, "*where the Imam Khomeini provided military and religious training focused on guerrilla and terrorism.*" His extremist religious fervor was confirmed by statements made to the French police during his arrest. He said: "*I am a fighter for the Islamic cause (...) The stronghold of Islamism is Iran, and the enemies are all those countries that fight against Iran...*" (Translation of the investigation against Fouad Ben Ali Saleh, Paris, March 26, 1987, p. 192, appearing on pp. 1147/1257, Docket 267) -----

As a matter of fact, in connection with this terrorist, the authorities stated: "*He was exported from Iran to France to carry out the attacks in Paris.*" (Testimony of Gilles Kepel, appearing on pp. 1000/1001 back, Docket 209)-----

As already explained in the Opinion dated October 25, 2006, according to available information, after finally departing from Argentina, Rabbani fulfilled tasks in the City of Qom, Iran. It was confirmed that a convert to Islam who studied at Qom, specifically in the Islamic World Science Center said that one of the most influential professors had been Mohsen Rabbani, who was in charge of establishing contact with students from Spanish speaking areas, particularly, Latin Americans. The sources quoted in October 2006, described the former diplomatic officer as someone who "*is in charge of international relations in certain schools of theology attended by many Latin American students who are under his supervision.*" (p. 3489, Case No. 1627) -----

Finally, we should note that upon completion of indoctrination, certain students go back to their homelands and are assigned to mosques or cultural departments while others settle themselves in different nations where any of them is qualified to "export the revolution," some of them proclaiming its principles while others appealing to more violent means to remove obstacles that stand in the way to that goal. -----

There are examples for both. Among those who went back to their homelands to announce the religious principles taught to them, we may mention Abdul Karim Paz who studied at Qom, came back to Buenos Aires and was appointed sheik of the "At-Tauhíd" mosque in Buenos Aires, in substitution of Mohsen Rabbani. Likewise, Benjamín "Mahmud" Aid who also studied at Qom came back to Argentina and was appointed sheik of "El Mártir" mosque in the city of San Miguel de Tucumán. Finally, Roberto "Abdallah" Madani was appointed sheik of the "Al Iman" mosque in Cañuelas, after he was trained in Qom. We have already mentioned the cases of Berro, Saleh and Rabbani. Again, in this part of the Opinion, we make a parenthesis for clarification purposes so as to prevent any misinterpretation of the contents of this document. Certainly, we do not object to the religious studies taken by thousands of well-meaning students at the

Seminars held in Qom, nor we should ever take it for granted. What we have stressed from an objective point of view, is the common background of several terrorists who had been educated at Qom as well as the recruitment of students by the "Al Quds" Force manipulating their religious passion and seriously injuring the reputation of those schools. -----

In other words, we have realized how the Islamic Republic of Iran over the years, allocated all its efforts and money to the establishment of mosques and cultural centers worldwide. Within these institutions, Iranian agents infiltrated taking advantage of their structure to recruit individuals who adhered to the principles of the 1979 revolution. These individuals were indoctrinated to become elements who served to the operation of the intelligence stations established in the territories where they acted under the cultural or religious frontage. As previously explained, the coverage provided by these centers is really effective and its dual purpose (religious and cultural spread and establishment of an intelligence station) has been exposed as a key aspect of the deployment of activities for the export of the revolution devised by the Iranian regime. The hidden activities, which, in certain cases bring about the establishment of Iranian centers, are described below: -----

b.5 Intelligence Activity-----

The indirect and hidden result of the propaganda, cultural and religious activities of Iranian agents in a specific state is, in certain cases, the establishment of intelligence bases capable of providing logistic, financial and operative support to possible terrorist attacks ordered by the Islamic government, under the protection of a publicized action for the "export of the revolution." -----

Logically enough, the establishment of an intelligence base in foreign territory requires a vast and comprehensive knowledge about the distinctive features of the place as well as the trait of its society. For such purpose, the best they can do is to appeal to natives who are perfectly aware of the cultural, political, financial and social aspects of the community. -----

This group of people has been specifically described by witness Abolghasem Mesbahi; in reference to an Iranian intelligence station, he detailed that it was divided into four levels and specified: "...the forth level is always made up by members of the Muslim community of the 'target' country, who are engaged in providing logistic support and gathering information (...) within the context of their daily lives." (pp. 3448/3461, Docket 204) -----

Therefore, the Muslim communities and, inside them, those with a more radical view, are the first recipients of the activities deployed by Iranian agents, whose primary goal is to identify those who adhere to the principles of the regime. -----

The great advantage of intelligence stations, is that they are in less danger of being detected if their conversion is unknown or if they neither give extremist opinions nor visit fundamentalist contacts regularly; thus, it is almost impossible that these individuals be related to intelligence activities and, eventually, with terrorist acts. -----

However, day-to-day actions of those who adhere to Iranian theocracy are so similar to the extent that it is impossible for them to be considered casual actions. Reasonably, it should be detected that many of their activities respond to a specific plan and are controlled by higher ranks. -----

This Attorney General's Unit has referred to this specific issue in the enumeration of the common features of certain individuals of the Iranian community in Buenos Aires, emphasizing that they came to our country during the last five years of the eighties; they were related to the Iranian government; they only studied medicine, drove taxis, regularly attended the mosques of Floresta or Cañuelas, and some of them were even accommodated in those religious centers; also they were related to Iranian officials, or acted as translators both at the Embassy and at the Cultural Attaché Office of the Embassy, were employees of Frontage Companies, shared houses and had a close relationship with the primary artificer of the intelligence station, Mohsen Rabbani. -----

Similarly, the foregoing has been informed by European authorities. In fact, the Director of the Home Information Services of Berlin, Federal Republic of Germany, Eduard Vermander, and the head of Section II, Alex Dechamps, mentioned the discovery of a considerable group of Iranians who have settled to study at the university. In this connection, they sustained that what called their attention was that they were perennial students and were young adults who had already completed other studies. It was established that their real task consisted in recruiting fellow citizens inserting them into Shiite ideology while at the same time they controlled them to find out if they were conspiring against Iran. The European authorities added that in order to afford their living expenses they drove taxis, though most of them had been granted scholarships and were financed by official Iranian institutions. (p. 15, Docket 204) -----

Another group particularly appointed to play a significant role inside the intelligence base is that made up by the so-called dormant cells, which are a tool, supplementary to the Embassies, contemplated by Iran to operate in the area of intelligence. It should be noted that the word "cell" means a small structure of people who have introduced into a specified society by mandate of a high authority. -----

Witness Mesbahi indicated that dormant cells were agents of the VEVAK whose mission *"is very simple, to learn the language and integrate themselves into the society. They*

know that at any time, they shall be called as agents if needed ... (pp. 3448/3461, Docket 204) -----

The same path is followed in the report that explains that the selected agents integrate themselves into the local community for their own coverage and to identify potential recruits, generally in mosques, universities, cultural centers and Shiite institutions. They do not directly contact other dormant cells but they do so through a coordinator, who, in turn, contacts the leader to whom he reports. (pp. 81/101, Docket 15)-----

Besides, this description is consistent with the report added in these proceeding which reflects that the "source" should seek to learn the language and all the local practices and usages so as to integrate into the society as one of equals. (pp. 1607/1677, Case No. 1627) -----

In turn, the word "*dormant*" means that as agents, these individuals are inactive for long periods of time, even for years, that is, they lead an ordinary life where they live, until a mission is assigned to them. As regards the missions assigned, these may include surveying political and/or religious targets. (pp. 3448/3461back, Docket 204) -----

In this connection, it should be reminded the contents of the *Manual for Allah's Soldier* seized at Abdul Kadir's house, the relevant part of which reads as follows: "*you must work to spread your Islamic 'call' wherever you are (...)* Besides, you must always be prepared to receive orders from your leaders, like a soldier in the barracks..." (pp. 73/84 and 172/194, Docket 419)-----

For the purposes of clarification, we repeat the words of Gustavo de Aristegui,⁶⁰ quoted in the Opinion issued in 2006, who explained the goals and structure of dormant cells as follows: "*Islamic terrorist groups have learnt a lot from their own mistakes and from the experience of other non-Islamic organizations. In fact, security turned to be their greatest obsession, not to prevent the death of their militants but to guarantee the success of their attacks. That is why the Islamic cells have legal elements, such as those who lead a perfectly normal, legal life integrated into the society where they live, and on the other hand, they have illegal and undercover elements, either because they have criminal records with the police or security services or their presence should not be known by the Muslim community of the country selected as target, or so as to avoid that their activities be detected by the services of such country*" (De Aristegui, Gustavo. *El Islamismo contra el Islam. Las claves para entender el terrorismo Yihadista*. Buenos Aires: Ediciones B, 2004, pp. 286-287)-----

⁶⁰ Spanish diplomatic official, speaker of the Popular Parliamentary Group of Spain for Foreign Issues; he held the office as Second Officer of Spanish embassies at Tripoli and Amman; he was member of the National Commission on Freedom of Worship as expert on Islam. -----

The author also describes each type of cell: the first type is made up by members recruited among the Islamic fundamentalist residents of the society they intend to attack. Frequently, these are individuals who have been living there for years and lead a perfectly normal and legal life. They do not raise suspicion. From this group, subjects who have adhered to radical Islam for years are selected to perform significant logistic tasks.-----

The second type of dormant cells includes those cells established by terrorist organizations to be activated as needed. Their members have experience and training. Like the former category, they lead a normal life. (op. cit., pp. 287-288)-----

An old-time example of a "dormant cell" residing for many years in Germany and used for an attack, arises from the judgment issued by the Accusation Upper Court, Second Session of the Court of Appeals of Paris, in reference to the individual who murdered the Iranian monarchy dissident Reza Mazlouman; it stated: "*Ahmad Jayhooni was 60 years old at the time of the event. He was the eldest of eight brothers and sisters (...) In 1981, due to medical reasons, he migrated to Germany with his wife and three children where he was transferred an amount of over a million Marks. So he could purchase a video library in BONN (...) JAYHOONI, owner of a video library in BONN, was suspicious of 'taking video of Iranian opponents and later transmitting them to the Iranian information centers.*" (pp. 1204/1351, Docket 209)-----

The French judges confirmed that Ahmad Jayhooni had links to the information centers of Iran and he made it possible that a commando accessed the Iranian dissident Marzlouman's house and murdered him. As a result, he was convicted and sentenced to seventeen years imprisonment. (pp. 1204/1351, Docket 209) -----

Therefore, we can indisputably assert that in general, "dormant cells" follow a similar action pattern. They are received by their contact in the country, who provides them with accommodation and maintenance, and gradually integrates them into a specified group. The newcomers must learn the local language and practices. The contact also procures the newcomers with a job and/or student activity to justify their permanence in the country. In addition, they receive permanent religious and political indoctrination. --- These cells are potentially extremely dangerous because always serving to higher commands they are capable of providing different types of support to terrorist elements who arrive at the country to execute terrorist acts. -----

Up to now, based on the evidence gathered in these proceedings, we have explained the main components of the intelligence stations settled by the Islamic Republic of Iran, of which the ones in Argentina and Guyana are the best example. -----

In addition to the time coincidence in respect of beginning of activities, which is a logical consequence of the "policy for the export of the revolution" adopted after the

Seminar on Ideal Islamic Government held in 1982, infiltration in both South American countries was characterized by the detected identities, which had a distinctive feature: the performance of activities or the use of institutions which complied with their legitimate purposes but in parallel, developed other previously ordered concealed activities or institutions for the establishment of intelligence bases, structures that proved to be a core instrument when the time came to commit or plan terrorist attacks. -----

The analysis of abundant evidence added to these proceedings --which is hereinafter described, also revealed the existence of aspects in common between the activities or dual use of the institutions in Argentina and Guyana --where Mohsen Rabbani played a predominant role-- in connection with certain events or activities observed in other Latin American nations, some of which, also closely linked to Mohsen Rabbani. Again, it should be reminded that he is subject to a red notice international arrest warrant for his involvement in the terrorist attack against the AMIA premises. -----

CHAPTER FIVE-----

Iran and Hezbollah. The "Export of the Revolution" in South America and its Coordinator: Mohsen Rabbani -----

Now, within the context that have been analyzed throughout this Opinion and specifically in connection with Rabbani's contribution to the execution of the terrorist attack against the AMIA premises, the new evidence produced in these proceedings becomes crucially important as to the role played by Mohsen Rabbani as coordinator of the Iranian policy for the export of the revolution in South America. (pp. 1510/1513, Docket 129, pp. 462/468, Docket 147 and pp. 991/994, Docket 419)-----

In this regard, resizing his figure at continental level, not only strengthens the accusation against him in these proceedings but also concisely explains the reasons why he was one of the most significant players in the establishment of an Iranian intelligence station in Argentina which made a major contribution to the material authors of the terrorist attack against the AMIA premises. This evidence also conveys new meaning to his links and actions in other regional countries. Therefore, while he was establishing a complete intelligence station in our country, he projected outward the policy for the export of the Iranian revolution to other South American countries, in line with his predominant role at regional level. -----

For such purpose, Rabbani who was based in the city of Buenos Aires organized the necessary activities to go ahead with the expansion of the Iranian regime, which also included strengthening links and joint work with agents of the terrorist organization Hezbollah in the region. The greatest example of this is his association, at least since 1987, with Samuel Salman El Reda also accused for the attack against the AMIA

premises and against whom a national and international arrest warrant under Interpol red notice has been issued. -----

In all, the new evidence gathered in these proceedings confirms that the terrorist attack against the AMIA premises in general, and the role played by Rabbani in particular, were not isolated acts but the most terrible and extreme expression of the deployment of the policy for the export of the Iranian revolution in the region. -----

Specifically, within the scope of this expansionist policy, which Khomeini called the "export of the revolution" --and which eventually includes, as noted in Argentina and Guyana, intelligence stations that served to acts of terror if needed,- a greatly significant arm is the support provided to allied groups such as Hezbollah,- which in other conditions would be unsuccessful in obtaining the means to plan and direct criminal operations, as the operation carried out against the Embassy of Israel in Buenos Aires in 1992, the attack against the AMIA premises in 1994, the attack against the Al-Khobar Towers in Saudi Arabia in 1996 or, quoting more current examples, the conviction recently ordered by Limassol Courts (Republic of Cyprus) against Hossam Taleb Yaacoub --a Hezbollah member arrested in July 2012-- for being member of a criminal organization and being involved in the preparation of attacks against Israeli targets in that country (pp. 11.931/11.933, Docket 263); and the attack in Burgas Airport (Republic of Bulgaria) against a vehicle carrying Israeli tourists in July 2012, an attack that according to the highest authorities of the Bulgarian Government, was executed by Hezbollah. (pp. 11.915/11.923, Docket 263)-----

The close subordination relation between Hezbollah and the Islamic Republic of Iran was described in the Opinion issued by this Attorney General's Unit in 2006. In that Opinion, we explained that the emergence and consolidation of the organization could not be explained without considering how convenient the organization was for the Iranian interests in the region. We added that the above mentioned arm was reflected in the political and religious arena --focused on a common enemy- and more ostensibly, in the regular and by no means concealed financial and military assistance provided by Iranian officials to the group as well. On this issue, Gustavo de Aristegui stressed: *"Hezbollah emerges as one of the first and more rooted bets of the Iranian revolution."* (op. cit., p. 200-201) -----

On his part, Magnus Ranstorp remarked the predominant role of the Revolutionary Guards; he said: *"Pasdaran role in Hezbollah was formally institutionalized through the presence in the Majlis al-Shura of a high ranked representative of the Islamic Revolutionary Guard Corps of Iran..."* (pp. 2929/2945, Docket 263) The foregoing was

confirmed by Hala Jaber⁶¹ who stressed: "...Hezbollah was precisely one of the protégées of the Iranian Islamic Revolutionary Guard Corps in Lebanon," with such extent that "...it had come with the undercover mission to recruit agents and establish an apparatus, beyond Hezbollah, to its inflexible Islamic Revolution." (pp. 9205/9289, Docket 263) -----

About the ideological relation between the Iranian Government and the Party of God, the specialist Kenneth Timmerman sustained: "Hezbollah is an organization created by Iran and it is Iran's creature. It was so at the beginning and it continues being so today. Hezbollah is the word used by Khomeini at the beginning of the revolution. First it was a generic term that meant the creatures of God or the people of God, but, from 1982-1983 it turned into a specific organization." (pp. 76/80, Docket 352) -----

For James Bernazzani:⁶² "the relation between the Government of Iran and the subordinate is clear. The Government of Iran is a state sponsor of terrorism, is one of few nations that use terrorism as a tool for foreign policy." (pp. 121.946/121.950) Much more graphical are the statements by Abolghasem Mesbahi when he described the relationship between Hezbollah and Iran "...it is a father-son relationship where Hezbollah is the son and Iran is the father..." (Testimony received on May 24, 2000, appearing on pp. 397/405, Docket 204)-----

Ariel Merari sustained: "... Hezbollah sees Iran as the source of public and ideological authority..." (Testimony received on August 25, 1999, appearing on pp. 36.719/36.723 of the Embassy Case) As already explained, subordination is no secret; the leaders at the highest levels of Hezbollah had admitted it. -----

One of the highest representatives of the Lebanese organization, Sobhi Tufayli, asserted: "Our relationship with the Islamic Revolution [in Iran] is one of a junior to a senior . . . of a soldier to his commander." (Quoted by Martin Kramer in the Chapter: The moral logics of Hezbollah, p. 151, published in the compilation of the book Origins of Terrorism by Walter Reich, Ediciones Pomares-Corredor) -----

Hassan Nasrallah, Secretary General of the terrorist organization asserted: "As to our brothers in Iran, we have contacted them and they have showed their willingness and provided their support and this is a fact that we do not hide, there is no need to deny that we have financial and political support from Iran. (...) We are not ashamed and they do

⁶¹ Arab journalist for the British newspaper *The Sunday Times*, correspondent in the Iraq war and author of the work: *Hezbollah: Born as a Vengeance*. -----

⁶² With wide experience in the issue, he was Head of the Department of Struggle against Hezbollah, and directed FBI operations in the CIA, against Al Qaeda as Head of Unit in the FBI International Terrorist Operations Section. At the time of his testimony (July 2006) he acted as Director for the FBI Office in New Orleans. -----

not fear either." (Journalist Report taken by Al Wasat magazine on March 11, 1996, appearing on p. 24.417) -----

Recently, (February 2012) the Secretary General cleared all doubts when he stated: *"From 1982 we have been receiving all types of moral, political and material support by the Islamic Republic of Iran (...) In the past, we talked about moral and political support, but did not mention military training to avoid implicating Iran. But today, we have decided to speak."* (pp. 11.511/11.513, Docket 263)-----

Along this line of argument, Nahim Kassem, Assistant Secretary General of Hezbollah answered in an interview granted to Clarin newspaper and published on August 28, 1994 (Second Section) When asked about how the political, financial and religious relationship between Iran and Hezbollah was, he answered that *"... in religious terms, we consider that the Ayatollah Ali Jamenei is the guide of all Muslims as is Pope John Paul II to Christians. In political terms, Iran uses Islam to combat imperialism. It supports the disinherited and oppressed, and sponsors our cause. We have common interests with Iran."*-----

From the forgoing it indisputably arises that the Islamic Republic of Iran provides financial, political and military support to Hezbollah, which, in turn, would not manage to survive without that support. In return, Iran frequently takes advantage of the operative structure of Hezbollah to execute terrorist operations. -----

The foregoing was underlined by James Bernazzani; he stressed: *"in all cases were Hezbollah commits terrorist acts outside Lebanon, it does so under the orders of Iran."* (pp. 121.946/121.950) In this line of ideas, Ariel Merari sustained that outside Lebanon, the group does not operate separately but as part of the Iranian system of terrorism, since it does not have the adequate infrastructure to do so. (pp. 778/914, Docket 267) -----

On his part, Matthew Levitt⁶³ stated: *"Hezbollah is an Iranian organization; it has Lebanese identity, a Shiite identity or an identity that represents Iran. In each of its international terrorist attacks, for example, the two bombings in Argentina, the attack against the American forces in Saudi Arabia, the attempt to bomb the Embassy of Israel in Bangkok, in each of these attacks they had green light by Iran, but they were also involved in the attacks, they gave authorization to Hezbollah to use their State offices, State Officials carried out these attacks."* (pp. 1386/1459 and 1460/1485, Docket 419) ---

It is at this point where these Iranian bases are critically important because – once the decision to execute a terrorist attack is made – precisely these Iranian structures make it

⁶³ PhD in International Relations, Senior Researcher of the Counter-Terrorism and Intelligence Program of the Institute for Near East Policy in Washington, and professor of the Johns Hopkins University and George Washington University.-----

possible to dramatically increase the chances to carry out terrorist attacks. If detected, it is then imperative to dismantle and expatriate the intelligence centers that are capable of providing the necessary support to criminal operations.-----

It should be understood --as highlighted by the experts on this issue, that without this intelligence, it would be almost impossible or very difficult for the criminal operative groups reporting to Iran to succeed in a plan for a terrorist attack since they would not have the necessary means at their disposal. -----

a. The "Export of the Revolution" in South America-----

The establishment of Iranian intelligence stations in Argentina and Guyana, modeled after its policy for the export of the revolution, could be confirmed because terrorist attacks had been organized there; this could be confirmed from arduous and detailed judicial investigations. Thus, as a result of the investigation for the attack against the AMIA premises, the establishment of an Iranian intelligence station in Argentina could be detected. Likewise, the investigation for the conspiracy to attack John F. Kennedy Airport in New York discovered the establishment of an Iranian intelligence station in Guyana. -----

Broadly speaking, neither of these could have been known, yet confirmed by the Courts at least with the details currently disclosed, if we had not suffered the despicable attack against the AMIA and if the thwarted attack against New York Airport would not have been planned. -----

Within the scope of the thorough evidentiary stage of these proceedings investigating into the terrorist attack against the AMIA premises, abundant evidence has been gathered that reflects aspects in common between the activities inherent to the Iranian intelligence stations established in Argentina and Guyana under the regime's policy for the export of the revolution, and certain actions carried out by Iranian leaders in other regional countries. -----

If we consider that this infiltration strategy adopted after the Seminar on Ideal Islamic Government held in 1982, and which was duly corroborated in a country subject to two terrorist attacks (Argentina) and in other (Guyana) where proxies planned and were close to succeed in another criminal act, reasonably, we may at least be suspicious, but without drawing conclusions, that this could have happened in any other regional country. Notwithstanding the foregoing, in cases where there is conclusive evidence, it corresponds that they be investigated by the authorities of each country having jurisdiction over the territory and subject matter.-----

However, the point is that upon having reviewed the Iranian activities in South America without the limitations posed by a simple specific and separate study, this Attorney General's Unit has expressed its deep concern. Although this general analysis has been

only performed on the available evidence, because this Unit has no jurisdiction to investigate events occurred in other Nations, we have disclosed that different Iranian leaders settled in several neighboring countries have repeated behaviors similar to those entailed by an intelligence station such as: financing and indoctrination from Iran, full merger between political and religious aspects in speeches and activities developed by the representatives of the regime; huge activity intended to the recruitment and education of agents who adhere to the fundamentalist cause; preparation and delivery of intelligence reports; dual use of embassies or diplomatic representations that may act as part of the intelligence bases; employment of commercial undertakings as frontage for illegal activities; and the dual use of cultural centers or mosques that, in addition to Islam or Islamic culture, may serve to terrorist activities – through alleged trips to study, pilgrimages or financial transfers. Though these elements *per se* have identity, they acquire their true dimension when analyzed as a whole. Thus, they influence one another and their effective scope and magnitude is revealed.-----

The time repetition in different places of similar behaviors and behavior patterns cannot be casual and in the opinion of this Attorney General's Unit, these are facts that should be warned to the relevant judicial authorities for pre-emptive purposes. -----

It is precisely this repetition of facts indisputably verified in different South American nations over time, what harbors the suspicion that the Iranian regime could have established its intelligence stations under its policy for the export of the revolution not only in the countries where attacks were executed or planned, but also in certain other countries, to which we will refer below. This suspicion is fuelled when recalling the statements made by witness Abolghasem Mesbahi who asserted: "*According to the general policy of the Ministry of Information, all countries of the world are targets for the Iranian intelligence service ...*" (Testimony received by the Federal Criminal Oral Court No. 3, on pp. 4105/4137, Docket 204)-----

The witness also explained how this policy was implemented by stating: "*The contents of the reports were thoroughly analyzed by the Iranian authorities. If they concluded that the territory under review had potential for the accomplishment of their goals, it was accepted as a target and the global start of activities -from espionage and propaganda of the Islamic Revolution to terrorist operations- was permitted.*" (Testimony on pp. 381/416, Docket 204) -----

It should be reminded that already in 1983, Iran sent Mohsen Rabbani to establish himself in Argentina, a presence that culminated with his involvement in the terrorist attack against the AMIA premises. Moreover, Rabbani accepted Abdul Kadir as his agent in Guyana, who finally conspired to attack John F. Kennedy Airport in New York, and the following year, he sent Mohammad Tabatabaei Einaki to Brazil, where he was

expelled upon verification that he was performing purely political activities inconsistent with the office held by him. -----

In this regard, the truth is that a similar behavior was displayed by one of the accused in these proceedings against whom national and international arrest warrant under Interpol's red notice has been issued, for his involvement in the terrorist attack against the AMIA premises, the then Ambassador of Iran in Argentina and Paraguay, Hadi Soleimanpour (former member of the Islamic Revolutionary Guard Corps), who, as testified by witness Abolghasem Mesbahi, during his office as diplomatic member of the Embassy of Iran in Spain was deported for having performed espionage activities. (pp. 381/416, Docket 204; pp. 1387 back, 1423, 1449 and 3750, Docket 392; pp. 4105/4137, Docket 204 and pp. 98.246/9) -----

