



*Ministerio Público de la Nación*  
*República Argentina*

OCTOBER 25<sup>th</sup>, 2006 OPINION  
- Summary -



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Summary of the October 25<sup>th</sup>, 2006 Opinion whereby prosecutors Alberto Nisman and Marcelo Martínez Burgos requested national and international arrest warrants for:

- Ali Akbar Hashemi Bahramae Rafsanjani, former President of the Islamic Republic of Iran -1989 to 1997-.
- Ali Fallahijan, former Minister of Information and Security of Iran -1989 to 1997-.
- Ali Akbar Velayati, former Ministry of Foreign Relations -1981 to 1997-.
- Mohsen Rezai, former Commander of Iran's Revolutionary Guards, PASDARAN - 1993 to 1994-.
- Ahmad Vahidi, former Commander of the Al-Quds Force of the Revolutionary Guards Corps -1993 to 1994-.
- Mohsen Rabbani, former Cultural Attaché of the Islamic Republic of Iran in Argentina - March 3, 1994 to May 19, 1998-.
- Ahmad Reza Asghari or Mohsen Randjbaran, former Third Secretary of the Embassy of the Islamic Republic of Iran in Argentina -July 11, 1991 to July 23, 1994-.
- Imad Faye Moughnieh, former Hezbollah Foreign Security Service Chief -1994 -.

Please, find enclosed a CD with the opinion in 801 pages.



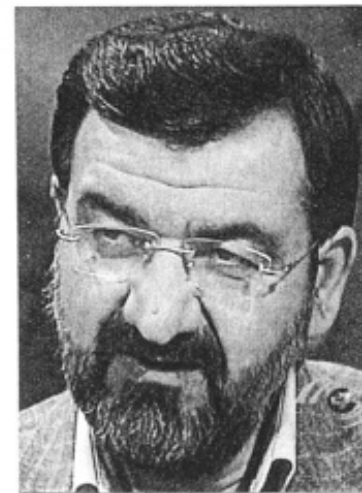
**Ali Akbar Hashemi  
Bahramie Rafsanjani**  
Presidente de Irán  
(1989 - 1997)



**Ali Fallahijan**  
Ministro de Información  
y Seguridad de Irán  
(1989 - 1997)



**Ali Akbar Velayati**  
Ministro de Relaciones  
Exteriores de Irán  
(1981 - 1997)



**Mohsen Rezai**  
Comandante de la Guardia  
Revolucionaria (Pasdarans)  
(1993 - 1994)



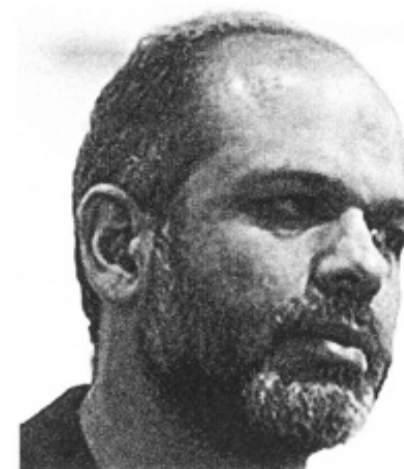
**Imad Fayeze Moughnieh**  
Jefe de Servicio de Seguridad  
Exterior del Hezbollah  
(1994)



**Mohsen Rabbani**  
Consejero Cultural de la  
Embajada de Irán en Argentina  
(1994 - 1998)



**Ahmad Reza Ashgari**  
o  
**Mohsen Randjbaran**  
3° Secretario de la Embajada  
de Irán en la Argentina  
(1991 - 1994)



**Ahmad Vahidi**  
Comandante de las Fuerzas QUDS  
(1993 - 1994)



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### OPINION. REQUEST DETENTIONS.

Sir Judge:

ALBERTO NISMAN and MARCELO MARTINEZ BURGOS, Prosecutors in charge of the Prosecutor Investigation Unit related to the AMIA bombing, Cause 8566, National Federal Criminal Court No. 6 of this city, Secretary 11 -Annex AMIA-, named "Coppe, Juan Carlos and others regarding illicit association, homicide, injuries, damages and others", in which the bombing happened on July 18, 1994 against the AMIA center is investigated, we present and respectfully declared:

#### I. INTRODUCTION

##### a) Object and relevance of this Opinion.

According to the decree on pages 115,336/115,341, dated February 8, 2005, the participant judge, Rodolfo Canicoba Corral, delegated on the suscriptors the cause mentioned in the preamble, related to the investigation on the attack perpetrated on July 18, 1994 against the building located at 633 Pasteur St. of this city, place where it functioned, among others institutions, the Argentine Israelite Mutual Association (beyond, AMIA) and the Delegation of Argentine Israelite Associations (beyond, DAIA), and that caused the death of eighty-five people, wounds of different gravity in at least one hundred and fifty-one, and abundant material damages, as well.

To give an approximate idea of the volume and complexity of the cause at moment the remission was ordered by the participant judge, it reached, only in which does to the main body of proceedings, an investigation condensed in about 113,600 pages distributed into 568 file of 200 pages each, to what should be added more than 400 lines of investigation of different complexity, substantiated with relation to other many trails arisen within the course

of the investigation, and a large quantity of documentation enclosed that has been incorporated to the cause along the years, and that included, for example, near 1,000 packages -from 7 to 8 files each- with telephone-intervention transcriptions and an approximately 1,500 folders with information collected by the then called Secretary of Intelligence Of the State (today Intelligence Bureau dependent on the Presidency), declassified and put -timely- at our service by a presidential decree.

At first, the labor this Unit did was the one required to, not alone classify adequately the large amount of material involved, but also to try to acquired a systematized knowledge and, as far as possible, regarding all information there contained -including those files that were filed away at the time the delegation had been done-, in the understanding that only following that path, would it be possible to establish a more precise notion of the cause at that certain moment, and from that created-knowledge foundation, set the appropriate guide to orient the future investigations.

The task, as it is obvious, demanded various months of hard work, after what and according to the originally traced schedule, it was possible to undermine miscellaneous parts of the followed investigation to elucidate the facts, circumstance that brought along a better allocation of the available resources, focused in the deepen research of certain lines, that, by multiple reasons, were truncate.

In that sense, special emphasis has been made in the greater breaches of the investigation that it dragged along, linked mainly with the identification of the bodywork in which the engine was placed that later appeared amidst the debris of the AMIA building, the identification of the suicidal driver and its linings to the so called "Tri Border Area", the origins of the explosives, the possible financing ways and, of course, the individualization of authors and participants, from abroad mentors of the criminal plan, to those that, in the local arena collaborated, one way or another, in the execution of the operation.



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Due to the public state of serious irregularities by political, judicial officials and individuals were committed during the process of this cause, adding to the unusually prolonged elapsed since the commission of the attack, it turns out to be a difficult task to investigate (in order to the special form its authors operate, all terrorist attacks are), we do not wish to take long in recalling all the complexities that once arose and now arise. In that sense, and despite the fact that the highest levels of the Executive Branch and the Prosecutor General did not spare efforts at the time of endowing the suscriptors of all the technical tools, human resources and necessary materials to confront with the seriousness of our assumed duty, there are occasions, unfortunately, when the ordinary ways in which an investigation ought to be carried out results inadequate responses to the various uncertainties that the cause has. To put a sole example of the so many that are evident herein, a banking entity has informed that they are unable to provide the requested documentation due to the fact that it was destroyed after some elapsed time -in the cause, ten years- (pages 2,740/2,741; 2,744; 2,787 and 2,907/2,908 of the Patrimony File of Mohsen Rabbani, Cause 1627).