Furthermore, to illustrate that the Iranian activities in the region are not novel, worthy of mention is a report sent by the Iranian leader stationed in Argentina, Mohsen Rabbani: *"According to our Islamic point of view, Latin America is for us and the international world a virgin territory where unfortunately, its potential has not been taken into account by the Islamic people of Iran till now (...) we have strong support against the intrigues of imperialism and Zionism, which constitutes a significant aid in favor of our presence in the region (...) Fortunately, and thanks to the export of the divine and revolutionary principles we expedited learning and practice of this language (Despite the financial difficulties and lack of translations, we could prepare books in Spanish..."* (pp. 5813/5862, Case No. 1627) -----

Therefore, he has performed a properly supervised specific task with explicit goals as instructed by the Islamic Republic of Iran. The "export of the revolution" is a true state policy of Iran, so much so, that, we repeat – it is established in the Iranian Constitution and its achievement has been constantly present ever since the Ayatollahs took power on February 1, 1979. -----

This is not a minor issue if we take into account, as already verified, that in certain cases, the "export of the revolution" spearheaded by the Islamic Republic of Iran has disguised the dual use of different cultural and religious manifestations (establishment of mosques and cultural centers, spread of Islam, education on Islam and history, ideological guidance, learning of the ideals of the Islamic revolution, etc.) -----

In those areas and under the disguise of religion, the Iranian regime has worked from early in the eighties. In this regard, we realized in both cases being investigated (the attack against AMIA and the conspiracy to bomb John F. Kennedy Airport in New York), that they have paved the way and subsequently taken advantage of the subjects who had been trained and indoctrinated by the Iranian agents for years and were capable of carrying out violent actions. -----

In light of the discovery of certain aspects in common, there is suspicion – to be determined by the judicial authorities having jurisdiction in the relevant countries if they deem it proper, that the Islamic state might have deployed its networks in various countries, establishing real intelligence and logistics centers capable enough to provide support to a terrorist attack under a diplomatic, religious and cultural coverage, if needed – as was the case in the attack carried out in Buenos Aires and in the plot against New York Airport.-----

For the sake of clarity, we describe below the Iranian activities discerned as aspects in common with respect to events that took place in other South American countries. Again, we expressly indicate that the description includes actions which, in appearance, are legitimate. Establishment of cultural centers, activities for spread of Islam, opening of mosques, recruitment of new followers, among others. In certain cases and under that legitimate appearance this activity called the “export of the revolution” entails infiltration by Iranian intelligence, fund-raising for satellite terrorist organizations like Hezbollah, settlement of cells and operative bases necessary to perform terrorist acts; that is, the establishment of entire intelligence stations serving if required, to put the so called “terrorist matrix” into action.” -----

Certainly, the fact that Iranians used their own institutions to develop an undercover intelligence station under their protection does not imply that these institutions as such are involved; instead, we intend to reflect how the regime made use of its structures, relations and possibilities to establish undercover bases of support. The subsequent paragraphs must be understood through this perspective in mind.-----

Moreover, this Opinion is by no means intended to meddle into internal issues of foreign countries. In contrast, and in view of the evidence produced during the investigation, it seeks to comply with the duties assumed by Argentina with respect to international legal assistance and cooperation.-----

Accordingly, the presumed development of Iranian bases in South America and their consequential operative capacity and establishment of dormant cells, entails a serious threat to regional security, rendering it mandatory to cooperate with the rest of the countries herein mentioned.-----

Finally, once again, it is worth repeating that Mohsen Rabbani, leader of the “At-Tauhíd” mosque in Buenos Aires and Cultural Attaché of Iran in Buenos Aires, locally supported and cooperated in the execution of the terrorist attack against the AMIA premises, and at the same time, he coordinated the “export of the revolution” in the region. Not only was it the major Iranian base in Latin America but it operated as the center of operations from which funding was provided to other Iranian centers in South America and took decisions on policies and activities related to these branches.-----

There is no doubt about this leadership if we consider the following report prepared by Rabbani: "...we deem it necessary to create cultural houses to face the harmful and deceitful Zionist propaganda and that of the Bahaii (...) we should create cultural houses in Brazil, Chile, Rosario and Córdoba (...) From the onset, the Cultural Attaché Office of the Islamic Republic of Iran, was engaged in the study and analysis of the problems posed by the different Latin American countries and it deemed it necessary to deeply investigate each problem and its effects in the most sensitive areas to send a report to the respectful officials in Teheran; thus, upon their decision, we may prepare our own work agenda (...) promote our message of the Islamic Revolution to the suffering people of Latin America, I wish we will succeed..." (pp. 5813/5862, Case No. 1627) -----

As we noted in the years coming after that, the decisions made by Teheran officials favored his requirements since Rabbani was promoted to Regional Head for South America. There are numerous testimonies corroborating this assertion. Francisco Corrado expressed: "...as regards Mohsen Rabbani, he was the highest representative of Shiites in South America..." (pp. 1510/1513, Docket 129) Adnan Hamze added: "...you know that [Mohsen Rabbani] was the cultural representative for Latin America ..." (pp. 462/468, Docket 147) Claudia Navarrete Caro informed that, after she converted to Islam she travelled to Argentina because she presumed that here "there was one of the largest mosques in Latin America" (pp. 3926/3934, Case No. 1627) and the officer of the FBI Joint Terrorism Task Force, Robert Joseph Addonizio asserted: "...we may conclude that Rabbani was the coordinator in South America as far as Shiite movement is concerned..." (pp. 991/994, Docket 419) -----

Thus, several cultural centers and Shiite mosques have been installed in South America, whose local leaders served to the regional leadership of Mohsen Rabbani. -----

In this connection, with respect to the cases of Argentina and Guyana, we noted that the distinctive feature of these local Islamic guides is their political and religious hard-line their credibility in the face of their followers, and their power of organization. Likewise, as to Kadir and more specifically, Rabbani, we verified the existence of religious, cultural or economic day-to-day tasks, behind which there was an involvement in intelligence and conspiracy activities that led to terrorist attacks. -----

Precisely, the new circumstances disclosed in the Guyanese case about the continental role played by Mohsen Rabbani, provides further evidence to strengthen the conclusions that led to the request for his national and international arrest and resizes the other activities performed in other regional countries as well. -----

b. Mohsen Rabbani as Coordinator of the Policy for the Export of the Revolution.
"Tri-border area" (Brazil, Paraguay and Argentina), Uruguay, Chile and Colombia

Now then, in order to analyze the development of the actions taken by groups and individuals related to the regime of the Islamic Republic of Iran and the terrorist organization Hezbollah, to disclose activities that have aspects in common to the deployment of intelligence stations in Argentina and Guyana, to review how the policy for the Iranian export of the revolution was put into practice after the Seminar on Ideal Islamic Government held in Teheran in 1982, we must refer to certain evidence gathered in these proceedings concerning the activities developed in other regional countries, to which we had access as a result of a thorough investigation of events suspected of being related to the terrorist attack against the AMIA premises. -----

In some cases, evidence resulted in the discovery of actions that assisted in the execution of the cruel attack, such as those performed by the fugitive Samuel Salman El Reda from Colombia, Brazil and Argentina, or by the holder of the cellular telephone line of Foz do Iguazu registered to the name of André Marques, which provided significant information. -----

In turn, as already explained up to now, evidence gathered in these proceedings, prove the existence of those intelligence stations serving the "terrorist matrix" and deployed at least in two countries of the South American Continent under the policy for the export of the revolution of the Iranian regime, and at the same time, other evidence already added to these proceedings and which clearly exhibited the close links between Hezbollah cells and Iranian agents in the region, particularly, Mohsen Rabbani, and their activities, gains significance and should be analyzed with greater care and, if appropriate, it must be subsequently investigated by the relevant authorities. -----

Therefore, reviewing such evidence, now under the perspective offered by the proof that the Seminar held in 1982 was the starting point for a change of strategy by the Iranian regime, shall serve to warn and underscore the actual significance of these links and activities, many of which concealed by lawful companies and/or institutions while others clearly and definitely illegal. -----

That is why we shall review them in this chapter. In doing so, we cannot overlook a strongly critical zone of the so-called "tri-border area" encompassing the cities of Foz do Iguazu (Brazil), Ciudad del Este (Paraguay) and Puerto Iguazú (Argentina) -----

Intercommunication among these three cities mainly occurs through "Puente de la Amistad -joining Foz do Iguazu and Ciudad del Este- and Tancredo Neves Bridge - joining Puerto Iguazú and Foz do Iguazu. -----

As sustained in the Opinions issued in 2006 and 2009, it is a particularly complex area where utterly different but supplementary activities are carried out - as we shall note. Throughout this Opinion, we have stressed the significance of the dual use of Islamic institutions for the development of intelligence stations. -----

In this area, we have verified the establishment of many of them (such as the "Profeta Mahoma" mosque in Ciudad del Este, and "Husseinia" mosque and Sociedad Benéfica Islámica in Foz do Iguazu), which are closely linked to renown members of the terrorist organization Hezbollah, who in turn, are connected to officials and agencies of the Iranian regime, as it arises from evidence appearing in these proceedings. -----

In parallel, we have detected the existence of a commercial link directly related to the terrorist group Hezbollah and interconnected to the religious institutions mentioned above, serving to finance the activities carried out by the organization both there and in Lebanon. -----

In this respect, when FBI Special Agent James Bernazzani was received testimony by this Attorney General's Unit, he sustained that it was a place where everything could be concealed, planned and purchased because there were strong criminal elements, and he added that in 1994, there were Hezbollah settlements in the area. He added, that in the attack against the AMIA, individuals from the "tri-border area" were involved in the logistics, purchase of explosives and funding, in addition to the aid provided for coming and leaving the country. (pp. 121.946/121.950 back)-----

Similarly, witness Abolghasem Mesbahi said: *"the 'tri-border area' is a Lebanese commercial center; as certain investments come from Iran, they can seek cooperation from Lebanese residents to obtain visas, documents, air tickets, safe places to protect individuals, etc. The main purpose is to raise money to be sent to the mosque in Buenos Aires and to Hezbollah."* (pp. 3448/3461back, Docket 204) -----

The information gathered in these proceedings indicates that the presence of merchants who were members of Hezbollah was detected. They made it possible to settle dormant cells through financial aid and provision of the required places, products and elements to engage in activities. (p. 117 to the "International Report") -----

In this Chapter, we shall explain the deployment of Hezbollah in the area, how it operates and who have been major players for the development of activities performed in the area, as well as the links with officials and institutions of the Islamic Republic of Iran, which exhibit the strategic alliance serving to the interests of Iran. -----

As already mentioned throughout this Opinion, the Lebanese terrorist organization has long transcended the boundaries of Lebanon and has executed bloody terrorist attacks in other places of the world, including the attack against the AMIA premises in 1994. -----

Therefore, the involvement of Hezbollah agents in this area is indissolubly linked to its Iranian mentors and serves to the operational needs of the regime in the area. -----

In this connection, we note the existence of religious and cultural institutions mentioned above, as well as the development of legal and illegal activities to raise funds, to obtain documents and accommodation, and the deployment of links that build ongoing bridges

among subjects residing in Foz do Iguazu (Brazil) and in Ciudad del Este (Paraguay) to actually remove frontiers. -----

Among them, worthy of mention is Samuel Salman El Reda, whose international arrest was requested by this Attorney General's Unit for his role as coordinator of the final stage of the terrorist attack against the AMIA premises, and who settled in the tri-border area in 1993; he built up relations with several subjects suspected of being members of Hezbollah and maintained a close link which has been developed since 1987, with Mohsen Rabbani, also involved in the terrorist attack and who played a key role in the policy for the export of the Iranian revolution in the region. -----

Certainly, Samuel Salman El Reda is a very clear example of the strategic association between Hezbollah and the Iranian regime and how this association has infiltrated agents into Latin America to go ahead with its actions. In June 2009 --and after a thorough investigation about his activities-- a national and international arrest warrant was issued against him because it was demonstrated that he was one of the principal individuals involved at local level in the preparation and execution of the attack that on July 18, 1994 destroyed the AMIA premises. Accordingly, it also implied requesting ICPO -- INTERPOL red notice; that is maximum priority search for his arrest and subsequent extradition. -----

Now, after an arrest warrant against him was issued, new evidence has reinforced the conclusions arrived at by this Attorney General's Unit. As a matter of fact, afterwards, and due to the requests for cooperation made to the Judicial Authorities of the Republic of Colombia, we could establish that Samuel Salman El Reda used a fake birth certificate to obtain the documents that evidenced that he was Colombian citizen and then to obtain the passports which enabled him to make numerous trips worldwide. -----

In this context, the statements made by different witnesses about him during his stay in our continent take on relevance; they plainly defined him as Lebanese, a fact that is duly understood upon confirmation of his false Colombian origin and his proven membership in Hezbollah. Obviously, it was his origin which had to be concealed so as not to frustrate his infiltration. -----

Hence, this new evidence has shaded new light on the activities performed by El Reda before his involvement in the attack against the AMIA. Sure enough, it is clear that his presence in the continent was not casual; instead, it was the result of a plan aimed at his infiltration in the region for the purpose of becoming an operative agent serving to the terrorist organization Hezbollah --of which he was member-- and to the Islamic Republic of Iran. This presence started with the abovementioned Colombian documents and ended up with his involvement in the terrorist attack against the AMIA premises, after

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having settled in the Federative Republic of Brazil. This Opinion shall deal with El Reda more fully below.-----

c. Iran and Hezbollah in the "Tri-Border Area." Infiltration of Samuel Salman El Reda-----

In the "tri-border area," like in the countries where the existence of intelligence stations previously devised by the Iranian regime has been confirmed, it has also been verified the establishment of several Islamic religious institutions closely linked to its agencies abroad; in this case, they have been led by renowned members of the terrorist organization Hezbollah in the region. -----

Examples of these institutions in the region are the "Profeta Mahoma" mosque in Ciudad del Este, whose builder is a renowned member of the local Arab community, Mohammed Youssef Abdallah, who settled in Ciudad del Este on July 6, 1980 and one of the oldest members of Hezbollah in the "tri-border area." (pp. 4 and 33/35, Exhibit "Tri-border area" to the "International Report")-----

Similarly, worthy of mention are the "Husseinia" mosque and the Sociedad Benéfica Islámica, both located at the same address in Foz do Iguazu (Av. José María Brito 929/931). Hassan Mohammad Abbas, who was sheik of the mosque and president of the Sociedad Benéfica as well, was identified as member of the terrorist group. (pp. 179 and 986, Docket 201) -----

Likewise, Hussein Youssef Abdallah, in addition to acting as president of the Sociedad de Beneficencia Islámica in 1994, was identified as one of the highest officers -- chief of operations -- of Hezbollah in the "tri-border area." (pp. 176 and 988/989, Docket 201) ----

Moreover, these institutions were closely linked to Farouk Abdul Omairi, who, according to available information, in addition to being a prominent trader, was one of the leaders of Hezbollah in the "tri-border area" (pp. 170/192, Docket 201), and was closely connected to Samuel Salman El Reda. (pp. 590/595, Docket 313) -----

In fact, protected witness identified as witness "A," said that when he travelled to Foz do Iguazu he noted that Omairi was the coordinator of all the Lebanese in the area. The witness emphasized the aid provided by Omairi to individuals coming to the area from the Middle East, when he said: *"this person arranges the issue of visas, residence of Arab individuals for their settlement in the area,"* and he added that *"anyone coming from Lebanon contacts him, at least for the tickets."* He also directly refers to Omairi as *"the representative of Hezbollah in Foz."* (pp. 590/595 and 954/961, Docket 313)-----

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Along these lines, witness Reyad Jafar Mohamed Ali⁶⁴ sustained: *"he is a very influential person in the Islamic community of Foz do Iguazu and he is one of the individuals who organized the delivery and receipt of money for Hezbollah."* (pp. 3140/3145, Docket 201)-----

His membership to the terrorist organization and his significant role in the region also result from the so-called "Taki" case. -----

In August 1988, the Lebanese terrorist of Hezbollah Mohammed Adel Taki was arrested in Abidjan, Ivory Coast. He was carrying 70 kilograms of explosives, detonators, grenades, portable weapons and a rocket launcher which were about to be shipped to France. Among the notes contained in his notebook, was the name of Farouk Omairi with the reference that he was a "good brother" (clearly alluding to his condition as active member of Hezbollah who could be called upon) and his contact information, among which worthy of mention is the telephone line No. 0455-733429 which, at that time, was registered to Husseinia mosque of Foz do Iguazu. Another contact found in the seized notebook was Mohamad Hassan Gharib. (pp. 1147/1257, Docket 267; 170/192, Docket 201 and 2528 back, Docket 406) -----

And it was Taki himself who, in that process not only confirmed that he was member of the organization Hezbollah but also that the weapons and explosives stored were for a subsequent transfer to France to be used in terrorist attacks in retaliation for the encroachment of France in Lebanon's internal affairs. (Translation of his statements, appearing on pp. 2441/2454, Docket 406)-----

From the proof delivered by French judges, we conclude that the fact that the names of Farouk Omairi and Gharib were included in Taki's notebook confirms that they were members of Hezbollah and strengthens our suspicion about the significant role of Farouk Omairi in its structure. -----

Besides, the proven financial and operational link between Hezbollah and Iran, which like so many other circumstances was denied by their leaders as a tactical resource so as not to be held liable for their terrorist acts (in the words of Nasrallah: *"so as not to implicate Iran"*, pp. 11.511/11.512, Docket 263), in the last analysis, reveals to whom Omairi and Gharib were serving and further confirms the aspects in common with the operatives of an intelligence base. -----

Moreover, the link between Omairi and Gharib is fully confirmed from the evidence of numerous telephone communications added to these proceedings, both directly between

⁶⁴ Iraqi refugee from 1990 in Spain, arrested when he was giving statements for the crime of forgery of public instrument and ideological forgery in the Unidad Penitenciaria Provincial N° 1 of "Villa la Rosa" (Province of Salta)-----

them or to common contacts who were also members of the terrorist organization Hezbollah. -----

Telephone interconnections have been critical to become aware of links or to confirm others already presumed as a result of available evidence. In this regard, a global analysis of the telephone lines used by Farouk Omairi made it possible to become aware of his regular contact with representatives of the Iranian government in the area and with other individuals identified as members of Hezbollah. (pp. 17/22 and 170/192, Docket 201) ----

Reports contained in these proceedings indicate that many years before the terrorist attack against the AMIA premises, there were links between the Lebanese Omairi and Iranian "elements" in the region. We could detect communications between Omairi, the Cultural Department of the Embassy of Iran in Buenos Aires and of Mohsen Rabbani's home address in 1991 and 1992. (pp. 40, Folder 13)-----

Similarly, it was confirmed that during 1994 calls were made between telephone lines used by Rabbani (in his home address and in the Iranian Cultural Attaché Office under his charge) and telephone line numbers registered to the *Husseinia* in the City of Foz do Iguazu, used by Farouk Omairi. In this connection, information added to these proceedings indicates that by November 1990, Omairi assumed as prayer leader of the Husseinia mosque, one of the major centers of religious and cultural activity of the Shiite Islamic community located at Avda. José María Brito 929/931, Foz do Iguazu, and the Sociedad Islámica Beneficente was also located there. (pp. 5/11, 2098/2124, 2128/2130, 2161/2201, 2203/2205, 2272/2506, and 2597/2599, Docket 201 and UFICD0003) -----

Furthermore, worthy of special mention is the fact that from telephone lines installed in Omairi's business premises and from the "*Husseinia*" telephone number registered in Taki's telephone book as his reference, there have been proven calls with the cellular telephone line No. 975-1161 registered to the name of André Marques used by an active member of Hezbollah to coordinate the final stage of the terrorist attack against the AMIA premises between July 1 and July 18, 1994.-----

This telephone line is significant due to the dates on which it received calls from our country. And, in this regard, the only communications from Argentina to the telephone line No. 975-1161 were made between July 1 and July 18, 1994, from public telephone boxes and call centers located at the city of Buenos Aires, Ezeiza International Airport, and Jorge Newbery Domestic Airport. (p. 19, Docket 406 - Diskettes T9407 and DULA, UFICD0001 and UFICD0003) Again, we must underline that there are no calls made from our country to that telephone line before or after the abovementioned dates, what means that this telephone line was activated during a specified term and for a specified purpose: to coordinate the tasks carried out for the attack against the AMIA premises. ----

As already shown in the Opinion issued in 2009, the individual who made these calls was none other but the member of Hezbollah Samuel Salman El Reda, who was closely linked to Mohsen Rabbani, a fact that once again confirms the subordination of the terrorist organization to the theocratic regime of Teheran and explains the tactical use of its agents for the intelligence stations deployed at sub-continental level. -----

Moreover, on dates close to the execution of this operation, the abovementioned telephone line received communications from a telephone line installed in the Husseinia "Iman Al Khomeini" of Foz do Iguazu --which was used by members of Hezbollah (pp. 2183 and 2953 back, Docket 201); and from "Agencia Piloto Turismo" owned by Farouk Abdul Omairi. (pp. 2546 and 2552, Docket 201)-----

These proofs are much more conclusive taking into account the testimony of protected witness identified as witness "A" who explained that Omairi's contacts in Argentine were members of the Embassy of Iran, the Ambassador, the consul, or "other individual, because they always travelled to Foz do Iguazu and visited him. (Testimony received on May 16, 1998, kept on Archive in the Attorney General's Clerk Office)-----

In his testimony dated May 21, 1998 he said that he was aware that by the end of 1991, Omairi, along with other Lebanese, came to Argentina on holidays, more precisely to Buenos Aires and Mar del Plata and he lodged in "*the house of certain Lebanese*" in Floresta neighborhood (where the "At-Tauhid" mosque is located, and whose sheik was precisely Mohsen Rabbani) Besides, he added that the "*Director of the School of the mosque of Foz do Iguazu came with the group and accommodated in the mosque of San Nicolás.*"-----

These data are convincing. The highest representative of the terrorist group Hezbollah in the "tri-border area" who, in turn, was prayer leader in one of the major centers of religious and cultural activities and prominent businessman in the area, had a close relation with the coordinator of the export of the revolution and the regional highest religious leader for the Islamic Republic of Iran, Mohsen Rabbani, charged for his involvement in the terrorist attack against the AMIA premises, and both were also closely and simultaneously linked to another member of Hezbollah implicated in the terrorist attack against the AMIA premises, Samuel Salman El Reda. -----

In parallel, we have noted numerous contacts among the elements settled in the area who are identified as members of Hezbollah, in addition to telephone calls to telephone lines belonging to the Iranian embassies in Brazil and Argentina, and to telephone lines in Iran, the ownership of which could not be established as a result of the failure to answer the letter Rogatory duly addressed to the relevant authorities. -----

This liaison with elements of the terrorist organization is further confirmed by other equally suggestive contacts. The fact is that on dates close to the attack --July 15 and

July 23, 1994— calls were made from one of the telephone lines of the Husseinia in Foz do Iguazu to a telephone line in Beirut which, according to documents added to these proceedings, belonged to the Hezbollah spiritual guide, Sheik Muhammad Hussein Fadlallah. (pp. 2115/2116, Docket 201) -----

Other links from Husseinia to a telephone line registered to Ali Khalil Merhi were confirmed. (p. 3604, Docket 201) Ali Khalil Merhi was considered as one of the principal fund-raiser for Hezbollah in the region. Also there were calls made to another telephone line registered to Hussein Youssef Abdallah (p. 300 of the Telephone Guide of Paraguay for 1993, kept on Archive in the Attorney General Clerk's Office), identified as chief of operations of Hezbollah, president of Husseinia in 1994 and partner of Omairi in commercial undertakings (in fact, one of the telephone lines installed in "Agencia Piloto Turismo" is registered to his name); and to telephone lines registered in Iran (pp. 2184/2189, Docket 201) the ownership of which was requested to the judicial authorities of Iran (p. 6831 back, Docket 201), but to the date hereof, we have not received any answer. -----

All these references disclose the existence in the "tri-border area" of a group of members of Hezbollah who were the leaders of the main regional Shiite Islamic centers and who had regular contact; the foregoing is verified by reciprocal phone calls, and a permanent contact with telephone lines directly related to the Iranian regime, such as the Iranian embassies in Brazil and Argentina and other contacts in Iran, Lebanon and Argentina. These links are clearly explained if we take into account the subordination or parent-child relationship between Iran and Hezbollah, as defined by witness Mesbahi (pp. 381/416, Docket 204), and as finally plainly confessed by the Secretary General of Hezbollah, Hassan Nasrallah, when he said "*since 1982 we have received all type of moral, political and material support from the Islamic Republic of Iran... In the past, we talked about moral and political support, without mentioning their military support to avoid implicating Iran.*" (pp. 11.511/11.512, Docket 263) -----

Specifically, these contacts are conclusive evidence of the relationship among Omairi, Hezbollah and the regime of the Islamic Republic of Iran as well as his predominant role in the region; therefore, it is no surprise that his commercial activities have been suspected of providing financial assistance to the terrorist group and that the business to which he was related has been identified as support for the logistics of terrorist events in the region, in concert with one of the segments of the intelligence bases. -----

As regards Omairi and in direct relation to illegal actions intended to raise funds to finance the activities of Hezbollah, worthy of mention is his arrest for drug trafficking. Indeed, in August 2007, Omairi was convicted by the Courts of the Federative Republic of Brazil and sentenced to eleven years and eight months imprisonment for traffic of

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cocaine to different European countries. The same conviction was imposed on his son Kaled, while Ahmad Farouk Omairi was sentenced to nine years, seven months and fifteen days imprisonment. -----

When the court rendered judgment it sustained that they "*controlled the development of each and any typical action... They defined the dates, times and places of destination of the "mules," they provided the air tickets, they made reservations in hotels and they provided the money necessary to stay abroad...*" (pp. 8481/8606, Docket 201) -----

However, these were not the only illegal activities carried out by Omairi investigated by courts; the illegal activities that become much more relevant if jointly analyzed, are those related to the forgery of documents to obtain Brazilian citizenship of Arabs who have just arrived at the area and who have been investigated by Federal Court No. 1 of Foz do Iguazu. -----

When Omairi testified as accused in the record, he accepted that he worked as expeditor for foreigners who sought to obtain a visa with permanent residence or naturalization in Brazil and also performed consular tasks in the consulate of Lebanon in Brazil; he added that his assistance to foreigners in connection with their status in Brazil dated back to 1992. (pp. 8430/8430 back, Docket 201) -----

As evidenced, the behaviors conclusively proved by the Brazilian courts consolidate all the evidence gathered after many years of investigation in the "tri-border area." -----

Omairi had managed to establish a huge and efficient structure to commit crimes, which - due to its link to Hezbollah - utterly served to the Iranian regime, to the plan for the export of the revolution referred to above. -----

The roots of this organization extended to differing scenarios such as religious, commercial, state and even diplomatic areas; thus, he became one of the highest regional referents of the terrorist group Hezbollah and the Iranian regime. The ample operational capacity of its structure was evidenced when the Court ordering his conviction stated: "*The high degree of professionalism of the organization is also noticed in its capacity to guarantee continuity of the business despite the interception of some shipments of cocaine.*" (p. 8583, back, Docket 201) Even the tiniest details of each maneuver were planned, to such an extent that if thwarted, they did not jeopardize the rest of the organization. -----

Therefore, with all the information we can measure the use of a subject like Omairi and his apparatus, and perfectly put into context some elements mentioned at the beginning of this section, such as the testimony received to Abolghasem Mesbahi that the "tri-border area" is a Lebanese commercial center with Iranian investments; therefore, Lebanese residents cooperate to obtain visas, documents, air tickets and safe places to protect individuals, for the purpose of raising funds to be delivered to the mosque in

Buenos Aires and to Hezbollah (pp. 3448/3461 back, Docket 204); as well as information which disclosed that during the time of the events under investigation, there was presence of "strong businessmen" members of Hezbollah who had enabled the settlement of dormant cells through financial protection and by providing them with the places, merchandise and elements required for their involvement in those activities. (p. 117 to the "International Report") -----

Along this line, another businessman and member of Hezbollah, whose activities had assisted in funding Hezbollah was Assaad Ahmad Barakat, who was also related to Samuel Salman El Reda. -----

In this case, the principal place of business was Ciudad del Este (Republic of Paraguay), though he had permanent links with Foz do Iguazu. Moreover, the case of Barakat is also archetypal, since his role and links went beyond the area and extended to the Republic of Chile, where the Courts have conclusively established his illegal activities and his links to the terrorist organization Hezbollah, as well. -----

According to information gathered throughout the investigation, Assaad Ahmad Barakat was member of the *Consejo de Acción Islámica* (Council of Islamic Action) of Ciudad del Este and vice-president of the Sociedad Beneficente Islámica of Foz do Iguazu. Furthermore, he was considered as one of the regional leaders of Hezbollah (pp. 116.227/116.256 back and pp. 170/192, Docket 201), who was member of the regional Hezbollah Foreign Security Apparatus, which meant being directly subordinated to the then head of that structure, Imad Moughnieh (p. 2079, Docket 201)-----

The information gathered in these proceedings also discloses that Barakat used to travel once a year to contact Hassan Nasrallah and Muhammad Hussein Fadlallah in Lebanon. (pp. 747/748, Docket 34)-----

This is also confirmed by the testimony of protected witness identified as witness "T," who sustained that Barakat whom he identified by picture recognition from the list appearing on p. 215 back of this Docket, was an active member of Hezbollah close to its spiritual leader, Ayatollah Muhammad Hussein Fadlallah, and that he had seen them together in television and in graphic means. (pp. 219/224, Docket 277)-----

On his part, protected witness identified as witness "A" included him in a list of merchants of Ciudad del Este and Foz do Iguazu who provided support to subjects who committed terrorist attacks in South America. (pp. 56/71, Docket 313) -----

On the other hand, reports on his judicial records for illegal activities in the "tri-border area," show how these activities also served to fund the group. -----

As a matter of fact, as it arises from the information provided by the Paraguayan judicial authorities in the answer to the Letter Rogatory duly issued under the scope of Docket 201 on October 3, 2001, one of the business premises owned by him, named "Casa

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Apolo," was seized and there were video tapes whose content urged to "...encourage armed struggle, revolution and preferring to die and be martyrs rather than being subject to the whims of Israel and America, the motherland is very strong and Israel shall be obliterated...", and also a letter signed by "brother Hassan Nasrallah," Secretary General of Hezbollah, indicating that he was grateful for the cooperation in the "program for the protection of martyrs' children."-----

In the certified copy of its translation (p. 3282, Docket 201), it reads: "...I appreciate your contribution and continuous support to care for the sons and daughters of those who fulfilled their commitment to God and became martyrs, sacrificing their own blood... Their support is a true expression of the loyalty of the faithful people, who have all the values of martyrs and the holy war..." (pp. 3273/3294, Docket 201) -----

As mentioned in the Opinions dated October 25, 2006 (pp. 122.338/122.738) and May 20, 2009 (pp. 127.369/127.417), the letter seized displays the financial contributions to Hezbollah. The fact of having been seized in a business premises owned by one of the subjects identified as a prominent member of Hezbollah in the "tri-border area," leads to infer the connection between business premises and its financing. Besides, it evidences the commitment to the principles of the export of the revolution fostering the use of violence to attain its objectives and effected through the establishment of intelligence stations eventually serving to the terrorist matrix.-----

Other evidence added to the criminal report show that Assaad Ahmad Barakat owned, among others, the following business premises and commercial centers: "Galería Pagé" -- joint ownership with Mohamad Abdallah--, which operated as the main center of Hezbollah in the region and of which I shall refer later (pp. 981/1.034, Docket 201, among others); "Casa Apolo" located at Galería Pagé, 4th Floor (pp. 38 and 51, Exhibit "Tri-border area" to the "International Report"); "Barakat Free Shop," located at Foz do Iguazu and "Barakat Imp.Exp.Co." of Ciudad del Este (tel No. 6-4932) (pp. 998/999, Docket 201); "Mundial Import-Export" and "Casa Valentina," jointly owned by him and Sobhi Mahmoud Fayad (pp. 998/999, Docket 201), who, according to reports added to these proceedings, at that time operated as the main link between the Embassy of Iran in Brasilia and the structure of Hezbollah in the "tri-border area," and he had been Chief of Intelligence of Hezbollah in the region and had been in charge of operations and intelligence of Vevak. (pp. 981/1034, Docket 201, among others) -----

On the other hand, his brother Akran Ahmad Barakat was sheik of the Husseinia in Foz do Iguazu and was responsible for the annual contribution of 2.5% of the income of each follower, money that as informed by Gendarmeria Nacional (National Border Enforcement Authorities), was allocated to political groups and terrorist organizations.

(p. 745, Docket 34) On the other hand, his brother Moussa Ahmad Barakat was also identified as member of the Hezbollah. (p. 749, Docket 34)-----

Turning back to Assaad Ahmad Barakat, it should be noted that in May 2004 he was convicted by Paraguayan courts and sentenced to six years imprisonment for the crime of tax evasion. Within the scope of that investigation, it was confirmed that Barakat was the real owner of casa "Apolo," even though the name of Mazen Ali Saleh appeared as owner but in fact he was just an employee.-----

Furthermore, it was confirmed through documents added to the case, the existence of transfers of money abroad made by his front man Saleh amounting to PYG 3,273,347,700 (at the exchange rate effective at that time, around USD 980,000, while in his tax returns there was no account of profits for the period 1999-2001 and he reported sales for scarcely PYG 24,236,005, that is, less than one per cent of the transfers made by him (copy of the judgment rendered by the Criminal Court of Settlement and Judgment No. 6 of Asunción del Paraguay, appearing on pp. 6487/6496, Docket 201), clearly reflecting not only tax evasion for which he was convicted but also the existence of parallel income mentioned in the judgment as "*commercial transactions unreported to tax authorities*" or "*other activities not related to the business,*" which made that transfers possible. -----

Now, consistent with these events, in addition to the establishment of a great and diversified commercial network, the evidence produced in these proceedings disclose a series of mechanisms used to finance the activities of the terrorist organization Hezbollah, obviously serving to the interests of the Iranian regime in the region, including, but not limited to, money laundering, smuggling, tax evasion and forgery of documents. -----

We have already referred to the cases of Farouk Abdul Omairi and his conviction for illegal drug trafficking in the Federative Republic of Brazil, and Assaad Ahmad Barakat and the judgment against him for tax evasion in the Republic of Paraguay. However, they are not the only individuals with criminal records.-----

Another clear example is Ali Khalil Merhi, who, as already mentioned, was identified as one of the main fund-raisers for Hezbollah in the area and who was also arrested for the crimes of smuggling and forgery of trademarks. (p. 12, Exhibit "tri-border area" to the "International Report") -----

When his business premises were seized in February 2000, numerous piracy materials and fake "Sony" materials were found. Also, they found audiovisual material containing fundamentalist propaganda on which Hassan Nasrallah appeared. There were also shootings of suicide bombers with explosives adhered to their bodies, combat operations, etc. (pp. 43.475/43.483, Embassy Case) -----

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Reports attached to the case indicate that Merhi took part in a meeting of Hezbollah held a few days before the attack against the AMIA premises, at which he allegedly confronted Abbas Ahmad Fahs (a) "*Abbas Cataratas*" for issues related to power inside the organization. Also, it was informed that in 1996 Abbas Ahmad Fahs had travelled to Lebanon to invite Mohamed Hussein Fadlallah to the opening of the "profeta Mohamed" mosque in Ciudad del Este, to which his son, Ali Hussein finally attended. (pp. 995/996 and 1007, Docket 201)-----

Thus far, we have mentioned the evidence that demonstrates how the strategic Alliance between the Islamic Republic of Iran and the terrorist group Hezbollah was developed undercover in the so-called "tri-border area," taking advantage of the favorable features offered by the area for that purpose. -----

However, information gathered after many years of investigation, reveals that such structure exceeds territorial borders and extends to other cities of the countries involved, and to other South American cities as well; despite the fact that the hierarchy of the members who reside in the tri-border area - who were mentioned above- consolidates it as the essential axis of the organization in the region. -----

In fact, we shall subsequently observe how the activities of the Iranian regime started in other cities of the Federative Republic of Brazil since 1984 and how it operated as years passed by. As a result, different aspects in common of the abovementioned infiltration and certain elements of the intelligence and espionage bases established by the regime both in Argentina and Guyana are confirmed. This in fact, further confirms what has been stated by the Regional Prosecutor of the First Region of Brazil, Alexandre Camanho de Assis (who coordinates the Prosecution in thirteen States and in the Federal District). He asserted: "*Unnoticed, a generation of Islamic extremists is emerging in Brazil.*" (Statements made in *Veja* magazine, published in its issue dated April 2011, the translation of which appears on p. 10.898 back, Docket 263) -----

In this connection, in the Brazilian cities of Sao Paulo and Curitiba, infiltration maneuvers, markedly contemporaneous to those of Rabbani in Argentina -which started in 1983-, date back to 1984, when the Iranian citizen Mohamed Taghi Tabatabaei Einaki arrived at Brazil as representative of the Government of Iran and started to unfold a political action in defense of the ideals of the Iranian revolution, to such an extent that the Ambassadors of Iraq and Saudi Arabia charged him for being mobilizing Shiite Lebanese for non-peaceful purposes and for raising funds for the Iranian cause and trying to create terrorist cells. (p. 4390, Docket 201, pp. 8.097/8.101, Case No. 1627, and p. 176, Folder 183)-----

As already mentioned throughout this Opinion, Tabatabaei Einaki arrived at Brazil after the Seminar on Ideal Islamic Government held in Teheran in 1982, virtually

simultaneously with the arrival at Argentina of Mohsen Rabbani and the commencement of the activities performed by Abdul Kadir in Guyana serving to the Islamic Republic of Iran, all of which cannot be considered as a mere coincidence. -----

He was also accused of encouraging Shiite or pro-Iranians to take indoctrination courses and military courses in Iran; as a result, he was deported. -----

His brother, Seyed Mohsen Tabatabaei Einaki, was sheik at the mosque of Foz do Iguazu and in 1992 he was among those who led the Shiite community in the "tri-border area." According to reports appearing in these proceedings, he met with the Comisión de Acción Islámica on a weekly basis; this Comisión de Asociación Islamica was made up by around 20 members previously approved by Hezbollah, among them, Assad Ahmad Barakat and Hussein Abu Abbas. (pp. 626/629, Docket 201 and pp. 77/78, Exhibit "Tri-border area" to the "International Report")-----

Among his contacts are Hussein Hassan El Zein, identified as a member of Hezbollah directly financed from Lebanon, Naja Mohamad Hassan El Hadi, identified as member of the financial apparatus of Hezbollah in the area, the above referred member of Hezbollah, Farouk Abdul Omairi, Mohsen Rabbani and the Embassy of Iran in Brazil. (pp. 994, 2125 and 2128/2130, Docket 201 and p. 119, "International Report")-----

And through another contact of Tabatabaei Einaki --the reference is the cleric Taleb Hussein Khasraji-- it is reflected how the strategic Alliance between the Islamic Republic of Iran and Hezbollah also extended to the city of Sao Paulo. -----

Interestingly enough, Khasraji came to Brazil in 1992 and settled in the City of Sao Palo, where he was sheik of the "Mohamed Rasul Alah" mosque, which adhered to the guidelines of the Iranian Supreme Leader Ali Khamenei. The information gathered in these proceedings indicates that the Iranian government took part in the purchase of the piece of land where the mosque was erected and financed the expenses incurred in refurbishment and maintenance of the facilities. (pp. 4533/4557, Docket 201)-----

On his part, Khasraji remained related to high officials of Lebanon and Iran; among them worthy of mention is Ali Velayati, against whom, at the request of this Attorney General's Unit, a national and international arrest warrant has been issued for his involvement in the terrorist attack against the AMIA premises. (p. 1014, Docket 201) Moreover, according to the report prepared by Interpol Brasilia, Khasraji was employee of the Iranian government in the mosque and he was engaged in recruiting highly politicized followers to draw them near to Teheran. (pp. 122/154, Docket 201)-----

And, as to his telephone contacts, in addition to those contacts with the Iranian Embassy in Brasilia which have been verified, there were others which clearly reflect his relationship with members of the terrorist group Hezbollah in the "tri-border area," such as his communications with agencia "Piloto Turismo" owned by Farouk Omairi, with

Husseinia of Foz do Iguazu and with Mohamad Hassan Gharib. (pp. 1428/29 and 2892/2914, Docket 201) Moreover, it should be added that as stated in these proceedings, in 2000 after Khasraji came back from a trip to Iran where he had contacted Ali Khamenei, Khasraji said to the followers at the mosque: "...*Hezbollah is not going to abandon the weapons, it is going to take part in military action to aid Hamas and the Islamic Jihad, groups that are also sponsored by Iran...*" (pp. 4274/4277, Docket 201)---

If, as already indicated, we add that Khasraji was simultaneously related to two corroborated terrorists to the service of the Islamic Republic of Iran, Mohsen Rabbani and Abdul Kadir (pp. 86/91, 194/199 and 336/338, Docket 419), we envisage the operation of the framework deployed in the region by the Iranian regime where the agents of the terrorist group Hezbollah utterly serve to its interests. -----

Another subject related to Hezbollah in Brazil who carried out his activities in the City of Curitiba is Ghazi Iskandar, identified as one of the delegates of Hezbollah in the region along with Farouk Omairi. According to reports added to the file, his name appeared in the telephone book of Bassem Harakeh, a terrorist of Hezbollah arrested in Norway and who was a contact of Mohammed Adel Taki, arrested in the Ivory Coast carrying explosives intended to be delivered in France, as previously mentioned. (pp. 982/5 and 1411/35, Docket 201) -----

Iskandar, who was closely related to Mohsen Rabbani, to the extent that they had met on August 2, 1994 in Buenos Aires, that is, few days after the terrorist attack against the AMIA premises (pp. 1411/1435, Docket 201), was also linked to the Lebanese Hussein Ali Gharib, who was identified as member of Hezbollah and who was arrested on July 19, 1993 at Lebanon Airport with counterfeited dollars amounting to USD 120,000. (pp. 173/180, Docket 399)-----

Another example of aspects related to the intelligence station, now with respect to the recruitment and how members connected with other countries to operate, is the situation of Hassan Hassan Rahd. He was born in the City of Curitiba and arrested and then convicted together with other members of Hezbollah in the City of Valencia, Kingdom of Spain, for the attempt to introduce into Spain, 180 kilograms of C-4 explosives, 258 electric detonators and 4 hand grenades, all of which were concealed in 1571 boxes labeled as food products from the City of Chitaura, Lebanon. (pp. 40.354/40.358, Embassy Case)-----

In the diplomatic arena, other reports indicate that Jaffar Saadat Ahmad-Nia, identified as member of the Embassy of the Islamic Republic of Iran in Brasilia in 1991, was an intelligence officer (Vevak). The report also mentions that in 1992 he met Jamal Muslemanni in Sao Paulo and both travelled to Paraguay to deliver USD 250,000 to the Lebanese Zuhair Al Haf, a member of Hezbollah. (pp. 4697/4699, Case No. 1627) -----

Besides, his picture was recognized by witness Abolghasem Mesbahi who said that his real name was not Ahmad-Nia but that inside the Vevak, he was known as Erfanyan and *"was one of Khomeini's persons of trust and accredited in the leader's office."* The witness added that *"he was skilled for any kind of operations."* (Testimony on pp. 115/123, Docket 204) In this connection, other reports indicate that he came to Argentina on March 16, 1992—one day before the attack against the Embassy of Israel in Buenos Aires— and went back to Brazil on March 18, 1992, that is to say, one day after the attack against the Embassy of Israel in Buenos Aires. (pp. 4697/4699, Case No. 1627) -----

Also worthy of mention is a circumstance acknowledged to us as a result of the answer to a letter Rogatory issued within the scope of the case investigating the terrorist attack against the Embassy of Israel in Buenos Aires issued to the judicial authorities of the City of Sao Paulo, Brazil, whereby it was requested information about the individuals who worked in "Sandobad," the company engaged in imports and exports. -----

At that time, the General Prosecutor of Brazil noted that before Criminal Court No. 1 of the City of Sao Paulo had heard a criminal action brought with equal purpose as that requested by the Argentine authorities; therefore they referred the relevant copies. -----

There is a report issued by the Federal Police of Brazil informing about the existence of radical Shiite Arabs who are members of the terrorist organization Hezbollah, and Sunni linked to the groups Hamas, Islamic Jihad and Gamat Al-Islamiyah, who were going around the States of Sao Paulo, Parana and Federal District. -----

It also states that in Brasilia, militants of those organizations had contacts with members of the Diplomatic body of certain countries who had presented credentials in Brazilian territory and that the abovementioned cadres committed the crimes of money laundering, currency evasion, forgery of currency and documents and drug and weapons trafficking, to finance their activities related to international terrorism. -----

As regards the members of the abovementioned company, they highlighted a Lebanese naturalized in Brazil whose name was Hassan Mohamad Ibrahim Sleiman Abu Abbas, former member of Al-Fatah and, since 1983, a Hezbollah operative who used the company Sandobad in the City of Sao Paulo as logistic support for illegal activities. According to the report, between 1990 and 2000, Sleiman made 33 international trips from Brazil some of which using ideologically false travel documents, which displayed nationalities and dates of birth different from the true ones. Finally, the Brazilian police indicated that — like the contact of Iskandar: Hussein Ali Gharib— he had also been arrested at Lebanon Airport carrying counterfeited dollars amounting to USD 120,000. (pp. 5511/5535, Docket 9 to the Embassy Case) -----

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On the other hand, in addition to the already mentioned facts, other aspects in common to the Iranian intelligence stations in the region were detected in the Republic of Paraguay; in this case, they derived from the existence of subjects who, through illegal activities, cooperated to finance terrorist organization; or else, the presence of Hezbollah members was confirmed in cases where they apparently have settled to carry out business activities. Furthermore, we were informed about visits made to Paraguay by members of Hezbollah. -----

According to information added to these proceedings, Sheik Hassan Mohamed Ali Ezzedine,⁶⁵ Chief of Foreign Security Committee of Hezbollah, reporting to the security committee and member of the Political Department of the Organization, visited Foz do Iguazu and Ciudad del Este between 1990/1992. At that time, he organized followers and gave instructions in a training camp in Itaquiri Valley, in Paraguayan territory. (pp. 98/99, Exhibit "tri-border area" to the "International Report" and p. 138, Folder 416) ----- Then, on September 21, 1993, the abovementioned individual and Mohammed Hassan Yaghi, arrived at Brazil. Presumably, Yaghi, known as Abou Selim or Abu Slim, was born in 1958 in Baalbek -Lebanon- and was a former member of AMAL, and joined Hezbollah in 1982. He was appointed deputy in 1992 and was responsible for the Security Commission of Hezbollah. (p. 130, "International Report" and p. 98, Exhibit "Tri-border area" to the "International Report") Besides, he was identified as mainly responsible for the information of the organization and his house had been used as recruitment center. From the organizational chart of the structure of Hezbollah provided within the scope of these proceedings, it arises that Yaghi had also been member of the Decision Council -*Shura*. (pp. 2041 and 2051, Docket 209 and pp. 23.286/23.287) ----- One of the visits made by them in the area was to Mohamad Youssef Abdallah, as already indicated, the oldest member of Hezbollah in the "tri-border area" (pp. 33/35, Exhibit Tri-border area" to the "International Report"), brother of Adnan Youssef Abdallah, also identified as member of the terrorist group and who was in charge of raising funds at the Centro Beneficente Islámico in the City of Foz do Iguazu. (p. 1005, Docket 201) -----

And, in connection with the activities related to fund-raising for a subsequent financing of terrorism, worthy of mention as an example is the case of the businessman Fahd Jamil Georges, who lived in the City of Pedro Juan Caballero, and who according to reports, was suspicious of having cooperated with Islamic extremist organizations through activities of drug and weapons trafficking, smuggling of coffee, soybean and other

⁶⁵ Also known as Hassan Mahoud Ali Ez El Din, Ghaleb El Houbi, Ali Younes, Abou Arz, Esan Ez Din and Ali Ibn Awat. -----

agricultural products, and also of having provided funding to other traffickers. (p. 23 Exhibit "tri-border area" to the "International Report" and pp. 805/808 and 820, Docket 127)-----

On the other hand, among the Lebanese settled in Paraguay, worthy of mention are two Lebanese Shiite brothers, Fuad Ismael Tormos and Abdallah Ismael Tormos, and according to the information gathered in these proceedings, were members of Hezbollah. (p. 72, Exhibit "Attack" to the "International Report")-----

The first one, an officer of the organization, was born in Tallusa, Lebanon on August 15, 1966 and presumably immigrated from Borj-El Barajne, in the outskirts of Beirut, to Paraguay in 1992; the second brother, who was also born in Tallusa in 1973, had presumably arrived at Paraguay one year after his brother. (pp. 114.976/114.993)-----

In the city of Encarnación they installed an electronic appliances store and then moved to Ciudad del Este. Other brothers, Mohamad Ismael and Amin Ismael Tormos, were identified as members of Hezbollah and also of having been sheiks in Iran. It was allegedly Amin who sent Fuad and Abdallah to Paraguay. (pp. 72 and 84, Exhibit "Attack" to the "International Report")-----

These players are important because according to the information gathered in these proceedings, the agent of Hezbollah who self-sacrificed by suicide bombing driving the van that exploded against the AMIA premises, was allegedly accommodated in their house in Paraguay, some days before the execution of the attack. (pp. 72/73, Exhibit "Attack" to the "International Report")-----

Also, we were informed that Fuad Ismael Tormos was arrested by the National Police of Paraguay on March 17, 1994, in Ciudad del Este, when he was coming from Foz do Iguazu with six Lebanese men. They entered on March 16, 1996 through "Puente de la Amistad" exhibiting a document issued by a non-existing "Border Control Post" and they were deported on the same day to the Federative Republic of Brazil. In his statement, he said that he had come to Paraguay on December 18, 1993 and that he left Beirut bound to Buenos Aires and then went to Ciudad del Este by bus and previously went through Foz do Iguazu. However, when we checked at Migrations Office, there was no record of such entrance; instead, it was only confirmed his entrance to Paraguay early in 1992 (pp. 60/63, Exhibit "tri-border area" and pp. 137/138 to the "International Report")-----

As it appears in these proceedings, after the attack against the AMIA premises, during 1995, they returned to Lebanon and settled in the area of Borj-El Barajne, in the outskirts of Beirut. Furthermore, the information gathered indicates that by 1997, Fuad Ismael Tormos managed the business of Assad Ahmad Barakat, owner of apartment buildings in

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Beirut, and acted as link between Hezbollah in Lebanon and Barakat in the "tri-border area." (pp. 72/74 and 84, Exhibit "Attack" to the "International Report")-----