This type of problems have presented also, with more frequency than what would be desirable, with the registries of telephone communications, information that, as will be understood, turns out to be especially sensitive in a cause of the nature of the one that today summons us. It happens that the course assigned to the investigation since it has been delegated to this Unit, obliges us to expand the databases that were requested to telephone companies, who were forced to rescue and many times to reconstruct the respective files, dealing in the meantime with the understandable technical problems that were derived from the technological advances operated in the country in the data processing during this twelve years elapsed since the information was originally generated. The main body of proceedings is plagued of a wearisome series of minutes, positions and notes that account those and other difficulties of strictly technical kind, and of the constant efforts done from this Unit as well as the different agencies required, in surpassing them (according to the evidence of pages 115,948/115,950; 116,941/116,942; 118,835; 120,844 and back.; 120,851/120,965 and 121,383/121,385).

On the other hand, the serious flaws that Argentina suffered at the time of the bombing in relation to the entrance/exit registration system to our country, in charge of the Dirección Nacional de Migraciones (this is another area dedicated to the early states of investigation in the so called transnational terrorism) are also known. Until 1996 that information had been manually-registered in a method consisting in two hundred and ten steps.

In any case, and beyond the previous examples, what we intend to leave here blank on black is that the investigation related to the AMIA bombing had to confront a long and arduous series of difficulties, and that, therefore, is not reasonable neither sensate to assume that such objections have not been seen reflected in the investigation or, that they are not going to complex it in the future.

The paradoxical -and certainly irritant- circumstance is that many of those problems have themselves originated in the irregular activity of the officials in charge exactly to clarify the cause, causes without doubts that this reality that this reality is even more harming, but its awareness -compulsory is to indicate it- in nothing tinges the previous conclusion. And, beyond the responsibilities each of those officials can finally have for their actions within this matter, the thing is that the smooth and plain admission of the state of things constitutes, to our judgment, not so much an element of importance at the moment of evaluating the work done by the suscriptors, as it is a moral mandate towards all those directly affected by the bombing and to all the Argentine people in general, that still today, after more than twelve years after the bombing, continue demanding justice.

As compensation to this recognition perhaps scrawny, it is of strict justice to consign that this Unit has worked always -and will continue doing so- with the strong and sole purpose of arriving at the complete resolution of the cause, surpassing the different difficulties that arise every day. This has been the spirit that induced us to continue investigating certain lines that, as said before, were found truncate when we assumed, and bring out others that have been abandoned. Perhaps, due to this attitude is that nowadays we are in conditions to affirm



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that, in many important aspects of the investigation, the results obtained after little more than a year and a half in charge of the cause, are very positive.

In this sense it deserves to be emphasized, as an extremely prominent information -although not exclusive-, the clear progresses operated in relation to the individualization of whom was opportunely indicated by the then Office of the Secretary of Intelligence of the State as the suicidal driver of the vehicle utilized as car bomb. From our perspective, and still questioning some pending facts on this matter, the identification of the Lebanese citizen Ibrahim Hussein Berro as the material author of the bombing has supposed a significant advance on the investigation, not only because it contributes to clear one of the greater unknowns that up to now existed in the cause, but also because, having determined the description of the named as an active member of the Lebanese organization Hezbollah, it allows us to tighten still more the road that conducts to the highest authorities of the former government of the Islamic Republic of Iran as the masterminds of the brutal attack. This and other questions of importance will be undertaken within the course of the present opinion.

Besides the circumstances outlined in the preceding paragraphs, other reasons flow to justify, in this phase of the process, the convenience of a presentation as the one that today we present.

In fact, and with independence from the arduous advances that went through in the cause, it occurred, so much in the national arena as in the international one, episodes of unhidden incidents at the time of defining the course that, in the future, the investigation would adopt.

The first one of those facts has to do with the dismissal of whom, until December 3, 2003 (date in which the National Federal Criminal and Reformatory Court of this city arranged to set him apart from the cause, due to the justified consideration of bias invoked by one of the parts of the process) has performed as the judge in charge of the investigation, Juan José Galeano. The disposition, we recall, was the corollary of a long procedure substantiated before the Counsel of the Judgeship of the Judicial Branch, and was based, as already is of



public knowledge, in the commission of serious irregularities on the part of the destitute judge in the processing of this cause, being the most notorious one the one having to do with the illegitimate payment performed to an accused with the purpose of ending the investigation. These circumstances induced to the members of the Jury to affirm that the now former judge had incurred in the constitutional causal of removal by "miss performance" (to see the sentence, cause 14 of the registration of the cited court, "Doctor Juan José Galeano s/ Orden de Juzgamiento").

Another episode we will refer to -and that shows a direct link with the previous one- remits us to the national and international detention orders that former Judge Galeano emitted regarding a group of Iranian citizens -twelve- and a Lebanese, suspected of having had different degrees of participation in the cause under study (resolutions of August 9, 1994 pages 2,306/2,372; of March 5, 2003 pages 106,265/106,468 and August 13, 2003 pages 110,469/110,481). One of them was Hadi Soleimanpour, former Ambassador of the Islamic Republic of Iran in Argentina between June, 1991 and August, 1994.

Now well: in August, 2003, and on the bases of the above-mentioned request, Soleimanpour was arrested in the city of Durham, United Kingdom of Great Britain, being set in motion the legal mechanisms destined to obtain its extradition to our country ("Incident of Extradition of Hadi Soleimanpour", page 66 and above). The disposition, nevertheless, did not concrete itself: according to a note dated November 12, 2003 that was remitted to our embassy in London by an official of the Extradition Section of the British Interior Ministry. The Secretary of State in charge of the referred area had decided "to not proceed against Hadi Soleimanpour" and, on the other hand, to cease the arrest warrant over the named person, on the bases that "the large material that conforms the order of extradition formulated by Argentina did not comply, 'prima facie', with the probative requirements required by the United Kingdom" (according to note on page 916, with translation on pages 927/929, of the cited incident).



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Further on, on the same document, the officer in charge suggested the possibility that Argentina formulates a new extradition request, adding that "the new order should surpass the probative difficulties arisen in this occasion" (above mentioned note).

Perhaps it is useful to set a parentheses to stand out that the Extradition Treaty between both countries, in force since 1889 (some modifications were done, although not relevant, in 1980) authorizes the English authorities to perform an analysis of viability attending not only to formal aspects of the request but also to the attached evidence concerning the matter (this is, the substantiation of alleged accusations against the required subject), and that this last aspect, exactly, was indicated by the English officials as "determinant to grant (in this case, to reject) the order" (cable remitted by the Argentinean Embassy in the United Kingdom, pages 1,042/1,047 of the above-mentioned incident).

It was not much better the faith of the other arrest warrants opportunely arranged by Galeano. Except for the one on Imad Moughnieh (on whom already holds arrest orders from US judicial authorities Argentina's Supreme Court of Justice, although with relation to other facts), the rest of the requests have been modified their statute of force in the International Organization of Criminal Police headquarters (O.I.P.C. - INTERPOL), agency in charge, of materializing the arrests, passing from temporary suspension (page 115,125) to their final annulment, decision adopted unanimously on a proposal elevated to the respective executive board, in the framework of the General Assembly of the Agency celebrated in the city of Berlin, Federal Republic of Germany, during September, 2005 (pages 119,152/119,174). The decision, on which participated representatives of 115 countries was adopted for 91 votes in favor, 9 against and 15 abstentions.

It is opportune to clarify that, in all this process, it was not little the insistence of the INTERPOL's National Organization of Criminal Police (O.C.N.) with headquarters in Teheran (IP Teheran) that ended up leaving without effect the red diffusions of the twelve Iranian citizens. In fact, the possible abuse of functions on the part of that office, performing questionings that exceed the mere one of exploitation the diffusions according to the

Agency's Statute, is a question that already has been undertaken in extensive in the resolution dated October 28, 2004 (pages 115,169/115,171).