Also it is evidenced the strategic link between Iran and Hezbollah in the South American scenario. Brothers who belonged to Hezbollah and others who turned to be Iranian clerics, provided accommodation in the region to an individual who later self-sacrificed by suicide bombing in a terrorist attack executed in a neighbor country. -----

Now, contrary to what happened in Brazil, the Islamic Republic of Iran did not have an Embassy in Paraguay. However, early in 1994, the Iranian Ambassador in Buenos Aires then in office, Hadi Soleimanpour, against whom a national and international arrest warrant for his involvement in the terrorist attack against the AMIA premises was issued, received his credentials as concurrent Ambassador to Paraguay. (p. 5078, Docket 392)-----

On the other hand, there are elements that indicate the existence of similar activities. According to the information added to these proceedings, the Islamic cleric Charif Mahmoud Sayed, who was educated in the City of Qom, arrived at Paraguay in February 2011. As presumed by security agencies, he went to the "tri-border area" for the purpose of meeting a group of followers of Hezbollah and to engage in the task of raising funds to support the Islamic struggle. (pp. 8967/8968, Docket 201)-----

Moreover, in other regional countries criminal activities carried out by these Hezbollah agents have been noticed; when they act outside Lebanon they act as mere proxies of the wishes of the Iranian regime. -----

According to investigations performed in the Republic of Chile, Assaad Ahmad Barakat conducted many maneuvers to launder money coming from Ciudad del Este, where he had most of his business premises, to wit: "...*Chilean police intelligence discovered that in March 2001, Barakat had installed in the City of Iquique two "ghost "companies, Saleh Trading Limitada and Importadora/Exportadora Barakat Limitada, to launder dirty money coming from Ciudad del Este.*" (p. 15, Exhibit "tri-border area" to the "International Report") -----

On this issue, at the request of this Attorney General's Unit, the Supreme Court of Justice of Chile informed about several interesting facts. (pp. 7726/7819, Docket 201 and copies of the file added on pp. 7961/7963, same Docket, kept on Archive in the Attorney General Clerk's Office)-----

The truth is that from the contents thereof it arises that on November 7, 2001, the General Director of Police of Chile requested Chile Home Office to issue a letter of request pursuant to Law No. 18.314 on "terrorist behavior" and to that effect, it attached an intelligence report prepared by the Police which reported activities of Hezbollah and

its involvement in the terrorist attack against the AMIA premises and also mentioned the involvement of Assaad Ahmad Barakat in the fundamentalist organization. -----
Furthermore, it indicated that Barakat arrived at Chile, by air through the City of Iquique where he remained from July 23 to July 27, 2001, and he was accompanied by Sobhi Mahmoud Fayad, and that before, on June 6, 2001, Barakat had withdrawn USD 50,000 from a currency exchange business "Wall Street S.A." of Iquique which had been transferred by Ali Hassan Abdallah. (pp. 3/8, to the attached file) The transaction was ratified by the statements of Juan Carlos Parada Requena and Loreto Victoria Urriaga Salinas, owner and employee, respectively, of the currency exchange business mentioned above. (pp. 273/276, to the attached File)-----

On pages 220/225 of these copies, there appears the testimony received to Arafat Ali Mohamad Ali Ismail, merchant, born in Beirut, who said that Assaad Barakat created the company "Saleh Trading Ltda." with Khalil Saleh, at which the deponent acted as General Manager, and the following day, he created another company "Barakat Ltda." with the attorney Juan Lecaros. He also indicated that Barakat sent money through Banco Sudamericano, to current accounts in Lebanon and in the USA arguing that they were allocated to the payment of suppliers and he added that he had two current accounts with Byblos Bank of Lebanon and Chase Bank New York. -----

Furthermore, Ali Ahmad Zaioun in his testimony identified Sobhi Mahmoud Fayad as an 'overactive' member of Hezbollah and the right hand of Assaad Barakat. (pp. 538/543 of the File mentioned above)-----

Also the testimony of Ahmad Haidar El Sidani is conclusive. After explaining about the commercial obstacles he faced with Fayad and Assaad Barakat, he said that Barakat was a Hezbollah leader like all the people who worked for him, such as Mohamad Abdallah, and Sobhi and "Sale" Fayad. He added that they were members of the organization "Al Mukawama" and raised money to relieve families of those who had died for fighting "against the Israeli occupation" (sic). Then he said that Assaad Barakat publicly admits being a member of Hezbollah. (pp. 544/550, of the abovementioned File)-----

As regards Fayad, he has been identified in these proceedings as member of the Comisión de Acción Islámica of the Husseinia in Foz do Iguazu, made up by twenty members of the Shiite group previously approved by Hezbollah. (pp. 1411/1435, Docket 201) He arrived at Brazil in 1998 and was the main link between the Embassy of Iran in Brasilia and the structure of Hezbollah in the "tri-border area." He regularly travelled to Lebanon and to the Republic of Panama. Besides, he received training in at least two courses on explosives in the Middle East and also attended courses for protection of persons and for around three months he was in charge of the security of Abbas Al Musawi, Secretary General of Hezbollah until 1992. He also worked at the Embassy of

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Iran in Beirut, where he performed security related duties. (pp. 1011/1013, Docket 201 and pp. 46/47, Exhibit "tri-border area" to the "International Report") -----

In fact, what has been reviewed demonstrates how the activity carried out by these subjects serves to the principles of Hezbollah and the Islamic Republic of Iran; it does not pay due regard to frontiers and it serves to raising funds and financing its activities and to the development of its interest in the region as well. Its goals and scope have been already explained. -----

Worthy of special mention is Galería Pagé owned by Assaad Ahmad Barakat. In this connection, many individuals carried out their activities in that place behind the front of a business activity. -----

A clear example is Ali Hussein Atwi, identified as owner of a Panasonic electronic devices shop, in spaces 101 and 102 of the galería, and as employee of the Ministry of Defense of Lebanon and courier of Hezbollah in the region. (pp. 1411/1435, Docket 201) Similarly, Ali Abdul Amir Atwi, Lebanese citizen, identified as owner of the business "Magic Games" and manager of "Champion Games", both located at Galería Pagé, was identified as member of the highest ranks of Hezbollah in the region even above Mohammad Youssef Abdallah. (pp. 2081, Docket 201) -----

Naja Mohamad Hassan El Hadi, identified as member of the financial apparatus of Hezbollah in the area also owned a business ("Valentina Games") located at the Galería (p. 994, Docket 201) -----

Another subject identified as member of the terrorist organization and owner of shops in the Galería was Ahmad Jamil Muslimani, who in addition to having communicated with other members of the terrorist group, on March 18, 1992, one day after the attack against the Embassy of Israel in Buenos Aires -- allegedly held a meeting with the abovementioned Jafar Saadat Ahmad-nia, member of the Iranian embassy in Brasilia. (pp. 1002/1003, Docket 201) -----

On his part, Samuel Salman El Reda also worked as merchant in the area. Indeed, according to information appearing in these proceedings, he was related to a business premises "Castello Branco," located at the 2nd floor of the Galería. (pp. 1168/1173, Docket 399) -----

As regards the profits obtained from the commercial activity there is evidence that even discloses how these profits were then transferred to the financing of terrorist organizations. In this connection, witness Reyad Jafar Mohamed Ali asserted that one of the methods used to send money from the "tri-border area" to Hezbollah, started with the receipt in the tri-border area of fake dollars made by members of Hezbollah in the Bekaa Valley or in Baalbek, Lebanon. This money was introduced into the market in business activities and then "traveler checks" were purchased and exchanged in different

European cities. According to the witness, the authors of this maneuver, travelled with various fake Brazilian and Paraguayan passports to change the traveler checks for notes. Once they obtain lawful money, they travelled to Lebanon where they delivered the money to the 'party' through family members related to Hezbollah. (pp. 3140/3145, Docket 201) -----

All the activity described above which was carried out by Hezbollah in the region at the time of the events, was confirmed by the existence of international terrorist acts that were related to the tri-border area, and the players were agents of Hezbollah. Specifically, the reference is both to the attack against the Embassy of Israel in Argentina on March 17, 1992 (analyzed by the Argentine Federal Supreme Court, which determined that the Islamic Jihad – military wing of Hezbollah was responsible for the attack) and the terrorist attack against the AMIA premises herein investigated.-----

As regards the atrocious attack against the Embassy of Israel, the Supreme Court in its ruling dated December 23, 1999, referred to the testimonies of experts Bruce Hoffman and Ariel Merari, and sustained: *"...in fact, both specialists referred to the area comprised by the cities of Puerto Iguazú (Argentina), Ciudad del Este (Paraguay) and Foz do Iguazu (Brazil) as the evident place selected by those who organized and executed the attack to recruit people of certain trust who could go around Buenos Aires easily in order to perform tasks ancillary to the attack without having full knowledge of the event. That was the case of the transaction for the purchase of the van."* (307th Recital)-----

That is, our highest authority clearly indicated the existence and actions of the terrorist organization Hezbollah in the "tri-border area" and provided evidence to understand its contribution in terms of local support. -----

As described throughout this chapter, these conditions also occur in the case of the attack against the AMIA since the organization maintained its presence and influence in the tri-border area and provided logistic support to operatives who came to execute the final stage of the terrorist attack. -----

As already indicated, among these individuals was the coordinator of the final stage of the operation, Samuel Salman El Reda, a subject qualified to assume that role and whose involvement in the events that ended up in the attack against the AMIA led to the issue of a national and international arrest warrant under Interpol's red notice. -----

Among these features extensively evidenced during the investigation, are the following: he was an active member of the terrorist organization Hezbollah; the easiness to go through the region with passports spuriously obtained which exhibited his false Colombian nationality, even though in many cases he willfully managed to leave no immigration records; he was part of the most radical core of the Muslim community in

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Buenos Aires; his knowledge, at least since 1987, of the city where the target was; his close link built up at least since 1987 to Mohsen Rabbani, one of the main authors of the terrorist attack; his introduction into the local environment since that time which was deepened by his marriage to an Argentine woman in 1989; his place of residence in the year of the attack, in the Brazilian city Foz do Iguazu; coming and going from Foz do Iguazu to the address in Buenos Aires where his in-laws lived; his presence in Buenos Aires for long terms and more precisely, on the days before the attack. -----

Evidence appearing in the case also conclusively confirmed that El Reda coordinated the arrival and departure, logistic operations and other activities of the operatives in charge of executing the final stage of the terrorist attack considering the telephone calls he made, the recipients, the places where they were made and the dates on which they were made, he transmitted necessary information for the execution of the terrorist attack and acted as link between the remaining agents involved in the operation - who, like him, operated locally - and those who acted from the "tri-border area" through a cellular telephone registered to the name of André Marques. -----

Moreover, through the investigation, we could confirm that El Reda regularly and steadily met numerous subjects residing in Foz do Iguazu and Ciudad del Este who were members of the terrorist organization Hezbollah; among them were Farouk Abdul Omairi and Assaad Ahmad Barakat-; and also, at least since 1987, he was related to Mohsen Rabbani and his closest environment; and we also confirmed how the telephone calls made by El Reda in connection with the attack against AMIA were essential for the conclusion of the operation to such an extent that the mission could not have been concluded without the participation of El Reda at the time when he did so and from the places where he did so. -----

He made telephone calls from strategic places for the operation (air terminals used to arrive at and depart from Argentina by at least the operatives who executed the attack and call centers near the target); these calls were made to telephone lines corresponding to communication centers of Hezbollah in Beirut, Lebanon, and also to the telephone line registered to the name of André Marques, in the "tri-border area," an active member of Hezbollah who also played a critical role in the attack; and finally, on the dates on which these calls were made - from July 1 to July 18, 1994- it was proved that the telephone line registered to the name of Marques only received calls from Argentina; never before and after these dates; thus, we concluded that this cellular phone was activated for the sole purpose of being used for the execution of the terrorist attack. -----

Ultimately, the fact that indisputably related El Reda to the abovementioned telephone calls was that from the same call center, on the same dates, and in certain cases, within seconds, calls were made to destinations to which El Reda regularly called from his

house in Foz do Iguazu, and even more, because he also contacted telephone lines registered in Lebanon where he had relatives, a fact that was disclosed from the analysis of transcriptions of telephone calls relating these telephone lines with his family -----

d. The Infiltration of Samuel Salman El Reda-----

In the preceding paragraphs we accurately explained the structure deployed in the region by the terrorist organization Hezbollah and its binding relationship with the Government of the Islamic Republic of Iran. This structure comprises religious entities, business premises and diplomatic agencies, all of which fulfill duties inherent to them but also serve as support and coverage for the execution of regional plans. -----

If we add that several members of the terrorist organization, and representatives of the Iranian regime were simultaneously linked to Samuel Salman El Reda, there is substantial basis to understand why he was selected to play such a significant role in the attack against the AMIA premises; a role that was assigned to him after many years of developing infiltration tasks in the area under the supervision and guidance of the Iranian regime and the terrorist organization Hezbollah. -----

And it is certainly the activity performed by him since he settled in the Republic of Colombia which fully demonstrates how the cells of Hezbollah serving to the policy implemented by the theocratic Iranian regime, have infiltrated into the region. -----

According to the evidence produced in these proceedings, the presence of El Reda in Colombia dates back at least to 1986. According to the proof provided by Colombian judicial authorities, Samuel Salman El Reda was granted his citizenship card on November 6, 1986 after having submitted a birth certificate registered on Volume 8, Page 81 of the Civil Registry of San Andrés Islas in 1968. -----

Subsequent investigations performed by the Colombian authorities as a result of the letters of request issued by this Attorney General's Unit, confirmed that the birth certificate was fake, because under the volume and page provided by El Reda, the citizen Noemí Carreño Corpus was originally recorded; therefore, it was ordered that the citizenship card granted to Samuel Salman El Reda be cancelled on the ground of false identity. (pp. 4097/4100, Docket 399)-----

However, as this happened on August 31, 2010, for almost twenty-four (24) years El Reda took advantage of the benefits of having Colombian citizenship; i.e., three (3) passports were issued to El Reda -Passports Nos. AC 128.855, AD 059.451 and AF 602.126- used by him to travel around the world on several occasions hiding his true identity. Among others he travelled: eight times to Panama, seven times to Brazil, five times to Puerto Rico, three times to Argentina, on two occasions to Venezuela and Italia, and on one occasion to the United States, Paraguay, Peru and France. -----

It should be noted that the first passport requested by El Reda was Passport No. AC 128855 issued in Rihohacha Guajira on August 21, 1987, and that his registration with the Chamber of Trade of Guajira was made on June 9, 1987, that is, only a few months after having obtained the citizenship card and the Colombian authorities did not find prior documents related to El Reda despite the thorough and extended search made at the request of this Attorney General's Unit. (pp. 4041 and 4063, Docket 399) -----

In fact, there is no other evidence that El Reda had made new registrations with the Chamber of Trade after 1987 (pp. 4063, Docket 399); thus, the purpose was none but a purported legal situation at that time.-----

The analysis is supplemented by different testimonies received in these proceedings asserting that Samuel Salman El Reda was in fact, Lebanese. -----

Witness Ricardo Sleme said that he knew Silvina Sain -El Reda's wife- since she had kinship ties and even lived close to his shop, and that Silvina got married at the "At-Tauhíd" mosque *"before 1990 with a Lebanese whose name was Salman El Reda."*-----

He added that later they moved to Foz do Iguazu, Federative Republic of Brazil, to then settle permanently in Lebanon. (pp. 4675/4678, Case No. 1627) -----

In his testimony, Khosrow Iamanian, who worked at the Embassy of Iran in Buenos Aires, recognized El Reda in a picture despite the fact that he did not remember his name; he added that he had seen him on many occasions in the mosque between 1988 and 1992. Then he added that both he and his brother -in reference to José Salman El Reda, - to be dealt with below- *"are Lebanese"* and are married to two sisters whose parents lived in Floresta. (pp. 2263/2268, Case No. 1627)-----

Another Iranian citizen who referred to El Reda's nationality was Mehdi Bizari, whom in his testimony, said that he knew two sisters, Silvina and Karina who attended the mosque and married to two Lebanese, and one of them, lived in the "tri-border area." (pp. 2202/2209, Case No. 1627) -----

When Mohamed Reza Javadi-nia, Iranian citizen who worked in the cultural area of the Embassy of Iran in Argentina and regularly attended the mosque ran by Mohsen Rabbani, was asked about El Reda, he answered that he knew a Lebanese citizen whose name was Salman who attended the mosque and married to Silvina Sain. (Testimony appearing on pp. 2253/2261, Case No. 1627)-----

These statements, recorded in the investigation, became significant when it was discovered that the documents were fake. When these statements were considered jointly with the documents provided by the Colombian courts we concluded that the infiltration of El Reda in Latin American territory commenced around 1986, that is, almost simultaneously with the arrival of Rabbani to our country, to establish the Iranian intelligence station. -----

In this connection, worthy of mention is the situation of Samuel Salman El Reda's brother -- identified as Salman--, because evidence produced in these proceedings not only showed that he is a member of Hezbollah and like Samuel he obtained his documents through illegal means, but also even from an incident in which both were implicated, there were conclusive elements to get to know one of the ways used by this type of cells to finance its activities.-----

In this connection, information gathered in the "Embassy Case," indicates that in 1987 José Salman El Reda, with his uncle Musa El Reda, formed a cell of Hezbollah that operated in Macao, Colombia; he was in charge of raising funds to support the Islamic Resistance and directly reported to a member of the Embassy of Iran in Colombia. (pp. 182/212, Docket 9 of the above mentioned cause) -----

In turn, the information provided by the Colombian court in reply to a Letter Rogatory sent by this Attorney General's Unit displayed that the documents obtained by José Salman El Reda were counterfeited. In fact, the information indicates that this individual "requested a citizenship card at the Sole Notarial Civil Registry of San Andrés, on Folio 98, Volume 70; this information was checked at the Civil Register which informed that they had not yet reached Volume 70 and therefore the record was false." (pp. 936/965, Docket 399) -----

From the foregoing we conclude that by the same time -- though through different ways -- both brothers, who were members of Hezbollah, spuriously obtained the documents necessary to appear as Colombian citizens and thus avoid raising suspicion of their activities in the region.-----

And the incident mentioned above, allowed to disclose some of the ways to finance the terrorist activity, related to the seizure in our territory -- from the subject identified as José Salman El Reda--, of a significant amount of counterfeited dollars which short before, had began to circulate around the world through Hezbollah, Syria and Iran. -----

The evidence produced in these proceedings indicates that the incident occurred on November 23, 1992, as José Salman El Reda Reda tried to exchange counterfeited dollars amounting to USD 5,000 in a bank located at Rosario, Republic of Argentina. Once the maneuver was discovered, and upon the arrest of the suspect- he was searched and among other elements, he carried a counterfeited 100-dollar note similar to the others already seized, Lebanese and Brazilian currencies, cards with telephone numbers and notes mostly corresponding to business premises in the City of Ciudad del Este and Foz do Iguazu (among them, telephone numbers of Farouk Omairi appearing on cards of Agencia Piloto Turismo), and a copy of a transfer in the sum of USD 40,000 to Citibank, Buenos Aires, to his name. When the hotel where he stayed was searched, other elements and documents, and USD 30,100 -which turned to be counterfeited- were seized. Worthy

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of mention here is the fact that in the legal action brought in connection with the counterfeited currency, the surety of the charged individual was none other but Samuel Salman El Reda. -----

After the notes seized were examined by experts, they could establish their excellent quality, corresponding to the "super-dollars" issued by Iran and distributed by Hezbollah. (pp. 57/60 of that court file, pp. 332/335 and 2242/2263, Docket 9 of the Embassy Case) -----

As regards backgrounds of similar counterfeits, they were identified as a "family" of notes the first appearance of which was in April 1992 in Manila, Philippines, a fact that is revealing taking into account that the kidnapping of El Reda occurred in November 1992. (p. 2193, Docket 9 of the Embassy Case) -----

Therefore, we conclude, on one hand, that in just a few months only the individuals belonging to the organization that have put them in the market could have them in their possession, particularly, considering the huge amount seized on that occasion, and on the other, we have a clearer idea of one of the means used by these cells to obtain financing for their activities and how it reached our region. -----

Turning back to the situation of Samuel Salman El Reda, and going back to his activities developed after he got Colombian citizenship, we understand the aim pursued when hiding his real Lebanese citizenship. -----

In fact, if we take into account the great deal of El Reda immigration records in the regional countries, we notice that thanks to his false status as South American citizen he could travel from one place to another without raising suspicion by the control authorities and thus, he could incorporate into the terrorist structures already in progress.

A witness who provided specific information about El Reda was Claudia Susana Navarrete Caro (pp. 317/325, Docket 399), a Colombian journalist who worked as correspondent for Iranian newspapers and Radio Caracol of Colombia; she was responsible editor of "Informe Cultural/91" published by the Embassy of Iran in Buenos Aires and was closely connected to Mohsen Rabbani (pp. 2070/2093, Case No. 1627), and who expressed that Rabbani's wife was her disciple. -----

The witness said that she knew Samuel Salman El Reda at Bogotá, at the time of an Islamic Congress. In this connection, she sustained: "*...at Colombia, in the mosque of Bogotá, I met Silvina Sain's boyfriend, whose name was SALMAN...*" (pp. 3926/3934, Case No. 1627) She added that at that time El Reda was Silvina Sain's boyfriend and that he told the witness that in Buenos Aires she could accommodate in her family's house. Furthermore, Navarrete Caro said that Sheik Mohsen Rabbani had made a similar recommendation because he was well acquainted with the Sains and she could accommodate momentarily in their house. -----

Therefore, again, close to the activities developed by El Reda in the region, there appears one of the main responsible individuals for the attack against the AMIA, principal religious leader of the Iranian Regime in South America, who has contacts with Hezbollah operatives in the "tri-border area," who is linked to the plotters of the thwarted attack against JFK Airport in New York, and who becomes a core player to understand the scope of the policy for the export of the Iranian revolution in our country, Mohsen Rabbani. -----

Having seen how Samuel Salman El Reda ended his stay in South America by being involved in the terrorist attack against the AMIA premises, this close connection with Mohsen Rabbani from his arrival can only be understood as part of a plan devised by the Islamic Republic of Iran within the scope of its expansionist policy. -----

Finally, after having got married and having resided in our country for a period of time, El Reda settled in the Brazilian City of Foz do Iguazu, where he contacted other operatives of Hezbollah in the region. -----

To conclude, it is utterly confirmed that by the time of the events, El Reda was an active member of the Lebanese Hezbollah and his presence in the region, at least from 1986, resulted from a thoroughly devised infiltration that commenced with the granting of the Colombian citizenship which led to the issue of the relevant passports to travel without difficulties in the continent; which was highly useful for the achievement of his goals which culminated with his involvement in the terrorist attack against the AMIA premises, from which date he settled in Lebanon on a permanent basis. -----

Through his presence in Latin America, El Reda at least since 1987 (at least seven years before the attack and only one year after he obtained Colombian citizenship through illegal means) sought to contact the City of Buenos Aires, where he finally concluded his task; he strengthened his insertion in 1987 by marrying an Argentine woman, Silvina Sain, member of a family also linked to the close circle of Mohsen Rabbani – who later became religious leader in the region and strategic player in the structure developed by Iran in Argentina, who, as it was proved, played an essential role in the preparation and execution of the attack. -----

Also, his contacts with Rabbani dated back to at least 1987, as well as his closer circle, given this relationship and the affiliation of El Reda to Hezbollah, there is an vital connection between the group in the region and the government of the Republic of Iran then in office – whose highest officials in 1994, are, at the request of this Attorney General's Unit, subject to criminal proceedings and against whom national and international arrest warrant have been issued for their involvement in the terrorist attack against the AMIA premises–, and we can fully disclose the scope of the activities performed in the Sub Continent. -----

In this regard, notwithstanding the references made in the preceding paragraphs, we should note certain details about the involvement of Samuel Salman El Reda in the attack executed on July 18, 1994, so as to indisputably reveal the interaction between Mohsen Rabbani and this agent of Hezbollah serving to Iran. He infiltrated into Latin America by mid eighties, and to in order to fulfill his tasks for coordination of the operatives who executed the terrorist act, he operated in Brazil and Argentina without raising any suspicion whatsoever. -----

In that context, it should be reminded that in addition to the thorough references made by protected witness identified as witness "A" in these proceedings, there is conclusive evidence of the contacts made by El Reda from the telephone line registered to his house at calle Sergipe 67, Foz do Iguazu -Federative Republic of Brazil-, which illustrates and confirms the testimony received from protected witness identified as witness "A" about his involvement with members of the organization Hezbollah. -----

As a matter of fact, from the lists provided by Brazilian courts (Letter Rogatory No. 8386 kept on Archive and pp. 107/149, Docket 399), the following contacts made between October 1993 and June 1994, are confirmed: one hundred and eighteen (118) calls to No. (595 61) 6-4011, telephone line registered to Hassan or Salaheddine Mahmoud Ayoub, boyfriend of Zeinab Omairi, daughter of Farouk Omairi (pp. 2090, Docket 201), thirteen (13) calls to No. (595 61) 6-4932 registered to Assaad Barakat (certified in the telephone book of Paraguay for the year 1993 -p. 302- obtained within the scope of Docket 387 -pp. 2254/2255-), and three (3) calls to No. (595 61) 6-3393, also registered to Barakat. (pp. 2069, Docket 201)-----

Other relationships confirmed by telephone calls are as follows: Samer Ibrahim Atwi, (116 calls); Sobhi Mahmoud Fayad (10 calls); Ali Hassan Abdallah (27 calls); and Mohamad Abdul Kerin or Karim Barakat (17 calls). It should be noted that the first and the last individuals mentioned above, appear as prominent members of Hezbollah (pp. 2075 and 1004, respectively, Docket 201); the second had commercial links to the above referred Assaad Ahmad Barakat and Farouk Omairi, and was also a high intelligence official of Hezbollah and head of operations and intelligence of VEVAK and allegedly acted as link between the Embassy of Iran in Brasilia and operatives of Hezbollah in the "tri-border area" (pp. 1011/1013, Docket 201); on his part, Ali Hassan Abdallah took part, along with Samuel Salman El Reda and Ramzi Mohamad Hassan El Hadi (Naja Mohamad Hassan El Hadi's brother [pp. 994, Docket 201]) in the celebration for the visit of the Lebanese Deputy Mohamad Yagui to Brazil. (pp. 2157/2158, Docket 201) ----
In fact, from the Opinion issued by this Attorney General's Unit as a result of which the referring judge ordered the national and international arrest of El Reda -also under INTERPOL's red notice - it was confirmed that he was an active member of Hezbollah

related both to the leaders of the organization in the "tri-border area" and with Mohsen Rabbani --one of the major responsible for the execution of the attack - and that in 1989 he got married to the Argentine citizen Silvina Gabriela Sain with whom she resided in 1993 and 1994, alternately in our country and in the Brazilian City of Foz do Iguazu; and on various occasions he crossed borders without recording his entrance and/or departure, a willful act aimed at circumventing access controls particularly when he performed tasks related to the coordination of the attack. -----

Similarly, it was confirmed that he was in Buenos Aires at least in 1987 and 1994, and stayed at calle Morón 3374 and Campana 593, both in the neighborhood of Floresta, which were classified as "safe houses" and that he acted as link through coordination tasks that served to the execution of the attack against the AMIA premises; these tasks have been primarily determined by the analysis of coincidences between the telephone calls made from call centers in the City of Buenos Aires between July 1 and July 18, and those made from the house of El Reda in Foz do Iguazu, and the assurance that some of the telephone lines in Lebanon to which he also contacted on those dates from Argentina, were telephone lines corresponding to El Reda's parents house and his wife's house in Beirut. -----

It was the series of events confirmed in these proceedings and explained in the Opinion appearing on pp. 127.369/127.417 back- which allowed El Reda to perfectly assume his role in the coordination of the arrival and departure of logistic operators and other activities deployed by the operatives in charge of executing the final stage of the attack, for which purpose, El Reda had to personally make several phone calls directly related to the organization for the execution of the attack. -----

In fact, it could be confirmed in these proceedings that the telephone calls were made to the same destination both from call centers and from Samuel Salman El Reda's house located at Sergipe 67, Foz do Iguazu; thus we accurately concluded that he was the individual who made the calls for the coordination of the final stage of the terrorist attack. Besides, this was supported by the proven presence of El Reda en Argentina at the time the calls were made. -----

In this regard, and concurrent to the calls made to the cellular telephone line No. (55 45) 975-1161 (registered to the name of André Marques), the only calls made from Argentina to the cellular registered to the name of André Marques [No. (55 45) 975-2109] were made on April 21 and April 22, 1994 from the telephone lines installed at call centers of the City of Buenos Aires (No. 963-4909 located at Tucumán 2901, and 321-0423 located at Corrientes 707) From the call center located at Corrientes 707 there are also calls made one minute before and four minutes after the call made to Marques, two (2) calls to the telephone line No. (595 61) 6-4011, registered to the name of Hassan

or Salaheddine Mahmoud Ayoub, in Ciudad del Este – Republic of Paraguay (pp. 2086/2095, Docket 201); as evidenced, these calls were also made by Samuel Salman El Reda. -----

Moreover, it should be reminded that April 22, 1994 was the date on which Silvina Sain -El Reda's wife- submitted an application for passport and it was recorded that her husband was domiciled at calle Morón 3374, Buenos Aires, thus, we conclude that El Reda was actually there, a hypothesis strongly supported by the analysis of the records of telephone calls made from El Reda's house in Foz do Iguazu, since, this telephone line reflects numerous calls on April 21 and 22, but when resumed on April 23, the first contact made is none other but the last of the telephone numbers called from the call center, that is No. (595 61) 6-4011 registered to Hassan or Salaheddine Mahmoud Ayoub, in a sort of continuance which has only reinforced that El Reda made the calls. --- With respect to the calls made between July 1 and July 18, 1994, this concurrence is even reinforced by two calls made from El Reda's house to the telephone line No. (49 418) 35-0356, at Germany registered to Khoder Salman (pp. 2031/2074, Docket 201); 12 calls to telephone line No. (595 61) 6-4040 - Paraguay- registered to the name of Naja Mohamad Hassan El Hadi (pp. 2031/2074, Docket 201), and 118 calls made to telephone line No. (595 61) 6-4011, registered to the name of Hassan or Salaheddine Mahmoud Ayoub, as already indicated. -----

And these calls made by El Reda from Foz do Iguazu are specifically significant because these same telephone lines were contacted from Buenos Aires (on July 1, 2 and 11, 1994, respectively), from the same call centers and public telephones Nos. (963-4909 and 321-0023) used to call the cellular telephone line No. (55 45) 975-1161 registered to the name of André Marques, which, as proved by this Attorney General's Unit, was used from Foz do Iguazu for the tasks of agents coordination, preparation and execution of the attack against the AMLA premises. -----

Therefore, on one hand, several telephones to which calls were made from Buenos Aires immediately before and after contacting to the cellular telephone line registered to the name of Marques, have always been regularly contacted by Samuel Salman El Reda from his telephone line in Foz do Iguazu, which evidences a common pattern; but, it was also established that some of the telephone lines in Lebanon which El Reda contacted concurrently with the calls to Marques, belonged or were installed at El Reda parents' house and in the house were his wife, Silvina Sain, lived. -----

Thus, the repetition of contacts both from El Reda's house in Foz do Iguazu and from Buenos Aires, the concurrence of calls made from Buenos Aires to telephone lines registered to the name of El Reda's family in Lebanon, and also the concurrency of those calls with the telephone line registered in Foz do Iguazu, only between July 1 and July

18, 1994, and with other lines of Hezbollah, lead to only one conclusion: that Samuel Salman El Reda was not only the author of those communications but that these communications -considering the dates and places on which they were made - unmistakably refer to a local coordination with other agents within the scope of the tasks for the preparation and execution of the attack against the Jewish community center. ----

Although the Opinion issued by this Attorney General's Office which resulted in the request for national and international arrest warrant against Samuel Salman El Reda - also under red notice by INTERPOL- thoroughly analyses and details each and every call made between July 1 and July 18, 1994 within the scope of the coordination tasks for the final stage of the terrorist attack, worthy of mention here are those which mostly clearly evidence the interconnection and binding link between El Reda, the organization Hezbollah which was in charge of the final stage of the attack, and Mohsen Rabbani, core player in the plot for the attack executed on July 18, and as we have already seen, also main player of the Iranian infiltration in a large area of the region. -----

In fact, those calls from Argentina to telephone line No. 975-1161 of Foz do Iguazu were made from different call centers and public telephone boxes, mostly close to the AMIA premises and the "At-Tauhid" mosque (Corrientes 707, Tucumán 2901, Pasteur 731, Lavalle 893, Santa Fe 1292 and 1841 and Nazca 1744). The proven vicinity to the target allowed inferring that activities related to target surveillance and operations coordination were carried out. Also, the sender approached with caution since he used telephones that allowed remaining anonymous and if any call was detected, it could be difficult to relate it to any specific individual. -----

It should be reminded that the sole calls to the cellular telephone registered in the Brazilian city of Foz do Iguazu, were made from Argentina between July 1 and Jul 18, 1994. The first call was made from Ezeiza International Airport and the last call was made from Jorge Newbery Domestic Airport. (pp. 19, Docket 406 - Diskettes T9407 and DULA, UFICD0001 and UFICD0003) There are no records of calls made from our country to that telephone line before or after the abovementioned dates; therefore, that telephone line was activated for a specified term and purpose: to coordinate the tasks developed to execute the attack against the AMIA premises. -----

Calls between El Reda, the operative cellular telephone line of Hezbollah registered to the name of André Marqués and the contacts of Hezbollah in Lebanon, were made regularly. Below there is a detail of the calls made on July 8 and July 15, 1994, because they are essential to understand the execution stage of the attack and to prove the relation between this agent and the activities of Iranian officials based in Buenos Aires who were also involved in the terrorist attack. -----

In this regard, on July 8, from the telephone line No. 321-0014 registered to the call center located at Corrientes 707, Buenos Aires, after a call made at 9:28 am to the cellular phone 975-1161 registered to the name of André Marques, successive calls were made (in principle, twenty-four -24-, although there is certain occurrence at the same time between the same destinations which indicates, in some cases, that it was the same call that was registered several times) to different telephone lines registered in Lebanon: Nos. (961 1) 60-3477, (961 1) 60-3478, (961 1) 60-3479, (961 1) 82-5872 and (961 1) 82-5227, identified as "*communication centers in Beirut (...) used by operatives of Hezbollah, stationed in Latin America, to contact the organization in Lebanon (...)*" (International Report, pp. 145), and also to the houses of El Reda's wife and parents. In this connection, worthy of mention is that also on July 8, 1994, Ahmad Reza Asghari - Third Secretary of the Embassy of Iran in Buenos Aires, against whom an arrest warrant under INTERPOL's red notice has been issued for his involvement in the attack - was leaving to Iran on a permanent basis, notwithstanding the fact that in May 1994, he had reserved ticket to travel to Iran in October, on the date on which his diplomatic assignment expired. -----

Moreover, the contacts made by El Reda on July 15, 1994, not only involve coordination tasks to execute the terrorist attack but, more precisely, this Attorney General's Unit attributes them to a very specific transmission of information to the holder of the cellular telephone line registered to the name of Marques -a proven member of Hezbollah- that the vehicle to be used as truck-bomb had been parked at a parking lot close to the target. - It should be reminded that on July 15, at about 6:00 pm, the Renault Trafic was parked at the parking lot located at Azcuénaga 959, Buenos Aires, and at least twenty minutes after parking the vehicle -at 06:22:05 pm-, a call was made from Mohsen Rabbani cellular telephone line to the "At-Tauhíd" mosque. -----

An hour later (07:18 pm), from the call center located at calle Nazca - telephone line No. 582-8305-, Samuel Salman El Reda made a call to the cellular telephone line registered to the name of André Marques; at 07:24 pm, he made another call to a telephone line registered at Foz do Iguazu; and a last call to the same cellular telephone line registered to Marques at 07:38 pm. -----

If we take into account that the abovementioned call center is located just over ten blocks away from the "At-Tauhíd" mosque, the place to which Rabbani, from his cellular phone had informed the success of the operation of parking the "Renault Trafic," we conclude that Samuel Salman El Reda was the individual who, after the call was received in the mosque, a place where he had been seen on numerous occasions, went to the call center and contacted the user of the cellular telephone line registered to the name of André Marques to inform that such stage of the operation had been satisfactory concluded. -----

Three days later, on July 18, 1994, that "Renault Trafic" carrying between 300 and 400 kilograms of explosives, was driven close to the door of the building located at Pasteur 633 and at 9:53 am and detonated the explosives killing 85 people and wounding at least 151, as balance of the terrorist attack against the AMIA premises. Two hours before,-- specifically at 7.41 am- Samuel Salman El Reda made the last call to the cellular telephone line in Foz do Iguazu, this time, from Jorge Newbery Metropolitan Domestic Airport, forty minutes before departure of flight 66 of Austral airline bound to Puerto Iguazú. -----

It is specifically the involvement of Samuel Salman El Reda in the attack against the AMIA the act that successfully culminated the planned infiltration of this Hezbollah agent to the service of Iran, who then left the Continent to settle in Lebanon where the terrorist organization continues providing him with protection.-----

The truth is that the planned role of El Reda in the Continent is the final and complete evidence of how the agents serving to the regime of the Islamic Republic of Iran and the organization Hezbollah develop their activities for the ultimate purpose of becoming, if necessary, useful operatives for a terrorist act. -----

For this purpose, the preexistence of an intelligence station is the adequate scenario where agents like El Reda may insert and fully and secretly perform their duties in such a way that they cannot be discovered or thwarted until their criminal purpose have been consummated. -----

e. Rabbani's Activities in Chile, Uruguay and Colombia -----

Taking into account that Mohsen Rabbani built a station of Iranian intelligence in the Republic of Argentina which provided a valuable contribution to the material authors of the terrorist attack against the AMIA premises, and that he had been assigned by the regime the role of coordinator of the policy for the export of the revolution in South America (pp. 1510/1513, Docket 129, pp. 462/468, Docket 147 and pp. 991/994, Docket 419), some of the activities performed by him in the Republic of Chile, the Eastern Republic of Uruguay and the Republic of Colombia had caught the interest of this Attorney General's Unit because they exhibit very strong similarities with the actions performed by him in our country, specifically while he was establishing the intelligence base mentioned above and which, despite his alleged task did not culminate in a religious speech but in a bloody terrorist attack that killed 85 individuals and wounded at least 151. -----

The Iranian presence in Chile, Uruguay and Colombia was specifically projected from the figure of Mohsen Rabbani, which seems perfectly logical within the regional scheme devised by the Iranian authorities. -----

He and his disciples were allocated the task to establish, develop, support and indoctrinate the Shiite Muslim organizations of those countries in the radical principles modeled after the Islamic Iranian Revolution. Hence, the Iranian Islamic cultural and religious centers depended on Mohsen Rabbani in financial and organizational terms; While Rabbani installed the intelligence base in our country, he projected the policy for the export of the Iranian revolution to other South American countries, in tune with his regional predominant role. -----

For such purpose, all the funds allocated to the project by the Islamic Republic were received and administered in Buenos Aires, where the steps to be fulfilled for the expansion of the Iranian regime were taken; there, they indoctrinated students of other regional countries in religious and cultural aspects, and they selected those who could be sent to complete studies in the City of Qom. -----

Furthermore, while deploying his activities in these countries, Rabbani also contacted Iranian diplomatic missions settled there, a fact that, as already abundantly developed throughout this Opinion, coincides with the intelligence structure devised by the regime. In other words, we shall describe below a series of peculiar activities performed both by Rabbani and his disciples in these nations which evidence a strong similarity with those verified in Argentina. -----

In this regard, worthy of mention is the the report informing that in Argentina a method called "cells to work with nationals" was applied by the Iranian Regime, the *modus operandi* of which based on the work of Iranian immigrants financed by Rabbani. The goal pursued was infiltrating in different social strata to extend Islamic conscience and recruit new followers. In the above referenced report, it was estimated that these cells were present not only in Argentina but also in Chile, Uruguay, Brazil and Colombia. (pp. 147/152, Docket 313) -----

e.1 Rabbani's Activities in Uruguay -----

From his actions carried out in Uruguay we sustain that there are aspects in common to certain activities developed in our country to establish the intelligence station already extensively reviewed throughout this Opinion. -----

The first example is his alleged interest in the meat industry; because like when he first came to Argentina in 1983 he used his condition as "representative" of the Iranian Meat Ministry (testimony of Mehdi Bizari appearing on pp. 14/21, Docket 405 and report appearing on pp. 183/225, Docket 376), he did the same in Uruguay so as to travel there on a regular basis. (pp. 3.790/3.850, Docket Assets of Mohsen Rabbani, Case No. 1627) - Indeed, his trips to Uruguay increased from June 1989 with the excuse of certifying, in his capacity as religious man, that the meat cuts exported to Iran were made in accordance with Islamic ritual; and for that purpose, he relied on preexistent agreements

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related to the provision of meat executed between the Uruguayan company "Otegui Hnos. S.A." and the company owned by the Iranian Government "Government Trading Corporation of Iran" (G.T.C.), whereby control of slaughter under the Islamic ritual had been agreed upon, which control could only be carried out by a religious representative. (pp. 3.790/3.850, Docket Assets of Mohsen Rabbani, Case No. 1627) -----

Therefore, using such coverage, like in Argentina, he at the same time started organizing the Shiite community in Uruguay, and, on December 21, 1988 Rabbani himself purchased -- in the sum of USD 43,000-- a real property for the Islamic community where the "Centro de Cultura Islámico de Montevideo" was installed, located at Fructuoso Rivera 2.317, Montevideo. (pp. 2.263/2.268 and 5.203/5.245 --testimony of Khosrow Iamarian-- case No. 1627, pp. 1795 of Ancillary Proceedings for Civil Action) -----

In this connection, on March 15, 2012, the Uruguayan judicial authorities informed- in reply for a Letter Rogatory issued by this Attorney General's Unit--, that Rabbani sold that property on January 18, 2006, to the "Islamic Republic of Iran," and that both parties established the same domicile, which in fact, turned to be the premises of the Embassy. (pp. 1765/1839, Ancillary Proceedings for Civil Action) -----

Once again, we note that with the purchase of properties and the subsequent establishment of "cultural centers" Rabbani reproduced in Uruguay the steps he had taken in our country, which, - in one way or another- he also took in Chile and Colombia.-----

Here, the institution in addition to its specific goal, also served to project in the Uruguayan social stratus the fundamentalist principles of Iranian revolution, which resulted in the creation of an affiliate of the Centro de Estudios de la Revolución Islámica (Center of Studies on Islamic Revolution) with premises in our country, with the subsequent delivery of a great deal of bibliographic material from Buenos Aires. (pp. 5.203/5.245, Case No. 1627) Consequently, the Shiite community started to meet at the "Islamic Center" and developed religious activities and other political activities as well. (pp. 232/242, Folder 183) -----

But the repetitive behavior of Rabbani, related to the deployment of the "intelligence station" did not conclude with those activities; to exercise proper control of the Center, he reproduced the strategy of appointing Mohammad Riad Abbas, a person of trust, as head of the Center (pp. 232/242, Folder 183), and thus secure the implementation of his guidelines and orders. -----

To better understand the reasons why he appointed Abbas as the first responsible of the "Centro de Cultura Islámico de Montevideo," we must first consider that, as already indicated in these proceedings, the lawful disciple of Rabbani had been recruited and trained in the Islamic Republic of Iran in the area of intelligence and his main activity in

Argentina had always been related to the Embassy of Iran and the "At-Tauhíd" mosque. (pp. 60/61, 101/109, 115, 169 and 173, Docket 137) -----

He also assiduously visited the Embassy of Iran in Buenos Aires, and was acquainted to all its diplomatic members through whom he found a job and accommodation in the abovementioned mosque, where he worked as teacher of religion. (pp. 1.303/1.308, Docket 251, and pp. 3.951/3.957 and 3.964/3.968, Case No. 1627) Furthermore, as stated in reports appearing in these proceedings, some witnesses identify Abbas as the individual who introduced them into Islam or taught it to them, like the testimonies received from Luis Ricardo Arévalo and Juan Carlos Moreno. (pp. 2070/2093 and 9.030/9.033, case No. 1627 and pp. 60/76 and 181/187, Docket 137) -----

As it could not be otherwise, it was Rabbani who selected the individual who would subordinate to Abbas, who was Ubaldo Pino (former Secretary of International Relations of the *Alianza Libertadora Nacionalista* political party), who converted to Islam in 1983, and adopted the Islamic name "Mohamed Ali Sanawbarin;" he travelled to Iran and to Mecca, and was in charge of one of the Arabic schools and was the religious responsible individual for Centro Islámico de Uruguay. (pp. 232/242, Folder 183) -----

Sometime after, during one of his trips to Montevideo in May 1992, Rabbani separated Abbas and Pino from their positions, as a result of differences within the Iranian political power; in their replacement, he appointed Roberto Álvarez Piñeyro, whose Islamic name is "Abu Bakre," as leader of the Organización Islámica Musulmanes del Uruguay. (pp. 62/64 and 232/242, Folder 183, and p. 122, Folder 479) -----

Therefore, Rabbani's behavior clearly illustrates his decision power in respect of the activities carried out by the Iranian regime in Uruguay and the control exerted by him on the institutions established in the country by appointing persons he trusted to fulfill such duties. -----

On the other hand, another eloquent example of the control exerted from Argentina on the development of the Iranian deployment in Uruguay is given by the verified constant communications between "Abu Bakre" and Rabbani, as well as those maintained with another spiritual leader in Buenos Aires, Sheik Abdul Karim Paz (head of the "At-Tauhíd" mosque after Rabbani left Argentina permanently). -----

Only as an example of the strong contact, the telephone records in possession of this Attorney General's Unit ("Systel"), exhibit that 75 calls were made in 1996 between the telephone line No. 598-2-383063, registered to the home address of "Abu Bakre" in Uruguay, and the telephone line No. 672-7440 (located at the "At-Tauhíd" mosque) and No. 639-3224 (registered to the house of Abdul Karim Paz); while in 1997 telephone line No. 598-2-349008, registered to the Centro Cultural de Montevideo, registered 15 calls made with the same telephone lines registered to the mosque and to Karim Paz. -----

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But this subordination relation by the Uruguayan Islamic affiliate to Mohsen Rabbani is also evidenced in the record of trips made by him from Buenos Aires to Uruguay, which enabled him to closely monitor the advances on his project. -----

On this issue, worthy of mention is the fact that Rabbani went to Uruguay seven (7) times, the first on June 4, 1989, and came back three times in 1992, one in 1994 and two in 1996, the last one on November 25. (pp. 5.203/5.245, Case No. 1627)-----

These facts, trips and strong contacts, added to other issues like the purchase of real properties, the establishment of cultural centers and mosques and subsequent selection of their highest authorities, the proselytism to recruit followers and the financing of activities and undertakings, not only evidence the subordination to Rabbani but underscore their aspects in common with the actions carried out by the Iranian leaders in Guyana and Argentina to establish and develop intelligence stations serving to the policy for the export of the revolution modeled after the Seminar on Ideal Islamic Government held in 1982. -----

In turn, within the scope of all the evidence herein produced, it should be indicated that who was then the head of the Embassy of Iran was Mohamed Ali Sarmadi Rad (he held that office from 1993 to 1997; pp. 2.067/2.070, Docket 11) who, according to the reports obtained in these proceedings, was identified as an intelligence official due to the activities performed by him in Turkey for the main purpose of exporting the Iranian revolution. (p. 1.719, Docket 392 and p. 14, Folder 363) It should also be reminded that who preceded Sarmadi Rad as head of the diplomatic mission of Iran in Uruguay was Mohammad Mehdi Pourmohammadi (who presented credentials on August 11, 1987), and had criminal records for weapons trafficking and links to John Pashai as well as criminal records for his involvement in terrorist activities. (Testimony of Khosrow Iamarian on pp. 30/42, Docket 405 and report on pp. 46.588/46.589, Embassy Case)-----

Focusing back on Sarmadi Rad, it should be reminded another highly suggestive action of which he was player, addressed in the Opinion issued by this Attorney General's Unit in 2006 for his relation to the terrorist attack against the AMIA premises and which also refers to similarities with the actions carried out in the region by other Iranian leaders, in this case, the Iranian diplomatic representatives in Chile and Argentina.-----

At that time, we stressed another significant fact that reflected a governmental intent by the authorities of the Islamic Republic of Iran then in office, to carry out the attack under investigation, the players of which were the Iranian Ambassador in Argentina, Hadi Soleimanpour, along with other Ambassadors in the region. -----

Interestingly enough, neither Soleimanpour nor the Iranian ambassadors in Chile and Uruguay were in charge of their respective diplomatic missions at the time of the attack against the AMIA premises. -----

Soleimanpour left our territory on June 30, 1994 bound to the City of Miami in the USA on holidays --according to note referred by the Iranian Embassy (p. 1.213, Docket 392)--, and would not come back to Argentina until July 25, 1994. As regards the other diplomatic officials, on July 17, 1994, that is, a day before the attack, the Iranian Ambassador in Chile, Hamid Reza Hosseini, left Santiago at 1:00 pm on Lufthansa flight No. 527 bound to Frankfurt, Germany. (p. 4.120, Docket 392) Interestingly, the same flight bound to Germany was taken in Buenos Aires by the head of the Iranian diplomatic mission in Uruguay, Mohammad Ali Sarmadi Rad. (Cable of our diplomatic representation in Uruguay CD EURUG 050555/1994 appearing on p. 2.296, Docket 392 and proof provided by the Uruguayan Migrations Office on p. 3.506) The information produced in these proceedings indicates that the reasons given by Sarmadi Rad for his trip were, like those given by Soleimanpour, to take vacations. (Report appearing in copy on p. 1.959, Docket 392) -----

In this regard, the Opinion concluded that the absence of the diplomatic officials from their respective diplomatic offices as at the date of the attack could only be envisaged as another link in the chain of episodes led by the Iranian government then in office to consummate the attack against the AMIA premises. -----

Along with the foregoing, we must further measure other significant indicators arising from the list of diplomats who presented credentials from the Iranian Government to perform duties in the Embassy of Iran in Uruguay (pp. 37.262/37.263 of the Embassy Case), which are related to the dual use of representations in that country. -----

In fact, that list contains the names of Seyed Reza Hadj Zargarbashi and Mohammad Kabiri Rahni, who acted as Business Attachés (from March 23, 1991 to April 22, 1991 and from January 10, 1991 to September 22, 1993, respectively), and the names of Ahmad Abousaeidi and Safar Ali Eslamian Kopace, who acted as First Secretaries (from March 23, 1991 to January 23, 1995 and from June 2, 1991 to April 13, 1993, respectively). -----