Beyond the above exposed facts and as does neither ignores the performing judge, in both occasions -so much regarding the temporary suspension like of the subsequent final cessation- the main motive used by the authorities of INTERPOL to interrupt the search of the suspects had to do with the irregularities committed by former Judge Galeano during the investigation. In the case of the suspension -transformed into a virtual cancellation from October 29, 2004-, the note of the Office of Legal Matters that reported it, dated October 3, 2004, remits to the sentence dictated by the Oral Federal and Criminal Court No. 3 of this city in the cause 437/00 of its registration, named "Telleldín, Carlos Alberto and others regarding homicide... (AMIA bombing)", where those accused of conforming the so called "local connection" were judged. The above mentioned note not only stands out the absolution of the twenty-two accused, but transcribes splits of the press release emitted by the cited Oral Court in relation to the pronouncement of September 2, 2004, particularly as soon as consigned that "the test produced in the debate permitted to verify a substantial violation to the rules of the Duty of Defense in Judgment, when shown the lack of impartiality of the examining magistrate", as well as the fact that "it was established, because of the numerous irregularities verified, that the examining magistrate oriented his action to 'build' an incriminating hypotheses, intending to attend, that way, the requests the society was making and, at the same time, satisfying the interests of unscrupulous rulers" (pages 115,126/115,128).

It made no effect the insistence on the validity of the orders ratified by the actual performing judge on the bases of two central arguments, to know: on the one hand, the fact that the nullities declared by the Oral Federal Criminal Court No. 3 were referred, as already was told, to a different segment of the investigation from those framed the international captures; and, by the total the lack of competence of an Agency whose sole character is administrative to question and, eventually, to break a providence of a court of justice (see resolution of pages 115,169/115,171 and opinion of pages 115,304/115,309).



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Without the relevance of such arguments and the ones claimed by the performing officials, it is obvious that what prevailed among INTERPOL authorities was not the Court's resolution but, rather, the distrust generated by the irregular performance spread by former Judge Galeano amidst all the legal process. In other words, the reasoning was, more or less, as it follows: after having verified that Galeano committed irregularities in the cause, all the jurisdictional decisions that from him emanated, should be presumed likewise, irregular. Thus, it arises clearly from the opinion raised by INTERPOL's General Assembly, the proposition of cancellation the red diffusions in the following terms: "The executive board notes, particularly, that the orders of detention were signed by a judge whose intervention in the cause was declared irregular by competent Argentine judicial authorities".

We repeat: nevertheless the fallacy enclosed in that reasoning, the truth is that the decision of INTERPOL's authorities to cancel the suspects' search (in a technical language called "cessation of the red diffusions") results, in the facts, in the equivalent of not having the captures into force. Therefore in fact, ¿Of what serves to relay on the certainty on the legal force of the arrest orders if, at last, the administrative organ responsible for summarizing them refuses to implement them?. The decision of the jurisdictional entity is revealed, thus, almost as an abstraction, a mere formality lacking the efficacy that can only be endowed by the executive agency.

Assuming tacitly this situation of virtual stagnation, INTERPOL's central authorities have ventured to suggest, through its Legal Office chief, that "only new orders of detention, signed by a different judge and based on a reexamination of the evidence that support the charges, would be able to justify the re-establishment of the red diffusions" (page 119,785).

Until then, the "cessation of search" of the twelve Iranian suspects is the current condition according to that arranged by the General Office of the agency (page 118,958).

We have outlined, by now, the explicatory reasons that hold up the formulation of this opinion. Basically, it looks forward to expose in meticulous and detailed form the conclusions to which we have arrived in this Unit, after more than a year and a half in charge of the cause, with relation to the so called "international connection".

It is for us important to leave well in clear that it is not a simple matter the re-ordering of the arrest warrants once performed by former Judge Galeano, in which cause it holds of no use the sole reproduction, with some variations of style, the previous orders. This does not mean, of course, that there are no common issues in both requests, mainly because of the fact that great amount of information has been being accumulated along those years, so it would be fool to expect the contrary. However, and starting out from the already done task carried out in the cause after Galeano has been dismissed, there are many other aspects of the investigation in which the conclusions among both analysis differ substantially. Among others things, it is seen reflected in the individualization of some subjects whose captures we consider pertinent to beseech, and that in their moment they were not required by the former participant judge. Anyways, the same happens vice versa, as it is worth saying there are people whose capture opportunely was requested without, in some causes, in our opinion, with the sufficient evidence.

The above-mentioned differences are also shown in the accusation performed, so much to the maximum authorities of the former government of the Islamic Republic of Iran, as to the Lebanese organization Hezbollah.

In fact, while Galeano had limited his resolution to declaring the responsibility of some "radicalized elements of the Iranian State", we, on the other hand, consider proven that the decision to execute the attack was adopted not by a cut off-minority group of partisan officials linked to a more radical Islam, but, on the contrary, it was an extensively debated decision, arrived at by consensus by top leaders of the former Iranian government, in a general context of a foreign policy that did not reject the resource of terrorist violence as a



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tool for achieving the objectives established in the Islamic country starting on the February of 1979 revolution.

In the same direction, corresponds to emphasize the contrast that itself evidences both views in relation to the organization called Hezbollah. Beyond the fact that former Judge Galeano's resolution does not evacuate properly the nature and reaches between that group and the Islamic Republic of Iran (relation that we qualify as without hesitation, as of subordination on the part of the Lebanese group to the strategic and political objectives of the Islamic country), the truth is that while Galeano has emphasized the fact that the distinguish if Hezbollah was a "terrorist or resistance movement against the Israeli illegitimate occupation of Lebanon" was not necessary, for us it is evident that the first characterization is the correct one, and so we took special care in clarifying it along the opinion, because that is, exactly, what the great amount of evidence collected in the cause reveals.

But beyond these different appreciations, the relevant thing is that Galeano, unlike us, neither did he attribute direct responsibility of the bombing to Hezbollah, but, rather, some passages of his resolution show with clarity the doubts that the former judge sheltered in that sense. Thus, for example, when he argued that the group that awarded the attack (Ansar Allah) "had a fantasy name, under which shielded itself an Islamic fundamentalist group, presumably linked to the Lebanese Hezbollah", or when, further on, when speaking about the public declarations formulated by Hezbollah leaders before de attack, he argued that even though "they constitute a demonstration of the political speech, guidelines of a political purpose, that do not necessarily evidence a certain way of action (...), in no way these statements imply that Hezbollah as political party have itself been involved, taking initiatives that imply their responsibility", to finalize concluding that "there is not evidence, up to now, that they should have been in knowledge of the plans and, after the attack, have participated of the consequences..." (according to pages 106,280; 106,380/106,380back, respectively).

In any case -and at least from our perspective- perhaps it measures more appropriately the importance that the decision of INTERPOL's General Assembly acquires, whose influence turns out to be decisive not only to promote a mere repetition of previous requests, but, on the contrary, as a unbeatable opportunity for a complete re-examination of the collected evidence, whose derivations, be worth the explanation, can either coincide or not with previous results.

In another order of ideas, should not be believed -and so is to point out- that the conclusions that will be exposed in the present opinion imply the finalization of the investigation. There are still many that have been ordered in the various files (for example, an exhaustive telephone-cross over that, together with the Intelligence Bureau is under way, and that comprises an analysis on national and international calls from 1991 on) that are not yet finished, fact that impedes us to go forward with different aspects of the investigation, at the risk of unduly fragmenting the analysis and, thus, to induce to erroneous interpretations.

With regard to such extremes, the prudence advises us to await until they comply with the pending diligences, for recently after, and on the bases of a global analysis of the evidence, evaluate the relevance of emitting a new opinion -not distant- that will eventually be incorporated to the one that today we submit.

A last apostille, perhaps unnecessary, to go finalizing this already long preamble.

Just as we move on, along the present opinion we will show that the bombing against the AMIA/DAIA center has been decided and organized by the highest leaders of the former government of the Islamic Republic of Iran, whom at the same time, entrusted its execution to the Lebanese terrorist group Hezbollah (Party of God), historically subordinate, so much political as economically, to the interests of the Iranian State.

We will see likewise that, in the learning of what happened in Buenos Aires on July 18, 1994, should not be dispense with the perspective that imposes the consideration of the





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geopolitical situation prevailing in the Middle East, neither the historical analysis on the traditional conflict that set at odds Arabs and Israelis.

In fact, according to the previous stated characteristics, testimonies of experts in the matter allow us to qualify it one of religious terrorism or with religious bases (by opposition to secular terrorism), and that besides its clear transnational projection, we believe that any interpretation of the attack that does abstraction of such extremes, runs the risk of sinning for errors or, in the best, of being incomplete.

Necessarily therefore, along these pages we are obliged to graze, when not to undertake directly, questions that have to do with the religious elements, and in concrete, with the Islamic religion; or, more properly, with an radicalized interpretation of the Islam. It relates to, without doubts, to a sensitive and especially complex matter that we would rather put aside but because, by virtue of the reasons that we have just exposed, we are absolutely persuaded that it is not alone necessary but, what is more, turns out to be inevitable.

What has just been said will be more easily understood when we head for the description of those special characteristics that gather the theocratic states as the one that reigned in the Islamic Republic of Iran at the time of the attack under examination. In those types of governments, politics and religion are found indissolubly tied, up to the point where the first is conceived in function of the second.

In the concrete case, and though the actual actions of decision, planning and execution of the attack will be put in head of specific individuals, should not loose sight of the fact that many of those were high representatives of a state whose force rests in religious principles, and such circumstance, that constitutes an objective data (can be simply verify in the country's denomination, as well as in specific norms of its constitution), perhaps explains better than no other, the symbiosis between politics and religion that is now intended to be emphasized.



Nevertheless, should not be incurred in the banal simplification of supposing that every theocracy, by the sole fact of being one, validates necessarily the use of terrorism for the attainment of its political objectives, or that the devotion to a specific worship, which ever one it is, carries implicitly the appeal to the violence as a legitimate resource for the propagation of its faith. Nothing further than our intention is to hold a generalization, that is notoriously unjust toward millions who cultivate their faith in a peaceful and well deliberate way.

It should remain in clear from the beginning about our strict compliance to unrestricted freedom of worship, consecrated in our constitution in articles 14, 19, 20, and in international treaties incorporated in article 75, clause 22. It should also remain clear that the consideration of the religious thing in itself, like demonstration of a spiritual dimension of the individual, is, as already said, a sensitive and deeply complex matter and, in all cases, absolutely beyond the object of this opinion. And it should finally remain clear; our absolute conviction that the Muslim faith encourages and promotes peace and coexistence among all men, and by no means does it promotes hatred and barbarism.

Unfortunately, those guidelines have not impeded the fact that, along all times, fanatic and unscrupulous individuals, with the pretext of complying with the duties their faith imposes, appeal to religious excuses to promote the annihilation of their equal. The religious issue returns, then, as a facade, a mere alleged reason to disguise facts that, well looked at, do not pass from being, smooth and clear, atrocious crimes.

b) Extremes that will be consider themselves reputable along this opinion.

In the development of the present opinion, this Public Ministry will expose the different evidentiary elements that drive us to consider sufficiently reputable that the responsibility of the attack against the AMIA center falls on whom, then, exercised the authority of the Islamic Republic of Iran. It will be shown, in that sense, that the maximum authorities of the former Administration were the ones who decided to carry out, plan its implementation and



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entrusted its execution to the Lebanese terrorist organization Hezbollah, group this last that, acting in the case as a mere appendix of the will of Teheran's government, had its role in the final phase of the operation that was completed on July 18, with the explosion of the Jewish mutual.

We will also see that, by the time the bombing in here analyzed, the commission of an attack of these characteristics in no way represented an exceptional circumstance for the leaders of the Islamic Republic of Iran, but, and on the contrary, the study of the antecedents collected in the cause samples, beyond every doubt, that the execution of terrorism out of the borders of Islamic country was not an unusual methodology of its foreign policy, guided by the postulates emanated from the revolution occurred on February, 1979 and directed, at last, to expand its individual and extremist vision of the Islam around the world.

It should not be incurred in the simplification of believing that the doctrine of exporting the revolution operated as an exclusive and direct cause for the commission of terrorist attacks. Generally -or at least this is what arises from studying the different cases- each one of these facts responded to the necessity of satisfying determined political objectives, as for example to weaken the structure of the opposing forces, to exercise resistance against the presence of western countries on the Middle East, or, simply, to respond, with the use of the violence, to actions that are threatening to their interests. However, even though the doctrine of exporting the revolution does not authorizes by itself the resource to indiscriminate violence, it provides the doctrinary and theoretical excuse for its application in certain causes in which it turns out to be necessary according to the strategic objectives of the regime.

With that purpose, and just as occurred in the cause under study, Teheran's Administration frequently recurred to the operating structure of the Lebanese militia Hezbollah, gestated after the ideals of the Jomeini's revolution, and that with the years has erected as a fundamental instrument for the concreteness of the objectives of the Iranian foreign policy previously evoked. On this particular issue, we will try to stand out the tight subordination relationship existing among the leaders of it cited terrorist group and the government with

headquarters in Teheran, to the point that its rise and consolidation cannot be explained without strict attention to the convenience that this represented to the Iranian interests in the region. Such extreme is seen reflected not only in the political-religious plan, with the pointing out of a common enemy, but also, in the regular and never dissembled aid that Iranian officials offered Hezbollah, so much financial as militarily.

Perhaps idles to clarify, that the terrorist act directed against the AMIA center is found framed in the situation of conflict that for decades, has been prevailing in the Middle East. In that context of belligerence, and apart from the evidence that the intention of the attack was to make an accurate strike onto a specific target within in the breast of the Jewish community, as for the particular reasons that Argentina was a favorable place to extend the conflict, there exist, to our judgment, sufficient elements that indicate that it obeyed to the unilateral decision of Argentina's Government to cancel contracts on the provision of nuclear technology that, previously, had been subscribed with the Islamic Republic of Iran. In this order of ideas, and due to the reasons that will be exposed, it is worth emphasizing that already in those days, the development of its nuclear program was for Teheran's Government, a question of fundamental importance.

That was, according to our judgment, the determinant factor for the decision to carry out the attack against the AMIA center, a decision that has been approved within the so called Special Matters Committee conformed -at the time the attack has been decided-, by Ali Khamenei -Spiritual Guide-, Ali Akbar Rafsanjani -President of the Nation-, Ali Akbar Velayati -Foreign Minister- and Ali Fallahijan -Minister of Information-, in the framework of a meeting celebrated on August 14, 1993 in the Iranian city of Mashad, and to which central personages in the plot had been summoned: Mohsen Rabbani, former sheik of the "At-Tauhid" mosque, and Ahmad Reza Asghari, who had been designated as Third Secretary in the Iranian embassy in Buenos Aires. Both played relevant role in the intelligence structure that in those days the Iranian government hosted in this city, by the time the bombing occurred, and without which the satisfactory concretion of the attack like the one against the AMIA center would not have been possible.



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In relation to the proposal debated and approved at the August 14, 1993 meeting, corresponds here to state that it was first originated in the so called "Office of Intelligence and Security". This office was presided by former president Rafsanjani, and, a part from Fallahijan, it was composed by the "Al Quds" Force Commander, Ahmad Vahidi, Revolutionary Guards Corps (PASDARAN), Mohsen Rezai, and the above mentioned Foreign Minister, Ali Velayati. As we will see, the election of the AMIA center as a target for the commission of the bombing has been the result of an analysis of diverse reports that were regularly sent to that office from the numerous intelligence agents.