As regards Reza Hadj Zargarbashi, we know that he also acted as Minister Advisor to the Embassy of Iran in Brasilia (1992) and then as Ambassador of Iran in Venezuela (1993). Furthermore, worthy of mention is an event of which he was artificer and which evidences the dual role played by officials of certain diplomatic representations. In fact, in July 1994, an event that rendered the relations between Venezuela and Iran tense occurred: four accredited members of the Iranian representation in Caracas, acting under its control, attempted to kidnap at gunpoint, the Iranian citizen Moatamer Manoucher (who they identified as a spy) to send him to Iran by force. As a result, the Government of Venezuela declared each of the officers who took part in the event as *persona non grata* including Zargarbashi, and they were expelled; this event is informed by

Moatamer Manoucher himself and appears in other evidence added to these proceedings. (pp. 789/790 and 809/839; pp. 5.315/5.317, Docket 147 and pp. 496/607 and 3492, Docket 392) -----

This event was duly warned by our diplomatic representation in Caracas, through the cables appearing on pp. 641/645, where it was stated that the UN High Commissioner for Refugees (UNHCR) had underlined that the four officers attempted to make an Iranian family return to Iran by force; they were in Venezuela as refugees; furthermore the cables stressed that Manoucher had worked in the ministry to which the Iranians who performed activities abroad reported, and thus it could be a great risk for Iran if he revealed and/or recognized other members. -----

This event was also informed by the newspaper "El Universal," as follows: "... Allegedly, the diplomatic mission in Caracas acts as a sort of arm of fundamentalism, and furthers tasks of Islamic proselytism... They have an operations center at Porlamar, hidden behind the frontage of a mosque..."; "...The Iranian government has a culture of violence, religious fanatics and radical actions and must be taken into account when performing an analysis..." (Article entitled: "Previendo represalias del gobierno de Irán Venezuela pedirá ayuda de un Estado amigo para proteger a diplomáticos en Teheran"; by Antonio Fernández Nays. Newspaper "El Universal", issue dated Friday July 22, 1994, p. 373, Docket 6)-----

Therefore, it is clear from the account about Zargarbashi and the other officers expelled by the government of Venezuela, that their role in the Embassy of Iran in Caracas had little or no relation with the actual role of true diplomatic officials, but, instead, their actions displayed that they were also agents who had been strategically introduced into the diplomatic representation to perform activities of any kind for the benefit of the Iranian regime. -----

As regards Mohammad Kabiri Rahni, information gathered in these proceedings indicates that he was member of the Iranian Intelligence Service and that in 1984 he acted as counterintelligence officer of the Vevak. (p. 107, Exhibit "Embassy" to the "International Report"; and pp. 76/77, Folder 1) -----

As regards Ahmad Abousaeidi, it corresponds to quote the words of Abolghasem Mesbahi, who sustained that he "*knows an Ahmed Abousaeidi...may be the name could be spelled Abousaidi...this Ahmed Abusaeidi belongs to the Revolutionary Guard Corps. He was in charge of local planning in case of future terrorist attacks or operations and also follow-up and observation*" (pp. 3.609/3.635, Docket 204)-----

On the other hand, it should be noted that beyond prior arrivals in our country (pp. 1456/1457, 3401/3402, 3459/3461, 3643/3664 and 3927/3969, Docket 392), and according to the application for visa granted on May 26, 1994 for 90 days, Ahmad

Abousaeidi recorded that he came to Argentina within a term in which there was a significant increase in diplomatic couriers and Iranian official personnel (June and July 1994), typified by a exiguous permanence in the country and because in most of the cases they presented passports for official use issued on dates close to the application for the relevant visa, despite the fact that the bearers held valid passports. -----

Certainly, Abousaeidi came to Argentina on June 18, 1994, holding a visa obtained on a date close to the dates on which visas were granted to other Iranian officials (all of them granted between the end of April and the beginning of June), and mostly, for passports granted for the occasion even when the bearers had other valid passports which were not even about to expire. This situation was verified for several officers whose documents before the issuance date were valid for over a year; this was also the case for Abousaeidi, who, in December 1993 was granted a visa with another passport while only 5 months later he would obtain a new document. (pp. 138/143, Docket 394; copy of cable 050555 on pp. 2295/2297 and reports on pp. 1456/1457, 1624 and 1650, Docket 392, cable 050124/94 dated May 9, 1994, kept on Archive in the Attorney General Clerk's Office and pp. 122.338/ 122.738) -----

On his part, Safar Ali Eslamian Kopae acted as First Secretary of the Embassy of Iran in Uruguay from June 2, 1991 to April 13, 1993 (pp. 37.262/37.263, Embassy Case), and held the same position in the Iranian representation in Caracas between 1992 and 1994. (pp. 5315/5317, Docket 147) According to information appearing in these proceedings, the Venezuelan security agents considered the Iranian diplomats who had presented credentials in Caracas as members of Hezbollah and they identified Eslamian Kopae as presumably liable for terrorist acts in the South American Continent; furthermore, they stressed that officers of Iranian intelligence used the Ministry of Culture of Iran as "frontage." (p. 2, Folder 380)-----

In addition to the above mentioned individuals, Seyed Mohammad Hussein Hashemi also worked in the Iranian representation in Uruguay who started acting as Advisor on July 19, 1999. (pp. 37.262/37.263, Embassy Case) In this connection, worthy of mention are the contents of the document entitled "Iranian Terrorist Policy and The Export of the Revolution," by Shmuel Bar, which states that one of the agencies of the Iranian government fiercely committed to the "export of the revolution" is the Ministry of Culture and Islamic Propaganda, operating in several countries through cultural centers inside the Iranian embassies. As an example, the documents cites the Cultural Center of the Islamic Republic of Iran in Beirut, and adds that the Former Cultural Attaché "Sayyid Muhammad Hussein Hashemi" was chief of the Center and cooperated with the "Ahl al-Bayt" Foundation, which was led by Hoj Ali Al-Taskhiri and then by Akbar Velayati. (pp. 10.934/10.958 and 11.010/11.050, Docket 263) -----

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Mohammad Hassan Naeini is another Iranian agent stationed at the Embassy of Iran in Uruguay where he acted as Attaché from September 24, 1995. (pp. 37.262/37.263, Embassy Case) Information added to the case reveals that he belongs to the Ministry of Security and Intelligence (Vevak), and identified him as an intelligence officer; also, there are reports on a trip made by him to Colombia along with Morteza Mozaffari (who was in charge of passwords and telex at the Embassy of Iran in Buenos Aires); presumably, he had travelled to attend a meeting of high officials of Iranian intelligence. (pp. 149/150 of "confidential documentary evidence," Embassy Case, pp. 4970/4971, Case No. 1627, and pp. 19.982/19.985, Embassy Case)-----

On the other hand, in the above referred list of Iranian diplomats who received credentials in Uruguay, appeared the names of Abbas Zarrabi Khorasani, Rahmatollah Bakhtiary, Esmaeil Moulace and Ali Amini, who also held offices in the Iranian mission in Argentina. -----

According to information added to these proceedings, Abbas Zarrabi Khorasani assumed as First Secretary of the Embassy of Iran in Buenos Aires in November 1987. Furthermore, the information reveals that he had previously held the same office in the Iranian representation in Berlin, from which he was expelled with other Iranian individuals for the charge of having organized attacks against American targets; also, information reveals that in August 1991, taking advantage of his attendance to a meeting on economic issues in Australia, he organized a company that would act as a frontage for the activities carried out by the terrorist group Hezbollah in Australia. (pp. 35, Exhibit "Embassy" to the "International Report") Furthermore, he was identified by Mesbahi *"as member of the unit of operations of Khomeini's office in charge of direct terrorist actions."* (Testimony on p. 141, Docket 204) He terminated his assignment in June 1993. (Report of Chancery appearing on pp. 1.192/1.199, Docket 392) -----

About Rahmatollah Bakhtiary, it should be noted that he acted as Third Secretary of the Embassy of Iran in Buenos Aires. He came to Argentina on September 29, 1989 from Cuba and terminated his assignment on August 21, 1991. (Report appearing on p. 3365) On April 11, 1991, this Iranian diplomat delivered a speech at the celebration for Palestine's Day, urging for the release of the Palestinian people and emphasizing the need to fight against Israel to the very end. He referred to Israel as *"a malignant tumor that must vanish from the face of the earth, and they are going to fight until their last drop of blood is drained against the Israelis."* He harshly criticized those who accept agreements with Israel encouraged by the imperialist powers, and considered that the liberation of Palestine's people can only be achieved through the destruction of Israel. Bakhtiary also spoke with admiration about Imam Khomeini and added that four

thousand million Muslims say in unison: "*Israel shall be destroyed.*" (pp. 2938/3180 and 3365) -----

On his part, Esmail Moulaei also acted as Attaché in Argentina from March 1989 to March 1994. (pp. 1192/1199, Docket 392) He was identified as agent of Iran's Intelligence Service by protected witness identified as witness "A" (pp. 56/86, Docket 313), who also stated that Moulaei was in charge of operating the telex, a task that was always assigned to a member of the intelligence service. Moreover, as proved in the Opinion issued by this Attorney General's Unit in 2006, this subject was responsible for the passwords of the Iranian Embassy in Argentina, and was identified as an agent of Vevak. (pp. 122.338/122.738)-----

As regards Ali Amini, according to information added to these proceedings, he cooperated in the Embassy of Iran in Buenos Aires as Third Secretary (Commercial Advisor), who assumed that office on June 11, 1990. Furthermore, in 1980, he was involved in the seizure of the Embassy of the United States de America in Teheran, acting as "speaker" of the revolutionary group which held 55 subjects captive during 444 days; also he was identified as involved in the attack carried out in Germany in 1985 against an AIR FRANCE aircraft. (pp. 2/3 and 7, Folder 324)-----

All the above mentioned information about the diplomats who presented credentials of the Government of Iran to the Ministry of Foreign Affairs of the Eastern Republic of Uruguay, evidences a clear parallelism to what is being repeatedly stated in this Opinion about the dual use of Iranian diplomatic representations as part of intelligence centers. In this connection, it should be noted that all the officials mentioned above had backgrounds that rendered them useful to, if needed, perform such parallel activities within the scope of the export of the Iranian revolution since most of them had already been identified as intelligence officials, (Kabiri Rahni, Sarmadi Rad, Naeini and Moulaei), members of the Islamic Revolutionary Guard Corps (Abousaeidi), or members of the terrorist organization Hezbollah. (Zargarbashi, Eslamian Kopaei and Khorasani)-----

Clearly, the concurrence of so many people with backgrounds in the military or in the intelligence services of Iran acting as officials in foreign offices of the country, cannot be plainly attributed to a coincidence. In contrast, it should be considered that their sustained presence over time was the result of a careful selection for the pursued goal. Consequently, at least part of the tasks assigned to these officials in the diplomatic representations --as evidenced by the event that took place in Venezuela, whose authors were some of the representatives of the Iranian mission in Caracas, also assigned to Uruguay, was totally unrelated to the genuine exercise of the diplomatic tasks. That event which was certainly very serious, reveals that some of the officers sent by Iran to

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their representations in Latin America, were not assigned –at least on an exclusive basis– the honorable mission of representing their country abroad to build up amicable relations between Iran and the Host States, but to perform specific tasks – under the protection of the diplomatic representation– to “export the Iranian revolution” to other nations. -----
 To sum up, indisputably, the appointment by the Iranian government of agents to represent the state in its diplomatic representations in Latin America, is not unusual; instead, there are many records, coupled to the special fact that all the individuals who acted in the Iranian representation in Buenos Aires –Hadi Soleimanpour (Ambassador), Ahmad Reza Asghari (Third Secretary) and Mohsen Rabbani (Cultural Attaché)–, and the highest responsible for those diplomats at that time, the former Minister of Foreign Affairs of the Islamic Republic of Iran (1981/1997), Ali Akbar Velayati, have been charged in these proceedings for their involvement in the terrorist attack carried out against the Jewish association, and consequently, national and international arrest warrants have been issued against them, some of which are under Interpol’s red notices.--
 In fact, all the events described herein (trips and close contacts, contribution of funds for the purchase of properties, establishment of cultural centers and mosques and the subsequent selection of their highest authorities, proselytism to recruit followers, financing of activities and undertakings, cooperation by the embassy) account for the actions carried out by the Iranian regime in the neighbor country whose critical player, the coordinator of the policy for the export of the revolution in South America is Mohsen Rabbani; these are also highlighted by their aspects in common with the actions developed in Argentina when, unfortunately with success, he established an intelligence station that served to the execution of the terrorist attack against the AMIA premises, actions that were also deployed in Chile and Colombia, as hereinafter explained.-----

e.2 Rabbani’s Activities in Chile-----

To expound about Rabbani’s activities in the Republic of Chile, we shall analyze how in one way or another, and even with certain aspects in his behavior, each of his actions in Chile was in line with the actions taken in Uruguay and Colombia and as already described with reference to Uruguay, there were aspects in common to the actions taken in Argentina and Guyana for the development of the intelligence stations modeled after the policy for the export of the Iranian revolution. -----

This assertion is based on abundant evidence added to the investigation, among which are the repeated trips made by the sheik to the country which raised his special interest such as the relation with Shiite activists and participation at meetings and series of conferences; his distinctive organization of the Islamic community to indoctrinate it under his radical principles, the supply of funds to finance activities that served to his goals (proselytism, spread), the creation of cultural centers and mosques and the close

connection with members of the relevant Iranian diplomatic representation. All the foregoing was carried out in the same manner as he did in our country, constantly taking advantage of all types of means and individuals and always concealed by legal activities keeping his actions undercover. -----

In fact, as informed by the Investigative Police of Chile, between 1992 and 1997 Mohsen Rabbani travelled seven (7) times to the Republic of Chile, and, remarkably, in the migration cards he have registered with different dates of birth and used different passports identified under nos. 3.943, 12.009, 3.552 and 2.631.031. (pp. 2.245/2.250, Docket 392, and 5.203/5.245, Case No. 1627)-----

Furthermore, reports added to the case mention the relation between Rabbani and Shiite activists and members of the Embassy of Iran in Santiago, as well as his activities in Chile, among which we cite by way of illustration the following: his participation in the series of conferences sponsored by the Islamic Republic of Iran, at which he lectured on the Islamic Revolution and about the case of "Salman Rushdie," justifying the death penalty issued against him by the fundamentalists. (pp. 5.203/5.245, Case No. 1627)-----

In addition to the public acts of Rabbani, worthy of special mention with reference to his repeated visits to Chile, is his behavior in other environments, far from the stands, where he established a close relation with the Shiite community, for the known and repeated purpose of organizing it to actually recruit followers to implant on them the radical principles of the Iranian revolution he represented. As it was the primary aim of the sheik, growth in the activities carried out by the community followed the regular pattern, as he gathered his followers in the City of Santiago at the Centro de Cultura Islámico de Las Condes, and later, also at the Cultural Center located at the City of Temuco, at that time led by a corroborated disciple of the regional Iranian leader, Javier Alejandro Oiarzun Vega. (pp. 2/3 and 26/29, Folder 460)-----

Besides, as it was the case in the other countries under the auspices of Rabbani, the authorities of these cultural centers were aligned to his principles and as a result, they were in proper condition to continue proselytism and spread of their radical ideals in Chilean territory. In this regard, it should be noted that Oiarzun Vega was indoctrinated in the "El Mártir" mosque in San Miguel de Tucumán, under the supervision of Mahmoud Aid, and then he travelled to Iran to continue studies. (p. 2, Folder 460)-----

Similarly, it should be mentioned that Jorge Marcelo Hoffmann Helgueta, another authority of the center, was also educated and indoctrinated under the principles proclaimed by Mohsen Rabbani since, like many other foreign students, he was educated in the mosque of San Miguel de Tucumán, to which he attended with Juan Sergio Lavin Vargas who was later appointed Secretary General of the Center of Temuco, and the abovementioned Oiarzun Vega. (pp. 2/3, 25 and 27, Folder 460) -----

Thus, Rabbani deployed his regular method of direction, control and manipulation, which was expedited by the economic financing for cultural centers of Chile by Buenos Aires, and naturally, due to the prominent position of the sheik. -----

In this connection, reports added to the investigation reveal how the Government of Iran through its agent Mohsen Rabbani, was interested in the organization and economic support of the cultural centers located at Santiago and Temuco. -----

In this regard, it has been confirmed that the "Organización Chilena Islámica de Cultura" (Cultural Center of Temuco) was provided with adequate financial support so that the representative, Javier Alejandro Oiarzun Vega, could develop the activities inherent to this cultural space; to that end, in addition to the funds obtained from their followers, they received monthly contributions from direct cooperators of Rabbani who wired funds from Buenos Aires and Tucumán. (pp. 2 and 28, Folder 460)-----

It is worth repeating now that what has been expounded is only an example (obtained through the widespread analysis of the evidence produced within the scope of the investigation into the attack against the AMIA premises) of the structure prepared by Rabbani to be able --either alone and/or through his disciples- to build up links with the Shiite community in Chile and to export the principles of the Iranian revolution to Chile; the actual size of these events can only be determined upon their specific investigation. ---

In turn, as to the actions carried out in Chile, regional connections reveal the common pattern underlying them and display how the government of Iran used different resources to achieve the goal entrusted to Rabbani. -----

In this regard, it is worth stressing that the Cultural Center of Santiago was established in the piece of land located at calle Martín Zamora 4.224, of the Comuna de Las Condes, owned by Youssef Abdallah (pp. 3.589/3.593, Docket 392), a Shiite Lebanese Paraguayan naturalized cleric who was trained in Iran, and studied theology at the University of Qom and, according to information provided by the Argentine intelligence agency and by Interpol, he has been an activist member of Hezbollah in the "tri-border area" and in Chile, where he contacted other followers of Hezbollah, and was a major contact to none other than the spiritual leader of the terrorist organization, Muhammad Hussein Fadlallah, and was involved in raising and distribution of funds to support the mosques in South America and Hezbollah. (p. 51, Folder 45, p. 32, Exhibit "tri-border area" to the "International Report," and pp. 769 and 1.411/1.435, Docket 201)-----

Also, to put his situation into context, worthy of mention is the fact that three of his brothers have been identified as members of Hezbollah. Specifically, Hussein Youssef Abdallah has been identified as member of the "operative apparatus" of Hezbollah in the "tri-border area," and as having been its "chief of operations" in the region; in addition, using a telephone line registered to his name (then located at "Agencia Piloto Turismo,"

owned by Farouk Omairi), he made calls to Mohsen Rabbani's home telephone line, and also made numerous calls to and from telephone lines held by contacts of Samuel Salman El Reda. (pp. 1.027, 1.411/1.435 and 4.486/4.487, Docket 201; and pp. 127.369/127.417)-----

On his part, Mohammad Youssef Abdallah was identified -according to reports added to these proceedings- as the oldest member of Hezbollah in "tri-border area" and was also identified as a high ranked member of the "political apparatus" of the organization in the area who maintained permanent contact with one of its leaders, Muhammad Hussein Fadlallah; also, there were calls made from another telephone line then registered to his name (also located at "Agencia Piloto Turismo") to contacts of Samuel Salman El Reda. (pp. 1.027, 1.411/1.435 and 4.488/4.490, Docket 201; and pp. 127.369/127.417) -----

Finally, Adnan Youssef Abdallah has also been identified as member of Hezbollah who raised funds for the terrorist organization, and was also the recipient of letters sent by the leader Fadlallah. (pp. 1.411/1.435 and 4.503, Docket 201) -----

To sum up, Ghassam Youssef Abdallah, who had strong links to the terrorist organization Hezbollah and the regime of the Islamic Republic of Iran, has been an active cooperator of Rabbani in the project devised by Iran for Chile, since he not only provided a land owned by him for the construction of the Cultural Center of Santiago but also travelled on many occasions to Chile to perform different major tasks to serve the goal set by Iran. For example, in 1995, he transferred funds that had been granted by the Islamic community of Foz do Iguazu for the construction of a mosque in Chile and in 1993, he visited the country to take part in a religious ceremony with "special features" at which he imparted administrative and financial instructions to the local members of the Islamic center. (pp. 17/22, Docket 201, pp. 3.589/3.593, Docket 392, and p. 52, Folder 460)-----

In another sequence of ideas, the subordination of the Iranian deployment in Chile to the decisions made by Rabbani in Argentina is also reflected by the fact that many of the leaders of the Chilean Islamic centers were educated by followers of the sheik in our country who then travelled to Iran to complete their education, such as Javier Alejandro Oiarzun Vega, Jorge Marcelo Hoffman Helgueta, and Juan Lavin Vargas, highest representatives of the Islamic Center in the city of Temuco. -----

In other words, there is abundant evidence that reflects the influence of Iran through Rabbani and his disciples on the cultural and religious centers and the Shiite Islamic community in Chile. Indisputably, the relation between Rabbani and these places is not a simple coincidence; instead, as already explained throughout this Opinion, they are places suitable for the recruitment and indoctrination of followers without raising

suspicion, which is one of the pillars of the policy for the export of the revolution, as was the case in Argentina as well.-----

From another point of view, taking into account that the Embassies of Iran often serve to the strategic plan for the establishment of intelligence bases in foreign countries through dual use, and in accordance with what has been stated herein, we present a profile of the individuals who made up the Iranian Embassy in Chile: -----

Hamid Reza Hosseini acted as Ambassador of Iran in Chile from November 10, 1993 to September 25, 1996. (pp. 2.178/2.211, Docket 392) As indicated in these proceedings, according to the Department of Foreign Affairs of the Investigation Police of Chile, he is *"...a hardliner ideologist who was probably involved in the occupation of the Embassy of the United States in Teheran in 1979 (...) possibly related to the Iranian President ALI AKBAR HASHEMI-RAFSANJANI. He was expelled from New York where he served in the Iranian Mission to the United Nations, for his involvement in intelligence activities In the past, he showed initiative to purchase weapons and technology (...) Probably he served in the Iranian Revolutionary Guard Corps."* (pp. 2.190/2.192, Docket 392) -----

As regards Hosseini, it should be reminded, as stated in the Opinion issued by this Attorney General's Unit in 2006 and cited in the section on Uruguay, that after the operation that culminated in the final stage of execution of the terrorist attack against the AMIA premises, and anticipating the consequences that might result from the attack, the regime of Teheran adopted a series of measures intended to remain outside should any eventual accusations be made, against its representatives in the Republics of Argentina, Uruguay and Chile. -----

Curiously enough, in March 1994, hardly four months before the attack, Mohsen Rabbani, despite the fact that he had been stationed in the county since 1983, was given diplomatic status, and therefore, he acquired diplomatic immunity. Similarly, on June 30, 1994, only eighteen days before the attack, Ambassador Hadi Soleimanpour was leaving the country from Ezeiza International Airport; a few days later, on July 8, the Third Secretary of the Embassy, Ahmad Reza Asghari untimely left the country despite the fact that in March he had reserved air tickets for October. The Ambassadors of the Islamic Republic of Iran in Chile and Uruguay did the same on the day before the attack and took the same flight bound to the German City of Frankfurt.-----

Another member of the diplomatic delegation was Seyed Yousef Arabi, who, from June 1992, acted as Consular Attaché (Letter Rogatory No. 3.405, record of the Supreme Court of the Republic of Chile. (pp. 2.178/2.211, Docket 392) According to information added to the case, Arabi was identified as "chief of the intelligence station in Chile and member of MOIS." (pp. 90/91 to the "International Report")-----

Moreover, worthy of mention is a particularly significant event of which he was artifice and reveals a behavior conveniently concealed for his purposes, and which consisted in having included false personal information in police records forms then submitted to the Chilean authorities. This was informed by Chilean Police as it verified that one of the addresses filed by Arabi did not exist, while the other was "unknown." (pp. 2.205/2.207 and 4.117/4.120, Docket 392) -----

As regards his activities, it was verified that on June 14, 1994 he came to Argentina from Santiago de Chile as diplomatic courier using Passport 010508M; and he returned to Chile the following day through Lan Chile. (migration record and cable sent by our diplomatic representation in Chile dated April 19, 1994, kept on Archive in the Attorney General Clerk's Office; and pp. 1.860, 1.872, 1.944/1.945, 2.247, 2.606 and 2.614, Docket 392) -----

Although this trip could not have been evaluated if taken individually, is crucial since at that time (close to the date of the terrorist attack against the AMIA premises) Iranian agents came to Argentina from other countries. The truth is that in June 1994, Iranian officers stationed in Germany, Iran and Uruguay came to Argentina and in July, officers stationed in Brazil, Iran and Uruguay did so. (pp. 2449 and 4254/4258, Docket 392 and 141/142 to the "International Report") -----

Also worthy of mention is the case of Mohammad Javad Asayesh Zarchi, identified as Second Chief of the Department for America of the Ministry of Foreign Affairs of the Islamic Republic of Iran, who acted as Business Attaché in the Embassy of Iran in Chile from February 1992. (pp. 2.253, 2.430, 2.859/2.863, and 3.083/3.084, Docket 392) -----

He had a close relation with one of the individuals charged in these proceedings, the then Iranian Ambassador to Argentina, Hadi Soleimanpour, to such an extent that he accommodated him in his residence when he came to Buenos Aires on May 15, 1992, from Santiago de Chile. The next day they travelled to the City of Puerto Iguazú, in the Province of Misiones, and finally stayed in Foz do Iguazu, Brazil (pp. 2.859/2.863, Docket 392) where, as it arises from the information gathered in these proceedings, Soleimanpour had allegedly given an amount of money owed for the attack against the Embassy of Israel in Buenos Aires. (pp. 2.071/2.093, Case No. 1627) -----