Back to the idea of the penetration done by the Iranian intelligence in the targeted places, we will try to sand out that the implementation and the support of this type of structures in the infiltrated countries, resulted in a functional practice and, in certain way, useful to the objectives of the Iranian foreign policy.

As it will be stated, Argentina has been infiltrated by the Iranian intelligence service, which from mid 80's began forming a vast network of espionage, that was transformed into a complete station of intelligence for whose conformation, its ideologues made use of the Embassy and the Iranian Cultural Office in Buenos Aires; extremist elements that frequented the shia mosques of "At-Tauhid" in the Floresta area , "Al Imán" in the city of Cañuelas and "El Mártir" in the city of San Miguel de Tucumán in the province of the same name; undercover business called "G.T.C." and "Imanco"; as well as radicalized members of the Moslem community, whose action in our country derived in the obtaining of the necessary information and the development of the local logistic operations that supplied the way to executing the attack against the AMIA center on the morning of July 18, 1994.

Now well; the fact that the Iranian intelligence has used and supported its policy in the agencies cited above, whose primary aim is legitimate, to develop behind scenes and under the protection of the referred intelligence station, does not imply involving such institutions (ej. the mosque) within the concept explained hereby, but to simply indicate that their

structures, relations and possibilities have been exploited by the intelligence service of Iran for the achievement of its objective.

After having clarified the above mentioned matter, it will be observed along this opinion that the main ideologue of this task was the former sheik, came about, subsequently, in Cultural Attaché of the Iranian embassy in Argentina, Mohsen Rabbani whom, since its arrival in the country in 1983, has built the foundation that permitted the installation and the progress of the espionage's structure.

All the pieces that conformed this scaffolding have functioned in a cross over way and they have constituted the installation of the intelligence service in our country, with sufficient capacity to organize with success the phase that corresponded to its duty in the attack. The explosion of the bomb in the AMIA center verifies this empirical aspect.

In the following paragraphs, it will also be appreciated in detail, in which way, once having adopted the decision to the carry out the attack, the amount of information that flowed currently between Iran and its Argentinean delegation -basically through officials and diplomatic mail-, to significant transfers of money that were made from abroad to a banking account under the name of Rabbani, undisputed leader of the "Mullah" regime in our country, -and perhaps also its more faithful representative, from an ideological perspective-maintained in a private banking entity, involving substantially greater sums compare to those analyzed in similar periods.

Compromising even more a Rabbani with the logistic phase of the attack, indisputable documents exist that, at that time, show him cruising around through numerous car agencies within the city in full search of a similar characteristics car vehicle that, few months later, crashed at 633 Pasteur St.

We will show, likewise, that the one responsible for coordinating the different aspects of the operation from Iran was not another that former Minister of Information, Ali Fallahijan; and



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that an identical task, although tight to the strictly operating aspect of the attack, fits to be attributed to Imad Moughnieh, former leader of the Foreign Security Service of the Hezbollah organization. In this sense, reports enclosed in the cause allow us to infer that he was responsible for conforming the operating group that had to execute the hit, and whose entrance to our territory is suitable to be situated at in the first days of July, 1994, just as the analysis done within this Unit of international phone calls reveals.

In fact, such constancies consent us to infer that the entrance of the operating group, or at least part of it, occurred on July 1, 1994 through Ezeiza International Airport, and that they exited throughout Jorge Newbery Metropolitan Airport on the same day of the attack, fact that arises after having accredited the existence of diverse phone calls made from public telephones in there installed, as well as the ones done around the AMIA area to a cell phone number registered in the city of Foz do Iguazu, Federative Republic of Brazil, at the so called "Tri Border Area", belonging to whom could have got, at its charge, the coordination of the members of the terrorist cell that was operating in Buenos Aires at that time. In this order of idea, it is to show the fact that calls flow towards that cell phone ceased, gaudy and finally, the same day of the attack.

Actually, on July 1, 1994 at 10.30, from public booth located at Ezeiza International Airport, the first communication towards the cell phone that belonged to the coordinator of the operating group was carried out. A second call was registered at 12.18, from the same airport, although from a different phone line.

And a third communication to the cell phone indicated above was carried out on July 1, at 17.21, this time from a phone booth located at 707 Corrientes Ave., downtown Buenos Aires. From the same place, only 6 minutes later, though from another line, a call produced to a member of a clan located in Foz do Iguazu linked -according to the agency of national intelligence- to the group Hezbollah, was registered. 9 minutes went by and, from the same issuing line, a call was produced to an identified Hezbollah office in Beirut -Lebanon-.

A week later, on July 8, 1994 and once again from the public booth located at 707 Corrientes Ave., a call was verified to the coordinator of the operating group. The communication begun at 9.28 of that day, and from there on, and until 9.47, more than 20 new calls to credited Hezbollah office in Beirut, according to the Intelligence Bureau, were registered. It was a matter of an intense exchange of information that coincides exactly with the day in which finally exited from our country former Third Secretary of the Iranian embassy in Argentina, Ahmad Reza Asghari, who, as it will be shown, has been one of the highest responsible for the attack.

On July 10, Carlos Alberto Telleldin published in a national newspaper a classified notice offering for sale an SUV, make Renault Trafic, of the same characteristics that the one that was later used to perform the attack and that carried out engine nro. 2831467, which a few days later, was found among the debris of the AMIA building.

July 15, 1994 (five days after the publication of the SUV and only three days before the execution of the operation), approximately at 18.00, the car bomb to be, was entered, by an unknown subject, into the parking lot called "Jet Parking Garage", located at approximately 400 meters of the AMIA center. In these circumstances, twenty minutes after completing the maneuver, a phone call from Mohsen Rabbani's cell phone was registered towards the mosque that he headed, "At-Tauhid". This call has its importance given by two insuperable circumstances, to know: the first one, is that the company that provided the service informed that the call was made around the area of the parking lot, attending to the fact that it activated the cell in that quarter; and the second one, that the communication only took 26 seconds, barely the necessary thing -we dare to conjecture- to confirm the success of the Coordinating, perhaps, some that another minor details.

The chain of confirmations continues due to the fact that it has been confirmed that around an hour later -exactly at 19.18- a new call was made to the coordinator of the operation in Foz do Iguazu. The communication was carried out from a public phone booth located at 1744 Nazca Ave., only twelve blocks away from the referred mosque, "At-Tauhid", and





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place to where Rabbani had previously communicated himself. So, it does not result ventured to outline that the information finally was transmitted to the coordinator of the operating group.

Neither does it seems idle to add that from that same phone booth a new call with the coordinator was verified -at 19.38, barely 20 minutes after-, and another communication to the above mentioned credited member of a clan located in Foz do Iguazu, linked -according to the Intelligence Bureau- to Hezbollah.

Having described briefly the necessary triangulation that, for security reasons local Iranian agents complimented to report that the car bomb had been successfully parked, results clearly, that that has been the SUV vehicle used against the Israeli mutual, likewise, the fact that at all times, the maneuver has been scrupulously looked after by Terrorist members, among them, Mohsen Rabbani.

Finally, on July 18, the day of the attack, the last call to the coordinator of the operation's cell phone was verified. It is the one performed from the Jorge Newbery Metropolitan Airport at 7.41. It arises with clarity that the task of this part of the executor group had concluded satisfactorily.

Thus, the operation had entered in its final phase. Anticipating the consequences that the commission of the attack would lead to, Teheran's regimen had adopted a series of measures towards preserving itself and its officials against the eventual accusations that could be set foreseeable. In fact, during March 1994, only four month before the attack, the already several times mentioned Rabbani, and despite the fact that he had been working in the country since 1983, was invested with diplomatic status, acquiring the consequent immunity. In this way, the Iranian authorities showed, thus, to have learned previous lessons: on October 1992, Kazem Darabi, whose functions turned out to be analogous to those developed by Cultural Attaché Mohsen Rabbani in Argentina, was captured in the German city of Berlin for his participation in the attack perpetrated in the bar called



"Mykonos" on September 17, 1992. As opposed to Rabbani, Darabi then lacked of immunities, for which nothing could be done to avoid its capture and subsequent condemn.

In that same tonic, June 30, 1994, only eighteen days before the attack, Ambassador Hadi Soleimanpour exited the country from Ezeiza International Airport; a few days later, on July 8, the same would do his personal collaborator in the Embassy, Ahmad Reza Asghari. The same would later do, a day before the attack, the ambassadors of the Islamic Republic of Iran in Chile and in Uruguay, who embarked upon the same flight bounded for the German city of Frankfurt.

By then, everything was set up to execute the operation.

July 18, 1994, at 9.53 the Lebanese citizen and active member of the Lebanese organization Hezbollah, Ibrahim Hussein Berro, driving a Renault Trafic loaded with a quantity reckoned between 300 and 400 kilograms of explosives, rose the sidewalk of 633 Pasteur St. and, against the doors of the AMIA building, detonated the load, producing the total collapse of the building's front part and damages of diverse kind in the adjoining real estate. The attack produced the death of 85 people and wounds of different magnitude in, at least, 151 individuals.

In comparison to the *modus operandi* carried out in the attack performed two years before the one under analysis, directed against the Israeli Embassy in Buenos Aires, in which the participation of the "Jihad Islamic" as armed-wing of the Hezbollah Lebanese, has been determined, the suspects of the bombing had fallen immediately upon the above mentioned terrorist group. Less than a week after the hit, the hypotheses began to materialized: in fact, on July 23, 1994, the Lebanese newspaper "Al-Nahar" published a press release from an organization called "Ansar Allah", that allotted themselves the attack here investigated as well as the explosion occurred at that same, in an Panamanian airline called "Alas Chiricanas".



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As it will be seen with more detail along this opinion, the denomination "Ansar Allah" resulted to be one of the so many fantasy manes with which Hezbollah claimed its attacks. The experience shows, that this modality was habitually utilized by the group with the clear purpose of eluding its responsibility in the different actions carried out, fundamentally, outside southern Lebanon, where the conflict met the characteristics of a conventional war.

From there on, the judicial investigation went through, as was previously indicated, a series of vicissitudes and ups and downs, referred mainly to the investigation of the so called "local connection" of the attack. However, at early stages of the investigation, indications that pointed out at Hezbollah and the former government of Iran as responsible for the attack begun to appear. The reluctant attitude that Iranian officials had before a numerous and repeated claims address by Argentinean judicial authorities, has not done more than confirming those you suspect.

## II. CONCLUSIONS

Throughout the previous chapters, we have expounded our arguments, endorsed by numerous evidentiary elements that the attack perpetrated on July, 18, 1994 against the AMIA center has been executed by the terrorist Lebanese organization Hezbollah at the request of the highest authorities of the former government of the Islamic Republic of Iran with the collaboration, at a local level, of credited Iranian diplomatic employees. This, without discarding, in any way, the possible engagement of other people in this criminal act of violence.

Therefore, it is necessary to state clearly, once again, that with the opinion that we present today, we do not attempt to have finished the judicial investigation related to the attack. Rather, as we have indicated before, we are untiringly working with other state agencies in several aspects of the investigation. Although some important progresses have been

achieved, its announcement depends on the result of certain proceedings that yet have to be undertaken, due to the fact that premature conclusions runs the risk of being wrong or incomplete.

Of course that doesn't mean that other proven elements will not be released at this stage. And, actually, that is exactly what we have tried to do in this long-awaited opinion. First, giving account of the necessity of demanding the capture of a group of people highly suspicious of participating in the attack; and second, declaring the responsibility of the former government of the Islamic Republic of Iran and the Lebanese organization Hezbollah.

Given the unusual length of this opinion it wouldn't be advisable to finish our arguments before briefing the most important circumstances that support our conviction.

Let's see then, in first place, the evidence that reveals the Iranian involvement in the attack.

- The decision to commit the attack.

One of the most significant elements to hold responsible the highest authorities of the former government of the Islamic Republic of Iran for the attack against the AMIA center, refers to various testimonies who, despite of their different ideological thoughts, in one way or another pointed out at Tehran's regime as the responsible for the decision which was undertaken on August 14, 1993 in Mashad, Iran within a meeting of the so called "Omure Vijeh Committee" composed at that time, by the highest political and religious leaders of the regime.

- The Iranian's regime use of Terrorism as a mechanism of its foreign policy:

From de numerous evidence collected in the cause, which include court resolutions, reports from either official and non-governmental organizations, experts and analyzed testimonies, as well as statements from former members of the Iranian regime; we have been able to establish that the Iranian government, at the time of the event, seized its structure and



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resources to commit this kind of crimes all over the world. This practice is far from being an isolated one in the Mullah's regime foreign policy context. Its final aim is to export its radicalized vision of Islam and to eliminate the enemies of the regime.

- Existence of a Motif:

The nuclear technology transference contracts cancellation, which interfered the Islamic Republic strategy related to its nuclear program development, offered, the perverse fundamentalist logic, a reason to justify an action like the undertaken against the AMIA building.

- Intelligence Station:

We have proven that long before the bombing, the former government of Iran had set up, in our country, a clandestine intelligence and espionage bureau that was progressive and properly reinforced as the attack date approached, mainly, due to the fact that without the logistics and operating benefits that emerged from the existence of this structure, it wouldn't have been possible to successfully executed a blast of the magnitude of the herein investigated.

The above mentioned circumstance reinforces the evidence against the former Iranian government, because it comes clear what François Gorphe stated as an "indication of opportunity" when committing a crime defined as the "circumstances in which the agent was at, and that facilitated him" to make the crime ("Apreciación Judicial de la Prueba", Bogotá, Ed. Temis, 1989, p. 239).

- The Iranian diplomatic couriers' unusual movements:

We have also proven that, in particularly key dates for its proximity with the attack, the Iranian government remarkably increased, according to historical records, the diplomatic couriers and employee's consignment to its Embassy in Buenos Aires, from different parts of the globe like Germany, Brazil, Chile and Uruguay.

Furthermore, according to Argentine Chancellery information, at that time there was no reason, circumstance or official event that justified such flow, all which leads us to conclude that this detected maneuver, -either used as a trick to distract the investigators, as a way to exchange information and other valuable material or both things at a time- was directly linked with the bombing.

- The timely-changed diplomatic mail system:

In direct link with which we have recently pointed out, it could not pass unnoticed the sudden change operated in the diplomatic mail system used by the Iranian Embassy in Buenos Aires. With the arrival, in June 1991, (before both terrorist attacks suffered in Argentina) of Ambassador -Hadi Soleimanpour- and the Embassy's Third Secretary -Ahmad Reza Asghari- the mail system mutated from "courier-bag" to "courier-man".

- The suspicious increase of the funds that Rabbani managed in the previous months of the attack:

Among the highly suspicious circumstances that we have been pointing out, it is certainly important to mention the fact that the amount of money transfer to different bank accounts controlled by Mohsen Rabbani, former Cultural Attaché of the Iranian Islamic Republic in Argentina, notably increased in the first half of 1994 in comparison to similar periods in 1992 and 1993. It is also significant that after the return of Rabbani from Iran -where he was summoned to participate in the meeting where the bombing attack against the AMIA center was decided- he opened a bank account in the "Deutsche Bank", in which, during the months of March and April, wire transfers from abroad had been received for about u\$ 150,000.