Indeed, from the foregoing statements it arises that the activities performed in the Republic of Chile by the Iranian regime through the primary executor of the policy for the export of the revolution in the region, Mohsen Rabbani, have aspects in common with the verified activities carried out by him in Argentina from his arrival in 1983 (establishment of cultural centers and mosques for dual use, financing of their activities and propaganda and spreading of the principles of the Iranian revolution, recruitment of nationals for their education and use in executive positions of these institutions, close

contact with the Iranian diplomatic representation), where he consummated his loathsome purpose, to the extent that he transformed that intelligence network into one of the links necessary for the execution of the attack against the AMIA. -----

e.3 Rabbani's Activities in Colombia -----

The Republic of Colombia was another country where Mohsen Rabbani developed his activities within the scope of his coordination duties, which included, like in the cases described above, the establishment and financing of cultural and religious centers, proselytism to spread the revolutionary principles and recruitment of followers and their indoctrination, all of which, as in the case of Uruguay and Chile, with aspects in common with certain activities carried out within the scope of the establishment of intelligence stations found in Argentina and Guyana. -----

In this regard, worthy of mention is the fact that the Centro Cultural Islámico was founded in Bogota and financed by the Embassy of the Islamic Republic of Iran and by Shiite Arab merchants; its highest representative was Julián Arturo Zapata Feliciano – whose Islamic name is Ali Reza–, who studied in Iran and remained there for two years at the request of Mohsen Rabbani. (p. 139, Folder 377 and pp. 9/14, Folder 481) -----

In this connection, from the transcriptions of the telephone calls made by the telephone line duly installed in Mohsen Rabbani's house, arise several elements clearly indicating that Rabbani was closely linked to the center and provided it with financial support. -----

Thus, in one of the calls, Rabbani held a conversation with an unidentified individual to whom he said that he was analyzing the possibility of visiting Colombia by mid-February; moreover, he said that certain individual would visit Colombia, and he would be fetched at the Airport and taken to a hotel. Then they continued talking about the "things needed by the Islamic center" and that it could be interesting that Rabbani send him some videos, and Rabbani answered that he would take them when he travelled there but that he would send through this individual a movie about Iran to be presented in Bogota's television. (Second group of transcriptions from telephone line No. 672-5272) -----

Furthermore, another transcription reveals that Julián Zapata called to Rabbani's house and "Sojde" (Zohre, Rabbani's wife) answered, he asked to speak to Rabbani and she answered that he was not at home and Zapata then told "Sojde" that they should confirm "*if he was going to travel so as to make arrangements at the university and in connection with the book fair*" and she suggested that he called to Rabbani's office but that he should confirm the dates. (Second group of transcriptions of telephone line No. 672-5272) -----

During another conversation, a man who identified himself as "Julián" (allegedly, Zapata Feliciano), informed Rabbani that he had seen certain computer equipment to do

the job for the fair due to start in a month, and Rabbani said *"you have to buy something simple, which can also be used in the Attaché Office."* (Second group of transcriptions of line No. 672-5272) -----

In turn, this close connection with the cultural center as well as the interconnection with the Iranian diplomatic delegation on Colombian soil, suggested in this conversation as Rabbani said that the equipment to be purchased should also be suitable to "be used in the Attaché Office" is confirmed by another transcription of wiretapping of the telephone line installed in his house, which also reveals Rabbani's regional influence. -----

Certainly, in this case we note that Rabbani said to "Julián" that he had sent him "some books and cassettes" through the Embassy, and "Julián" told him that he had sent him a letter explaining "many things" and that Rabbani's presence there was highly important because they needed him "urgently," *"I am urgently asking for help"*, and Rabbani answered *"talk to our brothers in the Embassy..., and they will help you in whatever they can do,"* and "Julián" answered that at the Embassy they had told him that *"they helped provided that 'Hoiato Islam' [referring to Rabbani's condition as hojatoleslami] authorizes, we have no problem in doing so."* So, Rabbani said *"Yes, talk to them, and in any case they then will call me, there is no problem... tomorrow I will talk to them,"* and "Julián" answered: *"we are proud of having a great spiritual guide like you."* (First group of transcriptions of telephone line No. 672-5272) -----

It should be noted that not only Colombia required aid for the cultural center from Argentina, but also that the authorities of the Iranian Embassy in Colombia were subject to Rabbani's decision: Rabbani should authorize it. -----

In this connection, worthy of mention is another transcription obtained from the wire tapping of telephone line No. 672-5272 (Mohsen Rabbani's home address). -----

For example, there is a dialogue between "Julián" (Zapata Feliciano), from Colombia, and Mohsen Rabbani, during which they mentioned the books (contained in three packages) sent by Rabbani to Julián and the financial difficulties being faced by Julián who commented that he had a lot of problems for the payment of house rent and utilities. And Rabbani asked whether the Ambassador had solved that problem and "Julián" answered "no," that the Ambassador had told him that he would not solve any problem until Rabbani went to Colombia or until he talked to him. Then, Julián asked Rabbani to go to Colombia soon because they did not know how to arrange things, and also said that he was planning to present Rabbani at the universities. (p. 50, Folder 1267) -----

There was also a conversation which, in addition to referring to the different activities carried out by Centro Islámico de Colombia, "Julián" told Rabbani that the Embassy had requested him to make the arrangements for the opening of an Islamic College, and that he was aware that another cleric was behind that project. And Rabbani answered *"as to*

what the Ambassador says in this connection, he has no authority, there is nothing yet to start a project like that." (p. 80, of the abovementioned Folder)-----

This review of different communications between Mohsen Rabbani and his cooperators is a clear example of his leadership in the development of Iranian activities in the Republic of Colombia.-----

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Also worthy of mention is how significant was Rabbani's leadership, for, not only was he informed from Colombia about everyday tasks, undertakings and projects of the community but also he was consulted and informed regarding more intricate issues, mainly financial issues, which required to be solved by him. As a example, we refer to the conversation held with Zapata Feliciano, in which he discredited the Ambassador's opinion about the opening of an Islamic College, arguing that he had no authority to give an opinion in that regard, an irrefutable example of his decision-making power and interference, which at the same time, resizes his leadership and functions at regional level.-----

In line with the foregoing, it should be reminded that in Buenos Aires Rabbani had free access to the whole building of the Embassy and was treated with high respect by the personnel, as explained by the administrative secretary of the Embassy of Iran in Buenos Aires, Viviana Paula Maruffo who said: "*Rabbani went there at least once a week to meet any of the diplomats, but particularly, he held meetings with the ambassador (...) he had strong power; she asserts this fact because she noted that when he arrived at the Embassy everybody took a bow, that is, his mere presence generated respect. She understands that RABBANI had even more authority than Ambassador SOLEIMANPOUR himself...*" (Testimony appearing on pp. 13.708/13.713, Case No. 1627)-----

In the last analysis, the fact that both in Colombia and in Argentina circumstances indicate that Rabbani had "*more authority than the Ambassador himself,*" can only be explained if we consider the specific task assigned to him, which consisted in the coordination of the export of the revolution in South America serving to the predominant interest of the regime. -----

Naturally, Rabbani's tasks also included recruitment and education of young students. To perform this task, he took advantage of the Iranian structures settled in the Republic of Argentina. It should be reminded that the funds allocated by the Islamic Republic of Iran to this project, which undoubtedly also included Colombia, were received and administered in Buenos Aires where it was also decided how the task would be fulfilled. - Evidence added to the case reveals that in our territory, a significant number of Colombian citizens and citizens from other Latin American countries as well, received

indoctrination and financial aid; upon their arrival, they were accommodated in the mosques of Argentina. -----

At "El Mártir" mosque in San Miguel de Tucumán, Carlos Alberto Garcés Riasco, Javier Alcides Oranio Murillo, Juvenal Sinisterra Calceda, and Jimmy Zamora Castro, were accommodated and indoctrinated; they came to our country on January 24, 1995, with a scholarship granted by the Embassy of Iran en Colombia. Also Miguel Ángel Cuero Mosquera, Jairzinho Ángulo Valencia, and Edwin Pablo Chavarriaga Elnesser, lived and studied there; they remained there from June 11, 1996 till the end of March of the following year. (pp. 56 and 57bis, Folder 515, p. 238, Folder 656) -----

Also, the Colombian citizens Oscar Valencia Potes, spiritual guide in charge of the Centro Cultural Islámico de Colombia and Nielsen González, whose Islamic name was Ali Abdur Rajman, were accommodated and educated in our country. -----

As it arises from the bibliography of Valencia Potes, they both had scholarships granted by the Islamic Republic of Iran to study at the "At-Tauhid" mosque in Buenos Aires with Mohsen Rabbani. (pp. 11.642/11.652, Docket 263)-----

Ali Abdur Rajman studied in our country for only three months since he had previously studied as Imam, and came back to Buenaventura, Colombia. Conversely, Oscar Valencia Potes remained in Argentina for a year, and upon his return to Colombia, he replaced the spiritual leader of the community, by being appointed sheik to the Centro Cultural de Colombia. -----

After two years of being spiritual leader and professor of religion in the Islamic school called "Instituto Bilingüe Silvia Zaynab," he and his wife got a scholarship to study theology at the University of Qom in the Republic of Iran.-----

The presence of different Colombian students in the mosques has also been verified by several testimonies added to the investigations among which, worthy of mention is the testimony of Luis Ricardo Arévalo, who remembered that two students from the Republic of Colombia accommodated in the mosque of Buenos Aires visited the "Al Imam" mosque in Cañuelas. (pp. 712/715, Docket 251) -----

On his part, Francisco José Corrado, who frequently attended the "At-Tauhid" mosque, said that at a time --for around three months--, Colombian students lived there. (pp. 1.510/1.513, Docket 129) -----

On his part, witness Edgardo Alberto Apes, also confirmed the presence of Colombian citizens in the mosque. (pp. 901/905, Docket 415)-----

Finally, Alfredo Miguel Barcia, member of the Sociedad Argentina Islámica and who took part in the opening of the mosque located at the City of Cañuelas, also under the auspices and instructions of Mohsen Rabbani, said that on one occasion, two Muslim

students from Colombia, went there and stayed for about a month. (pp. 633/640back, Docket 251) -----

The continuous hosting of students at Argentine mosques and the subsequent granting of scholarships to study at Qom, Iran, are among the recruiting and indoctrination activities continuously put forward by Rabbani from 1983 to spread the radical principles proclaimed by the envoys of the Islamic Republic of Iran and which, in these specific cases, had the support of the Embassy of Iran in Colombia. -----

Rabbani's interest in this type of activities and his influence in the Colombian community, even after having left the South American Continent in 1997 as a result of having been charged for his involvement in the terrorist attack against the AMIA premises, are revealed by the visit to the country of his brother Mohammad Baqer. Mohammad Baqer Rabbani arrived at Colombia on April 29, 1999 from Iran and, at request of Mohsen Rabbani he took charge of the group of young Colombians who would travel to Argentina to be indoctrinated at the "At-Tauhid" mosque. During his stay, he was accompanied by Marcelo Villamizar Sánchez and Mohsen Zeineddin, brother of the Iranian Ambassador in Colombia, who also acted as translator. On May 20, 1999, he travelled to Cali, then on May 21 he travelled to Puerto Buenaventura, where he gave lectures and then went back to Bogota; on June 21, he left Colombia bound to Iran. (pp. 48/50 and 58, Folder 444, pp. 132/133, Folder 377, p. 23, Folder 379 and pp. 5203/5.245, Case No. 1627) -----

At this point, we should remember the statements made by Ali Reza Ahmadi -former officer of the foreign service of Iran between 1981 and 1985- and Hamid Reza Eshagi, members of the People's Mujahidines Organization, who asserted that it was impossible for them to confirm that a student who receives money from Iran is not then extorted by Iranian intelligence to cooperate; in this connection, they also stressed that these students were subsequently considered as members of the Ministry of Information. (Third meeting at the City of Paris, September 4, 1997, pp. 52/57 back, Docket 313)-----

These assertions coincide with, and are even reinforced by, the information provided in 2001 by the General Director of Intelligence of the Republic of Colombia, Lieutenant Colonel Luis Gilberto Ramírez Calle, who informed to the Sub Director of Interpol, Rafael Parra Garzón, that "*several young Latin American Muslims have received scholarships to study with Rabbani, and at least six have been sent to Iran to continue studies (...) in 1991,*" and then he made this critical statement: "*It has been established that the Mois generally utilize scholarships as a form to take potential agents to Iran to recruit and train them. The "six" students mentioned above, presumably received paramilitary training and political indoctrination during their stay in Iran.* (pp. 2088/2129, Docket Assets of Mohsen Rabbani, Case No. 1627) -----

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Along these lines, in the testimony given by the former Director of Intelligence of the Republic of Colombia, Fernando Tabares, on December 3, 2010 before the Supreme Court of Justice of Colombia (the digital copy of which was sent by the Colombian judicial authorities at the request of this Attorney General's Unit), he said that after the attacks of September 11, 2001 the security agencies of Colombia carried out an investigation whereby it was disclosed that from Maicao *"there were delivered resources to Hezbollah, to Al Qaeda, that there were structures that allowed the entry of those terrorists, they were given Colombian identity documents and they travelled to other South American countries"* (it should be borne in mind that Macao is one of the places where Samuel Salman El Reda lived) and he added *"Iran came back and activated its Embassy here which had not been activated... and they started to bring people, we found that most of them were officers of Iranian intelligence, people of MOIS, highly trained people, highly prepared people"* and *"here, there were Islamic groups, even a school in Buenaventura, which sent people to be trained at Qom in Iran,"* and he stressed that *"the Muslim regime trained them in terrorism,"* and they travelled to Iran from Venezuela, due to the fact that *"Officers of the Venezuelan government received them, accommodated them and dispatched them on the weekly flight of a Venezuelan airline directly to Teheran, and there, they were received and trained and then they were sent them back converted to Islam."* -----

Likewise, he said that they have detected that Mohsen Rabbani intended to go to Colombia to hold *"a meeting of all the Islamic groups,"* for which purpose the Ambassador asked to DAS (Administrative Department of Security of Colombia) about the hindrances and due to the existence of an Interpol's red notice arrest warrant for his involvement in the terrorist attack against the AMIA premises, he could not travel and another person was sent in his place through Venezuela and was received in Colombia by officials of the Embassy of Iran, who, as established by DAS, was *"surveying targets for possible attacks here in Colombia."* (transcription appearing on pp. 4665/4687 back, Docket 399) -----

The intensity of the assertions blatantly reinforces the aspects in common between the activities developed by the Iranian regime in general, those performed by Mohsen Rabbani in particular in the Republic of Colombia and certain members of what has been described in this Opinion as an Iranian intelligence station modeled after the policy for the export of the revolution. -----

It should be added that the plan devised by Mohsen Rabbani from Buenos Aires did not merely include education and indoctrination of students at mosques but covered other activities which even required him personally in the Republic of Colombia. -----

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In fact, it has been proved that Rabbani made trips to Colombia from 1990. According to statements added to the case, on August 9, 1990 he came to our country bound to Bogota and came back 20 days later. (pp. 5203/5245 of case No. 1627 and folio 74, Folder 80) On March 15, 1994, he recorded another departure from Colombia bound to Argentina (pp. 5203/5.245, Case No. 1627); and went back to Colombia on April 29, 1994 (Immigration Records held by this Attorney General's Unit) and came back from Colombia on May 5, 1994. (p. 343, Folder 378) In 1996, he went to Colombia in January (eleven days), May (fourteen days) and October/November (nine days). (pp. 5203/5245 of case No. 1627 and pp. 134/135, Folder 378) -----

The next year, he visited the Centro Islámico de Bogotá with Ayatollah Mesbah Yazdi, during a tour through Europe and Latin America that also ended in Brazil, Chile and Argentina. (pp. 5.203/5.245, Case No. 1627) -----

In this regard, it should be noted the influence of the cleric who accompanied Rabbani during the tour. In fact, Yazdi had been member of the Assembly of Experts of Iran, the World Assembly Ahl Ul Bayt Supreme Council and spiritual leader of fundamentalists in Iran. In this connection, a document added by Abolhassan Bani Sadr and Reza Zakeri Kouchaksaraee reveals that *"the group of religious advisors who prepare the orders for murder"* (pp. 619 and 834/843, Docket 209), while when Manoucher Ganji referred to the speeches and prayers of the cleric, he said: *"...all these are incitements to perform terrorist acts (...) and to murder people."* (pp. 65/69, Docket 352) -----

Specifically in connection with the abovementioned tour, the National Council for the Iranian Resistance said that Rabbani invited Mesbah Yazdi to a long trip which served to Rabbani's fundamentalist and terrorist activities. (pp. 54/57, Docket 272) -----

In light of the foregoing, we should recall again, but not inferring any conclusion whatsoever, that one of the tactics employed to carry out activities for the establishment of an intelligence station consists in concealing by a supposed interest in the promotion of different religious, cultural and social activities, the true intent of getting adherents and followers to spread the Iranian revolution, forming cadres so that in the different scenarios, levels and opportunities, they serve as support to espionage activities deployed by the Islamic Republic of Iran. -----

Finally, a substantial element in this context is the fact, dealt with in detail in another section, that Samuel Salman El Reda, fugitive of the Argentine justice and against whom an international arrest warrant has been issued for his involvement as coordinator of the operative group of the terrorist organization Hezbollah in charge of the material execution of the terrorist attack against the AMIA premises, resided in the country since mid- eighties, illegally obtained citizenship and was closely related to Mohsen Rabbani, and he also attended the mosque in Colombia controlled by Rabbani. -----

In short, there are abundant elements that demonstrate that the activities performed by Mohsen Rabbani in the Republic of Colombia have aspects in common to those executed by him in Argentina, which concluded with the establishment of an intelligence station that served to the execution of the terrorist attack against the AMIA premises. -----

In light of the above, the circumstances evidenced deserve attention. First, because Rabbani who developed an intelligence station in Argentina that provided a valuable cooperation for the attack against the AMIA premises in 1994, performed verified activities with remarkable aspects in common in Chile, Uruguay and Colombia. -----

Second, because now it has been discovered that at Sub-Continental level, deployment of an intelligence base was not an isolated action that took place only in our country but it was also developed in the Republic of Guyana, modeled after the policy for the export of the Iranian revolution devised at the above referred Seminar on Ideal Islamic Government held in 1982.-----

Third, because the general infiltration plan as has been described, not only entails the final establishment of those intelligence bases, but also the eventual use of their logistic and operational capacities to serve, if the execution of an attack is decided, to the "terrorist matrix" described above. -----

Fourth, because the Iranian regime ordered to secretly develop these intelligence bases within the scope of a strategy aimed at including and hiding them -called in this Opinion, "the policy for the export of the revolution." While superficially they carry out legal activities, the intelligence station is established deceptively. -----

Two of these Iranian bases have been discovered in South America, one in Argentina and the other in Guyana. In both cases they served as support for crimes, one -the conspiracy to attack John F. Kennedy Airport in New York- was thwarted just in time, while the other -the attack against the AMIA premises - culminated as the most serious terrorist attack carried out by Islamic terrorism in the Continent. -----

And finally, because the artificer was none other but the Iranian terrorist Mohsen Rabbani and his activities did not circumscribe to our territory. Certainly, in addition to his influence in the Republic of Guyana, it has been evidenced in these proceedings the abundant activity carried out by him on Chilean, Uruguayan and Colombian soil, with clear aspects in common to activities confirmed in Argentina, which, upon due investigation, led to the request of his national and international arrest warrant under INTERPOL's red notice for his involvement in the terrorist attack against the AMIA premises.-----

Therefore, the next chapter contains the request to inform these Conclusions to the relevant authorities having jurisdiction on the issues so that, if they deem it relevant, they resolve to what extent the activity of Mohsen Rabbani was developed in those countries

within the scope of his role as coordinator of the export of the Iranian revolution in South America. -----

CHAPTER SIX-----

Actions resulting from International Obligations Assumed by the Republic of Argentina for Mutual Legal Assistance in Criminal Matters and Prevention of Terrorism-----

Therefore, having reviewed all the foregoing, the fact of having identified common patterns of behavior both in Argentina and in Guyana—in respect of the establishment of intelligence stations under the plan for the export of the Iranian revolution—along with the existence of aspects in common between those activities and other activities developed in different regional countries, and consequently, the possibility that structures devised by the regime of the Islamic Republic of Iran were reproduced there, are circumstances that, added to the obligations assumed by the Argentine State on legal assistance and international cooperation, necessarily impose to inform about these Conclusions to the competent authorities of these countries so that, if they deem it pertinent, they perform the relevant investigations. -----

The Conclusions of this Opinion provide a context in which situations that, under other circumstances seemed unrelated and not conclusive for this investigation into the terrorist attack against the AMLA premises, are now of the outmost importance. -----

Therefore, having examined the above and by virtue of the rules for territorial jurisdiction which establish the need to give notice to the authorities vested with jurisdictional power to act in each case, due to the impediment to this Attorney General's Unit—like any other Argentine judicial body—to investigate events occurred abroad (as long as they do not have any effects in our country or provided that they have not been committed by agents or employees of Argentine authorities in the fulfillment of their duties- Section 1 of the Argentine Criminal Code). The situations herein detected must be informed to the competent authorities of the following countries: Republic of Chile, Federative Republic of Brazil, Eastern Republic of Uruguay, Republic of Paraguay, Republic of Guyana, Republic of Trinidad and Tobago, Republic of Surinam and Republic of Colombia, for precautionary purposes. -----

Moreover, in the case of the United States de America, considering that the information about the thwarted attack against John F. Kennedy International Airport, herein analyzed, has been received within the scope of the international cooperation established by the Treaty for Mutual Legal Assistance in Criminal Issues⁶⁶ executed between both countries, and in compliance with the reciprocity principle, the Considerations and

⁶⁶ Law No. 24.034 (published in the Official Gazette on January 3, 1992) -----

Conclusions of this Opinion shall be informed to the Department of Justice of the United States of America due to the fact that they could be of interest and supplementary to the evidence considered at the time of prosecution of the individuals who were finally convicted for the abovementioned conspiracy. -----

Consequently, the communications herein ordered which are legally grounded on the set of rules hereinafter indicated, while they secure the compliance with international commitments assumed by these States on mutual legal assistance and international cooperation for the prevention and investigation of terrorist acts, terrorist activity and financing of terrorism, they follow the principles of sovereign equality, territorial integration and non-involvement in home affairs of other countries. -----

In this regard, the United Nations General Assembly has repeated over and over again its commitment in the struggle against terrorism and has expressed the need to strengthen international cooperation to those ends.⁶⁷ -----

Specifically, "*convinced further that those responsible for acts of international terrorisms must be brought to justice*" (Recitals of UN Resolution 49/60 "Measures to eliminate international terrorism" dated December 9, 1994),⁶⁸ and has declared that the states must "... *cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism...*" and "*States should enhance their cooperation in this area through, in particular, systematizing the exchange of information concerning the prevention and combating of terrorism...*" (Articles 5.d and 6 of A/RES/49/60 dated December 9, 1994)⁶⁹ -----

⁶⁷ Resolutions of the United Nations General Assembly, A/RES/50/6 dated 10/24/1995, Article 1, A/RES/50/53 del 11/12/1995, Recitals and Article 5 A/RES/51/210 dated 12/17/1996, Recitals and Article 3; Recitals, Exhibit to A/RES/51/210, Article 3 of A/RES/49/185 dated December 23, 1994, Articles 3 and 4 of A/RES/50/186 dated December 22, 1995, Articles 4 and 5 of A/RES/52/133 dated December 12, 1997, Recitals and Articles 4 and 5 of A/RES/54/164 dated December 17, 1999, Recitals and Article 5 of A/RES/56/160 dated December 19, 2001, Article 85 of A/RES/60/1 dated September 16, 2005, Recitals of A/RES/62/159 dated December 18, 2007, Recitals and Article 10 of A/RES/62/272 dated September 05, 2008, Recitals and Article 5, 10 and 16 of A/RES/63/129 dated December 11, 2008, Recitals of A/RES/63/185 dated December 18, 2008, Recitals and Article 5, 10 and 16 of A/RES/64/118 dated December 16, 2009, Recitals of A/RES/64/168 dated December 18, 2009, Recitals and Articles 2 and 11 of A/RES/64/297 dated September 08, 2010, Recitals and Articles 5, 11 and 17 of A/RES/65/34 dated December 06, 2010, Recitals of A/RES/65/221 dated December 21, 2010, Recitals and Articles 5, 11 and 17 of A/RES/66/105 dated December 09, 2011. -----

⁶⁸ In this regard, it was sustained in the Recitals of A/RES/54/164 dated December 17, 1999, Articles 12 and 16 of A/RES/63/129 del November 12, 2008, Articles 12 and 16 of A/RES/64/118 dated December 16, 2009, Article 17 of A/RES/65/34 dated December 6, 2010, Article 17 of A/RES/66/105 dated December 09, 2011. -----

⁶⁹ Similarly, it was affirmed in A/RES/51/210 dated December 17, 1996, Article 4, that: "...to improve the efficient application of the relevant legal instruments, intensify, when adequate and

Furthermore, in Resolution A/RES/56/88 dated December 12, 2001, the General Assembly "...Urges all States and the Secretary-General, in their efforts to prevent international terrorism, to make best use of the existing institutions of the United Nations..." (11); a text reproduced in several subsequent resolutions.⁷⁰ -----

On the other hand, it has urged the States in A/RES/51/210 dated December 17, 1996, "...To investigate, when sufficient justification exists according to national laws, and acting within their jurisdiction and through appropriate channels of international cooperation, the abuse of organizations, groups or associations, including those with charitable, social or cultural goals, by terrorists who use them as a cover for their own activities..." (Article 3.d)-----