Rabbani's search on similar SUV to the one exploded against the AMIA building:

The large amount of evidence, amidst various testimonies coincide in designating former sheik of the "At Tauhid" mosque in Buenos Aires and later Cultural Attaché of the Iranian Embassy in Argentina, Mohsen Rabbani, as the Mulla's regime top authority in our country. He has been photographed by members of the Intelligence Bureau while visiting



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different car agencies in the search of an SUV with similar characteristics to the one used in the attack.

- Rabbani's phone call nearby "Jet Parking":

In the same way, we have established that few minutes after the successful parking of the van in a parking lot nearby de AMIA building, a call made from Rabbani's cell phone towards the mosque "At Tauhid" took place. Taking into account the cell that was activated when the communication began, it is possible to state that the call was made near the parking lot above mentioned.

Also, the analysis of telephone records proved that, an hour after that phone call was carried out, another one was made, this time from a telephone booth nearby the mosque "At Tauhid" towards a cell phone located in Foz do Iguazu, the so called "Tri Border Area" where the coordinator of the attack group stood by.

This fact allow to suppose Mohsen Rabbani's participation in one of the criminal plan stages keeping an eye on its development and reporting to other members the success of the operation.

- Rabbani's Diplomatic Status timely-supplied:

Another circumstance drove away any doubt regarding Rabbani's and former Iranian top authorities participation in the bombing attack against de AMIA center. It is the diplomatic status provided to Rabbani when being designated, only four months before the attack, Cultural Attaché of the Iranian embassy in Argentina, a striking fact if taken appropriate notice that this man was appointed to Argentina since 1983. All this reveal that the true purpose of this designation was to grant him diplomatic immunity status which emerged from the position, with the aim to protect him from future implications and avoid imprisonment.

- The sudden departure of Ahmad Reza Aghari:

No less suggestive was the sudden exit of the influential former Third Secretary of the Iranian Embassy in Argentina and former PASDARAN member, Ahmad Reza Asghari, according to the evidence collected in the cause, whom also took part in the meeting of the "Omure Vijeh Committee" celebrated in Mashad on August 14, 1993.

Considering the whole circumstances listed above, we have no other explanation rather than those ones recently clarified, regarding the fact that Asghari, whose originally departure date was October 1994, abandoned it on July 8, 1994; better said, exactly ten days before the blast.

- The timely-departure of regional Iranian ambassadors:

At this stage, it is not surprising the departure -eighteen days before the attack- of the former Iranian Ambassador in Argentina, Hadi Soleimanpour, who rushed off to Miami to return some time after the blast. In other words, at the time the bomb exploited, Iranian's top representative was not in the country, nor were the Iranian ambassadors posted in Uruguay and Chile whom, surprisingly fled to Frankfurt on July 17.

For the suscriptors, once again, this evidences another maneuver from former Iranian government in order to further away its official staff members from any possible link with the attack.

- Teheran's attitude after the bombing:

The attitude assumed by the Iranian Government after the attack should not be surprising to anybody. We are not just referring to the lack of collaboration on their behalf or interest in answering back our judicial requests that were formulated from Argentina, in spite of the fact of the grandiloquent declarations made by Iranian official offering to collaborate in the investigation. Not only these statements were never backed up by true facts, but Iranian authorities never subscribed any convention on mutual assistance in criminal matters, and have been reluctant to receive our numerous requests judicial for assistance. However, in



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other causes, when discrediting witnesses whose statements jeopardized Tehran's regime, they have shown a more protagonist perspective.

The height of this attitude was given by the singular proposal formulated by Iranian government through a "non paper" that was delivered to our chancellery. It offered a complete collaboration with the unheard condition that, in compensation, Argentinean authorities would compromise themselves not to initiate any legal action against Iranian citizens.

Such a proposal, made with an amazing clarity, exempts us of any further comment.

Repeatedly, we have shown along this opinion that, in order to materialized the terrorist operation decided on August 14, 1993, former Iranian authorities composing the "Omure Vijeh Committee" have turned to the Lebanon based-shia group Hezbollah, historically subordinated to Tehran's regime interests.

Is time to review the participation of this terrorist organization in the investigated event which that have been proved by the following evidences:

- *Modus operandi:*

Car bombing attack with a suicide-bomber inside is the first factor that suggests the responsibility of Hezbollah. In fact, as one of international terrorism expert that testified in the cause points out, this spectacular modality is a truly "registered trade mark" of the above mentioned fundamentalist organization. In fact, the long series of similar operations carried out by Hezbollah in Lebanon during the 80's and 90's -which are listed in another passage of the report- confirm this point.

- The attack on the Argentinean Israeli Embassy:

Argentinean top judicial authority in the country, the Supreme Court of Justice, passed a resolution dated December 23, 1999, where it concluded that the attack against the Israeli



Embassy in Buenos Aires, occurred on March 17, 1992, was committed by the an organization called "Islamic Jihad", Hezbollah's armed-wing.

Furthermore, the remarkable similarities between both attacks (although more than similarities, we should referring to them as true identities: commission place-identity, attacked target-identity and modus operandi-identity) and nearness period between both events –and all the above mentioned details, is clearly another element that allows us to deduce that both attacks were executed by the same terrorist organization.

- The claiming of responsibility:

Only five days after the attack on the AMIA center, the Lebanese newspaper "Al-Nahar" published a press release from an organization called "Ansar Allah", that allotted themselves the attack here investigated as well as the so the explosion occurred at that same, in an Panamanian airline called "Alas Chiricanas".

It was seen, at this time, the repetition of the proceedings used two years ago by the "Islamic Jihad" in order to claim responsibility for the attack against the Israeli Embassy (identical methodology, even the same newspaper). The documents and testimonies obtained in the cause (among them, press conferences by Hezbollah's Assistant Secretary General, and second in the organization, Nahim Kassem), later showed that "Ansar Allah" is an non-existing group, being one of the so many fantasy names used by Hezbollah to claim responsibility in this kinds of attacks without directly compromising itself in the hit.

- The suicide bomber:

We have been able to prove that the Lebanese citizen and active Hezbollah member, Ibrahim Hussein Berro, drove the Renault Trafic that exploded against the AMIA building on July 18, 1994. It is not the appropriate time to repeat one by one the large amount of evidence that corroborates this fact, task which has already been carried out in the opinion when this



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matter was explained. However it is important to remember once again that Berro's militancy was recognized not only by his brothers but by the terrorist organization itself.

So certain it is, as the Israeli reports that deny the death of a Lebanese Hezbollah militant in a supposed skirmish, as a result of which it has been wanted us to believe that Ibrahim passed away in that circumstance. So certain it is, as the fact that his body was never found, in spite of being dead in a supposedly conventional confrontation. So certain it is, as the attendance General Secretary of Hezbollah Hassan Nasrallah himself, to a funeral without a corpse; and finally, so certain it is, as Nasrallah's own words delivered at the Ibrahim Hussein Berro's father burial, where he thanked him for giving two suicidal children (referring to Assad and Ibrahim) to help the Hezbollah cause.

- Imad Moughnieh:

Different testimonies indicate former Hezbollah Foreign Security Service responsible, the well known Lebanese terrorist Imad Fayeze Moughnieh, as the top person in charge of the planning and coordination of the attack. This clearly gives another element to extend the terrorist group's liability in the blast.

- The kidnapping of Moustapha Dirani and the bombing of a Hezbollah training field in the Bekaa Valley:

Both episodes meant, without a doubt, hard blow for the fundamentalist organization and must not be dropped out from the global analysis of circumstances surrounding the attack at the risk of wrongly parcel a reality that, in any cause, at the time of the attack, presented itself as complex and dynamic.

In fact, although we have already seen that the main reason for the bombing obeyed directly to the affected interest of the Islamic Republic of Iran, it is possible to state that -from the Lebanese Hezbollah perspective- the kidnapping of one of their prominent leaders and the attack, few days later, of an important military training center in the Kawkaba district,

offered the group with the perfect excuse to justify an action with the characteristics of that one undertaken against the AMIA building.

- Public threats by Hezbollah leaders:

It would not be reasonable or rational to leave behind the public declarations prompted by Hezbollah leaders, announcing in some way, the operation and its particular way of materialization.

In this order, and in line with what François Gorphe denominates "indication of the previous demonstrations of the crime" (op. cit. p 239) two declarations deserve to be emphasized because of the high rank of the one declaring it, but -in the second cause- of its specific forcefulness.

The first one was attributed to Hezbollah's Spiritual Leader, Muhammad Hussein Fadlallah, and was declared soon after Dirani's kidnap. It just alluded that: "The resistance had a lot of oxygen. The enemy said that it has a very long hand, but the Muslims combatants have proven, after the murder of Abbas Moussawi, that their hands can reach Argentina. The front has extended all over the world and the battle will take place throughout time".

Less descriptive but with similar prophetic content was the threat that Hassan Nasrallah delivered only a month before the attack: "There are a thousand suicidal bombers prepared to attack Israel around the world".

Considering the dimension of the tragedy that only 32 days later knocked down the AMIA center and the evidence collected in this cause, it would be little less than absurd that the materialization of the threats were a mishap.

- Telephone contacts:

In coincidence with other evidentiary elements, significant telephone records show the interaction the operative group have maintained between July 1, at 10.53 am, and July 18,



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1994 until 7.41 am., towards subscribers in Lebanon, that the Intelligence Bureau has linked to Hezbollah; as well as other phone lines located in the "Tri Border Area" -at that time, lodged the most important establishment of the shia organization according to experts-, recipient who is indicated as being the one in charge of the operative group coordination, as well as other subscribers -always according to our intelligence service- linked with the terrorist organization.

The load of evidence and other indications, confirm the various testimonies of analysts and experts that in a unanimous way and from the beginning of the investigation, pointed at the mentioned organization as the one responsible for the attack.

On the other hand, those same testimonies with identical forcefulness indicated that Hezbollah -created and military and economically sustained by Iran- did not independently commit any action outside the Middle east, but its involvement, beyond Lebanon borders, obeyed to direct orders given by the Iranian government.

Exactly this has been proven with the evidence collected that indicate the intervention of both actors, in a perfectly harmonious way and within the subordination characteristics recently explained.

And so, we have arrived, at this time, to the end of our presentation. Only remains to point out the fact that the conclusions that we present today before Your Honor are not different from the ones that emerge from the detailed analysis of all the evidence incorporated to the investigation. As it is possible to notice, sometimes the conclusions emerged from direct proof without the necessity of making a process of deduction; and in other causes, they arose after a long series of signs and suppositions that, because of its agreement and accuracy with the rest of the evidence, validly contribute to strengthen the hypothesis put today under Your Honor's consideration, that uphold the responsibility of the former Iranian top ranking authorities and Lebanese terrorist organization Hezbollah for the bombing on July 18, 1994 against the AMIA center that cost 85 lives and injured at least 150 other people.

### III. PETITION

In merit of all the exposed facts, and not knowing the present location of all those people who are consider reputable its participation in the attack occurred on July 18, 1994 against the AMIA building, corresponds, and so it is requested to the Judge:

1. Issue national and international arrest warrant for Ali Akbar Hashemi Bahramaie Rafsanjani (clergyman, Iranian, President of the Islamic Republic of Iran from 1989 to 1997, to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
2. Issue new national and international arrest warrant for Ali Fallahijan (born in 1949 in Najafabad, Esfahan, Iran, Minister of Information and Security of Iran from 1989 to 1997, to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
3. Issue national and international arrest warrant for Ali Akbar Velayati (diplomatic, official passport number 010755, Iranian, Ministry of Foreign Relations from 1981 to 1997, to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
4. Issue national and international arrest warrant for Mohsen Rezai (Commander of Iran's Revolutionary Guards -PASDARAN- by the year 1993/94), to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
5. Issue national and international arrest warrant for Ahmad Vahidi (Commander of the Al-Quds Force of the Revolutionary Guards Corps by the years 1993/94), to be



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- charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
6. Issue new national and international arrest warrant for Mohsen Rabbani (alias Khokat Al Aslam Muñan, age 49, 53 or 54 years, son of Mohammad or Hassan Rabbani and Safdel Mahsuma, married to Tayebbeh "Zohre" Rabbani, clergyman, diplomatic, Iranian, born December 23, 1952 or December 23, 1956 or January 23, 1957, passports numbers 012009, 0003943 and 0003552, CIPFA 11.950.339, DNI for foreign 92.560.131, former Cultural Attaché of the Islamic Republic of Iran in Argentina from March 3, 1994 to May 19, 1998, who lived in our country between August 27, 1983 and May 19, 1998, domicile of choice Cervantes 883, 1 and labor residence San Nicolás 674, Martín Coronado 3120 and Esmeralda 847, 10, all in Buenos Aires, to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
  7. Issue new national and international arrest warrant for Ahmad Reza Asghari or Mohsen Randjbaran (45 years old, married to Zahra Asghari -Assadi-; son of Rahim and Masdmeh, diplomatic, Iranian, born in Aligodarz on July 11, 1961, passport number 008664, former Third Secretary of the Embassy of the Islamic Republic of Iran in Argentina from July 11, 1991 to July 23, 1994, domicile of choice Medrano 678, 9, Malabia 2363, 5, Arenales 2552, 8 "D", labor residence Av. Figueroa Alcorta 3229, all in Buenos Aires, to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.
  8. Issue new national and international arrest warrant for Imad Faye Moughnieh (also identified as Imad Fawaz Mughniyah, Mughniyah, Mugniya, Mughniya, Moughniyah, Mujniyah, Mughnie, Mughniye, well know alias Haidar Khadr-Jadr-Husayn, Khodor-Jodr-Haidar Khodr, Hussein -Husein-Haidar-Aidar, Hader-, Abou Faour -Faur-, Jihad Fuad -Foad-, Abou Faour Jihad Fuad -Fouad-, Ahmad Mustafá Chamran -Shamran-, Fuad Abu Fahrur, Jihad Fouad Abu Faour, Ali Mahmoud Moughnie, Mahmoud Kutami, Hibba Rajayi y Mustafá Yassine, son of Fayez Saleh

Mughniyah or Mahomoud Jaffar -Sheik Jawad- and Amine Salameh or Fatima, 43 or 44 years old, married with Saida -Khadijah- Badr-e-Din or Bahd Al-Din, engineer, Lebanese, born in Tayr Debba; Lebanon on July 12, December 7, or December 17, 1962, Lebanese passport number 432.298, Yemenian passport number B-74.867, Hezbollah Foreign Security Service chief in 1994, to be charged with his responsibility for the attack against the AMIA center on July 18, 1994, in accordance to arts. 283 and 294 of the Criminal Code of Proceedings.

9. LEAVE WITHOUT EFFECT: national and international arrest orders issued, considering the arguments, considerations and evidentiary elements acknowledged in the present opinion related to the people identified as Barat Ali Balesh Abadi, Hossein Ali Tabrizi, Massoud Amiri, Seyed Yousef Arabi, Mahmoud Monzavizadeh, Saied or Saied Baghban, Ahmad Alamolhoda or Alam Alhoda, Ali Akbar Parvaresh and Hadi Soleimanpour.
10. Issue official letter to INTERPOL Department, belonging to the Argentinean Federal Police to entrust the fulfillment of the asked measures, letting itself know that, in cause of materializing the captures, the person should be put at judicial disposal (arts. 283, 294 and 302 of the Criminal Code of Proceedings).
11. Issue official letter to the Ministry of Foreign Relations, International Trade and Cult in order to acknowledge it of this solicitude.
12. Issue official letters to Federal Police, Naval Prefecture, National Gendarmerie and Security Airport Police Headquarters to identical purpose as pointed out in 10).