And along these lines, it has also urged the member States "...To take steps to prevent and counteract, through appropriate domestic measures, the financing of terrorists and terrorist organizations, whether such financing is direct or indirect through organizations which also have or claim to have charitable, social or cultural goals..." (Article 3.f of A/RES/51/210 dated December 17, 1996)-----

Finally, we conclude that the General Assembly has warned on the need to prevent financing of terrorists and terrorist organizations directly or indirectly made through organizations which also have charitable, social or cultural goals or which sustain having such goals. That is, the dual use of this type of organizations evidenced in the analysis of the cases confirmed in connection with the attack against the AMIA and the conspiracy to bomb John F. Kennedy Airport, and which constitutes one of the Conclusions of this Opinion, has not gone unnoticed by the international community which has recommended the prevention and combating of this phenomenon. -----

Going on with the analysis, within the scope of this issue, we cannot overlook the rules issued by the United Nations Security Council, which promote and oblige the States to cooperate in the prevention of terrorism. -----

as appropriate the exchange of information on events related to terrorism and, in doing so, prevent the diffusion of incorrect or unverified information..." Also see Resolutions of the United Nations General Assembly: Article 4 of A/RES/52/165 dated December 15, 1997, Article 4 of A/RES/53/108 dated December 08, 1998, Article 4 of A/RES/54/110 dated December 09, 1999; Article 4 of A/RES/55/158 dated December 12, 2000; Article 4 of A/RES/56/88 dated December 12, 2001; Article 4 of A/RES/57/27 dated November 19, 2002, Article 4 of A/RES/58/81 dated December 9, 2003; Article 4 of A/RES/59/46 dated December 2, 2004; Article 4 of A/RES/60/43 dated December 8, 2005; Article 4 of A/RES/60/288 dated September 8, 2006; Article 6 of A/RES/61/40 dated December 4, 2006; Article 6 of A/RES/62/71 dated December 6, 2007, Article 6 of A/RES/63/129 dated December 11, 2008.-----

⁷⁰ Resolutions of the United Nations General Assembly: Article 11 of A/RES/57/27 dated November 19, 2002; Article 11 of A/RES/58/81 dated December 9, 2003; Article 14 of A/RES/59/46 dated December 2, 2004; Article 15 of A/RES/60/43 dated December 8, 2005; Article 17 of A/RES/61/40 dated December 4, 2006. -----

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Thus, along these lines, the Security Council has expressed the need to prevent and combat international terrorism for which purpose it has obliged the States to strengthen effective international cooperation and the most ample mutual legal assistance for the purposes of combating terrorism.⁷¹ -----

Thus, the duty to exchange information about the circumstances herein revealed with certain countries also arises from Resolution 1373 (2001) passed by the Security Council, whereby it decided, by virtue of the provisions of Chapter VII of the Charter, that all the States should *"take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information"* (Article 2.b) -----

In this regard and in the same Resolution, the Security Council urged all States to: *"Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks..."* and to *"Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts"* (Sections 3.a and 3.b, S/RES/1373 dated September 28, 2001)-----

In tune with the foregoing, the Organization of American States has also promoted the cooperation among States for the prevention of terrorism. In this regard, on several occasions the General Assembly of the Organization of the American States has addressed the need to combat terrorism.⁷² -----

It has reasserted its commitment to strengthen hemispheric cooperation and to implement efforts to prevent, combat and eliminate international terrorism.⁷³ Furthermore, this organization has stressed *"the importance of cooperation among the authorities in charge of the compliance of law and international cooperation in criminal matters... in the fight against terrorism."*⁷⁴ -----

On the other hand, the Meeting of Ministers of Justice or Attorneys General of the Americas (REMJA) has also adopted recommendations intended to improve

⁷¹ Resolutions of the United Nations Security Council: 1044 dated January 31, 1996, 1269 dated October 19, 1999, 1368 dated September 12, /2001, 1373 dated September 28, 2001, 1377 dated November 12, 2001, 1438 dated October 14, 2002, 1440 dated October 24, 2002, 1450 dated December 13, 2002, 1456 dated January 20, 2003, 1516 dated November 20, 2003, 1530 dated March 11, 2004, 1566 dated October 8, 2004, 1611 dated July 7, 2005, 1617 dated July 29, 2005, 1735 dated December 22, 2006, 1963 dated December 20, 2010. -----

⁷² Resolutions of the OAS General Assembly: AG/RES.1964, AG/RES.2249, AG/RES. 2035, AG/RES. 2238, AG/RES. 2249, etc. -----

⁷³ Resolution of OAS General Assembly: AG/RES.1964 (Article 1) -----

⁷⁴ Resolution of OAS General Assembly: AG/RES.2249 (Recitals) -----

international cooperation applicable to the fight against terrorism,⁷⁵ given the crosscutting nature of cooperation in mutual assistance in criminal matters”⁷⁶ and stressing the need that “*Member States enhance their abilities to share information among security services and law enforcement in order to prevent attacks and successfully prosecute terrorists*, in accordance with national laws and international applicable instruments.”⁷⁷

On the other hand, cooperation in terms of prevention is also specially established in the “International Convention for the Suppression of Terrorist Bombing,”⁷⁸ whereby it is established the exchange of accurate and confirmed information,⁷⁹ and to which Argentina, Brazil, Uruguay, Chile, Paraguay, Colombia, the United States of America, Guyana and Trinidad and Tobago have adhered.⁸⁰

Furthermore, within the Inter-American sphere, we refer to the “Inter American Convention against Terrorism,”⁸¹ to which among others, Argentina, Brazil, Chile, Colombia, Paraguay, Uruguay, Guyana, Trinidad and Tobago and the United States, are members.⁸² This Convention is based on the commitment and the need recognized by the States to reaffirm the need to adopt effective steps in the Inter-American system to prevent, punish, and eliminate terrorism through the broadest cooperation in the region. It is relevant to stress that the object of the presentation pursued by the members States, which among others, addresses cooperation among competent authorities and which

⁷⁵ See REMJA/doc.32.97, REMJA/doc. 18/99, REMJA/doc.25/02, REMJA/doc.7/04, REMJA/doc.7/08, REMJA/doc.4/10, among others.

⁷⁶ See REMJAVII/doc.7/08, Article 7.

⁷⁷ REMJA/doc. 7/04, Article 3.

⁷⁸ Adopted by the United Nations General Assembly, Resolution A/RES/52/164 dated December 15, 1997. Effective from May 23, 2001.

⁷⁹ Article 15: “States Parties shall cooperate in the prevention of the offences set forth in article 2, particularly: By exchanging accurate and verified information in accordance with their national law, and coordinating administrative and other measures taken as appropriate to prevent the commission of offences as set forth in article 2.

⁸⁰ Dates of ratification or adhesion: Argentina (September 25, 2003), Brazil (August 23, 2002), Uruguay (November 11, 2001), Chile (November 10, 2001), Paraguay (September 22, 2004), Colombia (September 14, 2004), the United States (June 26, 2002), Guyana (September 12, 2007) and Trinidad and Tobago (April 2, 2001)

⁸¹ Section 4. Subsections 1, 2, 8 and 9. Adopted by General Assembly of the Organization of the American States (OAS) -AG/RES. 1840 (XXXII-O/02)-, in Bridgetown, Barbados on March 6, 2002, at the 32nd Regular Session of the abovementioned Assembly. Effective from October 7, 2003.

⁸² Dates of ratification or adhesion: Argentina (July 18, 2005), Brazil (September, 26, 2005), Chile (August 10, 2004), Colombia (June 24, 008), the United States (November 2, 2005), Paraguay (November 30, 2004), Guyana (May 6, 2007) Trinidad and Tobago (November 14, 2004) and Uruguay (December 27, 2006)

obliges Member States to provide one another ample and prompt mutual legal assistance to prevent acts of terrorism.⁸³ -----

As regards the other members of Mercosur, that is, the Federative Republic of Brazil, the Republic of Paraguay and the Eastern Republic of Uruguay as full members, it should be noted that mutual assistance in criminal matters is mainly contained in the Protocol for Mutual Legal Assistance in Criminal Matters or "Protocolo de San Luis," adopted by Law No. 25.095.⁸⁴ This type of legal assistance is also established in the Agreement for Mutual Legal Assistance in Criminal Matters adopted by Law No. 26.004,⁸⁵ effective in our country, the Republic of Paraguay and the Republic of Chile. -----

Finally, as to bilateral agreements, worthy of mention are two specific instruments that govern cooperation matters: Between Argentina and the United States de America, the Treaty of Mutual Legal Assistance in Criminal Matters mentioned above, which establishes: *"The contracting parties shall provide mutual assistance in accordance with the provisions of this treaty, in connection with the prevention, investigation and prosecution of offences and in proceedings related to criminal matters ..."* (Section 1); and the treaty executed with the Republic of Colombia, the Agreement for Legal Assistance in Criminal Matters, is effective.⁸⁶ -----

From another point of view, it should be noted that acts of terrorism are human rights violations and therefore, within international law of human rights, there are rules that govern the need to guarantee the protection of human beings against any violation of their rights. -----

Thus, in accordance to the American Convention of Human Rights,⁸⁷ *the States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to*

⁸³ See also "Inter American Convention on Mutual Legal Assistance in Criminal Matters" adopted by the General Assembly of the OAS, during the 22nd Regular Session in Nassau, Commonwealth of Bahamas, on May 23, 1992. It came into force on April 14, 1996. -----

⁸⁴ Enacted on April 21, 1999; approved on May 18, 1999 and published in the Official Gazette on May 24, 1999. Argentina deposited the instrument on September 12, 1999. Brasil adopted by Legislative order No. 3 dated January 26, 2000 and deposited on March 28, 2000. Paraguay adopted by Law No. 1204 dated December 23, 1997 and deposited on January 20, 1997 and deposited on January 20, 1998. Uruguay adopted by Law No. 17145 dated September 8, 1999 and deposited on July 7, 2000. -----

⁸⁵ Argentina enacted Law No. 26.004 on December 16, 2004, approved it on January 10, 2005, published it in the Official Gazette on January 13, 2005 and deposited the instrument on February 8, 2005. Paraguay adopted the treaty by Law No. 2048 dated January 16, 2003 and deposited the instrument on May 29, 2003. Chile deposited the instrument on January 9, 2009. -----

⁸⁶ Approved by Law No. 25.348 (O.G. May 12, 2000) -----

⁸⁷ Convention signed on November 22, 1969 in San José de Costa Rica, effective on July 18, 1978. The following are members of this Convention, among others: Argentina (August 08, 1984), Brasil (July 09, 1992), Chile (August 10, 1990), Colombia (May 28, 1973), Paraguay

ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms. (Articles 1.1 and 2 of the Pact of San José de Costa Rica⁸⁸) This is translated into a duty to do, a duty of the States Parties to organize and act, through the structures of government, to legally ensure the full exercise of freedom of human rights, rendering them effective. As a result of this obligation, the States must prevent, investigate, and punish any infringement of the rights recognized by the Convention, adopting legal, political, or administrative measures, to promote the protection of human rights. -----

In terms of international cooperation, the United Nations Charter imposes to the organization, among others, the duty to promote universal and effective respect for human rights and fundamental freedoms (Section 55c of the UN Charter) and, furthermore, it commits its members to take efforts either jointly or separately, in cooperation with the organization, for the achievement of those goals. (Section 55 of the UN Charter) -----

In this connection, on June 25, 1993, the World Conference on Human Rights reaffirms the solemn commitment of all States to fulfill their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question. (Article 1) specifically, the Conference understood that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism. (Article 17) -----

In a nutshell, the rules mentioned *ut supra* not only support but also impose informing the relevant jurisdictions about the Considerations and Conclusions of this Opinion. -----
Therefore, in accordance with the above, and in light of the execution of possible crimes against public order committed in a foreign jurisdiction and/or in order to prevent

(August 18, 1989), Trinidad and Tobago (April 03, 1991), Surinam (November 12, 1987) and Uruguay (March 26, 1985) -----

⁸⁸ Article 1.- Obligation to Respect Rights. 1. The States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition. 2. For the purposes of this Convention, "person" means every human being. Article 2.- Domestic Legal Effects. Where the exercise of any of the rights or freedoms referred to in Article 1 is not already ensured by legislative or other provisions, the States Parties undertake to adopt, in accordance with their constitutional processes and the provisions of this Convention, such legislative or other measures as may be necessary to give effect to those rights or freedoms. -----

terrorism and its financing, it shall be informed to the judicial authorities having jurisdiction in the states detailed below, the Considerations and Conclusions of this Opinion, to wit: Republic of Chile, Federative Republic of Brazil, Republic of Paraguay, Eastern Republic of Uruguay, Republic of Colombia, Republic of Guyana, Republic of Trinidad and Tobago and Republic of Surinam. -----

Finally, in the case of the United States de America, and within the scope of the international reciprocity and cooperation established in the Treaty for Mutual Legal Assistance in Criminal Matters executed between both countries (Law No. 24.034), the Considerations and Conclusions of this Opinion shall be informed to its Department of Justice, since they may be of interest and supplementary to the evidence considered during the criminal prosecution of the individuals who where finally convicted for conspiracy to bomb John F. Kennedy Airport in New York. -----

CHAPTER SEVEN-----

Arrest of the Accused to he Extradited and Prosecuted-----

As expounded in the section corresponding to the backgrounds of this Opinion, on November 9, 2006 (pp. 122.775/122.800) the judge hearing the case ordered the national and international arrest of the following Iranian citizens: Ali Akbar Hashemi Bahramaie Rafsanjani (at the time of the events, he was President of the Islamic Republic of Iran), Ali Fallahijan (then Iranian Minister of Information), Ali Akbar Velayati (at that time, Iranian Minister of Foreign Affairs), Mohsen Rezai (then in charge of the Islamic Revolutionary Guard Corps "Pasdaran"), Ahmad Vahidi (at that time in charge of the elite "Al Quds" force reporting to the Islamic Revolutionary Guard Corps), Mohsen Rabbani (then Cultural Attaché of the Emhassy of Iran in our country), Ahmad Reza Asghari or Mohsen Randjbaran (at that time, Third Secretary of the Iranian diplomatic representation in our country) and Hadi Soleimanpour (at that time, Ambassador of the Islamic Republic of Iran in Buenos Aires), for their involvement in planning and executing the terrorist attack that destroyed the building located at calle Pasteur 633, City of Buenos Aires. In turn, the referring judge resolved that the crime under investigation is a Crime against Humanity (Articles II and III of the Convention for the Prevention and Punishment of the Crime of Genocide and Articles 6 and 7 of the Statute for the Criminal International Court). -----

It should also be reminded that the Argentine courts requested the arrest of the suspects to the International Criminal Police Organization (ICPO – INTERPOL) and also requested that maximum search priority (red notices) be issued against them; and in light of the dispute that arose within the scope of such organization between the Argentine and Iranian delegations, the dispute was finally settled on November 7, 2007 by General Assembly held in Morocco, where a large majority endorsed the position of our country

and ordered the registration of red notice against Ali Fallahijan, Mohsen Rezai, Ahmad Vahidi, Mohsen Rabbani and Ahmad Reza Asghari. -----

Furthermore, we cannot overlook that this Opinion, far from changing the procedural status of the individuals mentioned *ut supra*, strengthened our findings and confirmed the conclusions arrived at in the Opinions issued in 2006 and 2009, and has revealed that the attack against the AMIA premises was not an isolated and separate event, but on the contrary, it was one materialization of the policy for the export of the revolution deployed by the regime of the Islamic Republic of Iran. -----

Now then, after five years of the decision approved by the General Assembly of INTERPOL, we proved that two of them (Mohsen Rezai and Ahmad Vahidi) made a number of trips to different countries of the world which are members of the International Criminal Police Organization. -----

In June 2008, Rezai travelled to the Kingdom of Saudi Arabia and in October 2009; he travelled to the Republic of Turkey; while Ahmad Vahidi travelled in December 2009 to the Syrian Arab Republic; in 2010, he travelled to Qatar; in May, he travelled to the Republic of Tajikistan; in August, he travelled to the Sultanate of Oman and in September to the Republic of Azerbaijan; in April 2011, his presence was corroborated in the Republic of Iraq; in May, in the Islamic Republic of Mauritania and the Plurinational State of Bolivia; in June, in the Islamic Republic of Afghanistan, and in October, in the Republic of Azerbaijan; all of which were duly informed to INTERPOL. (pp. 128.029, 126.382 for the trips made by Rezai, and pp. 128.151, 128.816, 129.093, 129.403, 129.714, 131.186, 131.358, 131.418 and 131.816 for the trips made by Vahidi) -

Despite the fact that it was verified that two of the accused in these proceedings whos arrest warrants are under INTERPOL's red notice have repeatedly left the Islamic Republic of Iran and travelled to countries members of INTERPOL, and considering that --even after having informed to Interpol about this fact on each occasion, to the date hereof, none of the accused have been arrested; we shall request the International Criminal Police Organization (ICPO -- INTERPOL) to take each and every effort to maximize the mechanisms for the arrest of the suspects, or else, to take any other course of action that, within the scope of its authority, cause the effective fulfillment of that request viable. -----

CHAPTER EIGHT -----

Conclusions -----

From several facts duly evidenced in this Opinion, we have formulated throughout the previous chapters of this Opinion, a series of conclusions that due to the length of this presentation, are briefly summarized below: -----

- * The Seminar on Ideal Islamic Government held in Teheran in March 1982, was a turning point as to how the Islamic Republic of Iran would carry out its expansionist program for the export of the revolution, vested by the Constitution of 1979. -----
- * The consequences of the massive meeting attended by around 380 clerics from 70 countries, at which they inferred that from then on, violence would be a valid way to remove obstacles in the spread of the principles on which the triumphant revolution was based. This methodology was directly explained by the First Commander of the Islamic Revolutionary Guard Corps, Javad Mansouri: *"our revolution can only be exported with grenades and explosives."* -----
- * As a direct after effect of the path chosen by the leaders at the highest levels of the Iranian government then in office, and as far as this region is concerned, from 1983, the activities of at least three agents of the regime began: Mohsen Rabbani in our country, Abdul Kadir in Guyana and in other Caribbean countries, and Mohamed Taghi Tabatabaei Einaki in Brazil, to establish the bases for the execution of the expansionist strategy ordered by Teheran. -----
- * In Argentina, Mohsen Rabbani –under the frontage of a commercial representation and in the role played by him as sheik of "At-Tauhid" mosque–, while he established the undercover structure of espionage that ultimately turned to be a complete intelligence station, he gradually became the referent for South America of Iranian expansionism leadership. -----
- * The task performed by this intelligence station established and directed by Rabbani in Argentina, later became a key logistic and operative support for the operation that culminated in the bombing of the AMIA building, as a result of which the then Cultural Attaché was charged as one of the highest responsible individuals for the bloody attack and his national and international arrest warrant under INTERPOL's red notice was issued. -----
- * Another regional country where the infiltration of the Iranian regime under those violent principles devised from the Seminal held in 1982, was the Republic of Guyana. In this case, its highest referent was Abdul Kadir: an Iranian intelligence agent – closely connected to Mohsen Rabbani– and who was in charge of establishing an espionage structure in Guyana serving to the interests of the Islamic Republic of Iran and spread its effects and influence to the neighboring countries. -----
- * As was the case in Argentina, the intelligence structure established in Guyana and in neighbor countries by Abdul Kadir was also a crucial support for an international terrorist act: the conspiracy to bomb JFK Airport in New York, for which the Guyanese –as well as other co-authors– was convicted by the Courts of the United States and sentenced to life imprisonment. -----

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* Due to the fact that the courts have established this symmetrical establishment of intelligence bases in Argentina and Guyana, we could prove that the attack carried out on July 18, 1994 against the AMIA premises was not an isolated and separate event. On the contrary, it has reinforced the conclusions drawn in the Opinions issued by this Attorney General's Unit in 2006 and 2009 which sustained the accusations against the authorities at the highest levels of the Government of Iran then in office, and to duly put into context that the attack against the Jewish community in Buenos Aires was part of an extended regional strategy reflected in the establishment in certain countries, of intelligence bases which, through the dual use of political, religious, and cultural institutions may provide, if needed, the essential support to commit acts of terrorism. -----

* The deployment of these espionage structures assembled by the Iranian regime in several countries --which in this Opinion were called "Intelligence Stations"-- and which have been proved by judicial authorities both in Argentina and in Guyana, has common patterns consisting at least of the following: -----

- a) financing and indoctrination from the Iranian regime; -----
- b) total merger of political and religious aspects in speeches and activities developed by the representatives of the regime; -----
- c) an extensive activity intended to recruit and educate agents who adhere to the fundamentalist cause; -----
- d) preparation and delivery of intelligence reports on the relevant countries where they settle; -----
- f) dual use of embassies or diplomatic representations that may act as an integral part of the intelligence bases; -----
- g) use of commercial undertakings as frontage for illegal activities; -----
- h) dual use of cultural centers or mosques that, in addition to the spread of religion or Islamic culture, may serve --through alleged study trips, pilgrimages or financial movements- to terrorist activities. -----

* The new evidence gathered in these proceedings could prove the role played by Mohsen Rabbani as coordinator of the Iranian policy for the export of the revolution to South America, giving a new meaning to the links, relations and activities performed by the Iranian cleric in other regional countries, which entailed the substantial increase of the evidentiary basis on which the accusation against him was primarily built. -----

* Not only the vidence revealing the substantial role of Mohsen Rabbani in the establishment of the intelligence station in Argentine territory under specific instructions of the Islamic Republic of Iran which served to the execution of the terrorist attack against the AMIA premises has been reinforced, but also the new evidence gathered in these proceedings has revealed that the attack executed on July 18, 1994 in particular,

and the regional acts of Rabbani in General, are not isolated events but instead, one of the most perfect materializations of the deployment of the policy for the export of the Iranian revolution iraní in South America. -----

* Upon the analysis of abundant evidence available to the investigation, it was revealed that many of the patters mentioned, which were inherent to the intelligence stations the operation of which was proved in Argentina and Guyana, had aspects in common to other acts noticed in other regional countries (Brasil, Uruguay, Paraguay, Colombia and Chile) which have not suffered the scourge of the Islamic terrorism. -----

* Consequently, the determination by the court of the existence of these identities in Argentina and in Guyana and the role played by them in actions of terrorism, added to the above referred verification of the whole or part of its patterns in other States, on one hand, and on the other, the public stance of the leaders of the regime, are decisive factors for Argentina, in compliance with the international duties assumed by it as regards legal assistance and international cooperation, to inform the different competent authorities about the Considerations and Conclusions drawn by this Opinion.-----

CHAPTER NINE -----

NOW THEREFORE, it corresponds: -----

1) **TO INFORM** the legal authorities having jurisdiction in the Federative Republic of Brazil, Republic of Paraguay, Eastern Republic of Uruguay, Republic of Colombia, Republic of Chile, Republic of Guyana, Republic of Trinidad and Tobago and Republic of Suriname, the Considerations and Conclusions contained in this Opinion, by virtue of the commitments assumed by the Argentine State for legal assistance and international cooperation -as detailed in Chapter Six hereof-, taking into account that crimes against public order are likely to be committed. -----

2) **TO INFORM** the Unites States Department of Justice the Considerations and Conclusions contained in this Opinion, in light that they could be of interest and supplementary to the evidence considered at the time of prosecution those who were finally convicted for the conspiracy to bomb John F. Kennedy Airport in New York, within the scope of the reciprocity and international cooperation established in the Treaty of Mutual Legal Assistance in Criminal Matters executed between both countries. (Law No. 24.034) -----

3) **TO REQUEST** the International Criminal Police Organization (ICPO - INTERPOL) to take each and every effort to maximize the mechanisms for the arrest of all the suspects -both those subject to "red notice" and those not subject to it, whose national and international arrest has been ordered by the Judge hearing the case - as well as any other course of action that, within the scope of its authority, causes the effective fulfillment of that request viable; for such purpose, an official letter be issued.-----

4) For the purposes established in 1) and 2) above, the relevant Letters Rogatory be issued. Without prejudice to the aforesaid, and for the Letters Rogatory issued to the United States de America, the Federative Republic of Brazil, the Republic of Guyana, the Republic of Trinidad and Tobago and the Republic of Suriname, also to proceed to their translation, as appropriate to English, Portuguese and Dutch languages and be duly sent. -----

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Be it known to the Referring Judge the above.-----

Attorney General's Unit de Investigación, May 29, 2013. -----

There is an illegible signature followed by a seal that reads:] Alberto Nisman. Attorney General. -----

Before me. [There is an illegible signature followed by a seal that reads:] José Pablo Vázquez. Clerk for the Attorney General's Office. -----

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I, Ana Cicconi, Certified English Translator, registered with the CTPBA [Translators' Association in and for the City of Buenos Aires] under No. 1721, Volume VIII -- Folio 94, do hereby CERTIFY that, to the best of my knowledge and belief, the foregoing document is a true and exact translation into English of the original document written in Spanish hereunto attached. Signed and sealed [in Spanish language] in the City of Buenos Aires, on this fifteenth day of the month of August of the year two thousand and thirteen. -----

[For authentication purposes]-----

La que suscribe, Ana Cicconi, Traductora Pública en idioma inglés, inscrita en la matrícula con el número 1721, Tº VIII -- Fº 94, por la presente CERTIFICA que, a su leal saber y entender, el documento que antecede es traducción fiel and exacta al idioma inglés que consta de 254 páginas, del documento original redactado en idioma español que tuvo a la vista para este acto and al cual se remite. En la Ciudad Autónoma de Buenos Aires, a los quince días del mes de agosto del año dos mil trece. -----


Ana Cicconi
Traductora Pública Idioma Inglés
Mat. C.T.P.C.B.A. T VIII Fº 94
Insc. N° 1721