

AMIA CASE

Report on the judicial activity

1994-2015

(excerpts)

Updated: 2024



Prologue to the 2024 updated edition

Every year, on July 18, Argentina remembers the horror of the terrorist attack on our AMIA headquarters, in the heart of the Buenos Aires neighborhood called “Once”. Resorting to a Memory exercise, we pay homage to the victims, whose lives were lost in an absurd and painful manner, their relatives, and those who survived and moved on and still do, yet feeling inside the fright and the bewilderment of that tragic morning.

This is not yet another anniversary. There are certain numbers that because of their force and implications have a different relevance, they leave a deeper mark, and trigger other thoughts. They bring the pain back, and if that were possible, hurt even more.

We have said many times that the impunity of the July 18 terrorist attack is one of our democracy's greater debts. The Republic at large suffers when its institutions can find no answers for such a crime in the legislation and under the rule of law.

The fact that we are marking thirty years of the moment when terror detonated and turned to pieces the life of eighty five persons and affected hundreds of families, a whole community, and a whole country, forces us to delve into a deep individual and collective reflection, while performing concrete actions - claiming for justice and fighting against oblivion.

Among the initiatives that AMIA has prepared and designed to commemorate this painful anniversary, we decided to update the "AMIA case: report on the judicial activity, 1994-2015," a detailed summary of the court records, that AMIA published in 2016.

We are presenting a historic and current update of the various court records, i.e. the main one known as “AMIA case”, and all the ramifications that arose along three decades.

Thus, the reader will find the innumerable mistakes of the investigation, its errors, omissions, loopholes, and deficiencies, as well as its discoveries and verifications, transcendental and based on evidence, that point without fail to Iran and the terrorist group Hezbollah as perpetrators of the bombing.

For foreign readers interested in approaching the case, we offer excerpts in English of the Full Report, with the introduction to the most important chapters, a chronological summary of salient events, and the updated report of the status of the proceedings.

The number of court records derived from the main case that investigated the attack as such -also summarized herein- provide an explicit idea of the failure of the Argentine State to clarify the events of that July 18, and sentence the perpetrators. In said court records, the responsibility of public officials and all the State powers and hierarchies has been judged and still is. They are accused of alleged concealment of the perpetrators in various degrees, of hindering the normal course of the investigation, or in brief, preventing justice from being done in the AMIA case.

There have been terrorist attacks in many countries; in many, the perpetrators were neither found nor tried. However, we do not know of any other country that

suffered terrorist attacks and where the only individuals taken to court and sentenced were the country's public servants related in one way or another to the case and its development. A clear example of the degree of institutional decline in which we are immersed.

We are grateful to all those who have worked meticulously and with conviction along the last 30 years in the interest of truth, justice and memory. Much effort has been made for the AMIA case not to sink into oblivion, for the relatives of the victims, and the survivors to find in AMIA a haven and a home that welcomes them constantly, and for the voice of justice to be heard by all Argentines. Special thanks to Miguel Bronfman, AMIA's lawyer and author of the report, who is undoubtedly one of the most knowledgeable persons about the case in our country, and who has fought tirelessly for the truth to be found. We have kept here the Prologue written for the original edition by Leonardo Jmelnitzky, then President of AMIA, as well as the Introduction drafted by Bronfman.

As we did then, we trust this will be a legacy for those who wish to know more about the events around the AMIA bombing and the multiple investigations that ensued, as well as some of the reasons for the outrageous failure of the Argentine State.

The AMIA bombing has been repeatedly declared a crime against humanity, and thus has no statute of limitations. Time will not erase or eliminate, or attenuate the criminal responsibility of the perpetrators and accomplices of the brutal crime.

Time will not erase or eliminate, or attenuate our permanent and unwavering claim for Justice.

Amos Linetzky

President of AMIA

July, 2024



July 2024

updated report

on the AMIA case

Based on the previous historic introduction the text below updates the main events of the last few years, divided according to the various court records filed or those that are still pending before the Argentine Judiciary.

I) “Main” Case that investigates the AMIA building bombing

Below are the details of the most relevant events in this court record, divided by themes for the sake of a better identification.

1) About the main defendants:

Considering the conclusions of the judicial investigation, the Argentine justice understands that the attack to the AMIA building was decided, planned and funded by the Islamic Republic of Iran, through former officials who are listed below, then part of the government of the country, and for whom international arrest warrants have been issued.

In October 2006, prosecutor Nisman issued an opinion in which he assigned responsibility for the attack to the then government of the Islamic Republic of Iran, and to Hezbollah, the pro-Iranian Lebanese terrorist organization.

In line with the above, on November 9, 2006, Federal Judge Rodolfo Canicoba Corral sustained the request submitted by the Prosecutor and issued an international arrest warrant for nine persons, charged with being the masterminds of the July 18th, 1994 bombing.

In such sense, the judge ratified the hypotheses presented in the prosecutor's opinion and required the international arrest of:

- 1) Former Iranian president Alí Akbar Hashemi Rafsanjani (deceased);
- 2) Former minister of Information and Security **Alí Fallahijan**;
- 3) Former minister of Foreign Affairs of Iran, Ali Akbar Velayati;
- 4) Commander of the Revolutionary Guards, **Mohsen Rezai**;
- 5) Former cultural attaché of the Iranian Embassy in Argentina **Mohsen Rabbani**;
- 6) Former Iranian ambassador to Argentina, Hadi Soleimanpour;
- 7) Third secretary of the Iranian Embassy in Argentina, **Ahmed Reza Asghari**;
- 8) Commander of the Quds Force, **Ahmad Vahidi**;
and
- 9) Head of the Hezbollah External Security Service, Imad Moughnieh (deceased).

In 2007, first the INTERPOL Executive Committee and then the General Assembly, confirmed the arrest warrants issued by the Argentine justice considering them as highest priority –“red notice”– but only for the five persons whose names appear in bold letters in the above list. The measure is valid to date.

Despite Iran's repeated efforts to cancel the red notices, INTERPOL has renewed and ratified them along the years, although the concern remains that they might become void.

By mid-2009, at the prosecutor's request, the judge ordered the international arrest that INTERPOL also confirmed with a "red notice" of the Lebanese national then identified as **Samuel Salman El Reda**, on the grounds that he had been one of the main agents in charge of coordinating and executing the attack.

In 2023 the prosecutor in charge of the UFI-AMIA, Sebastián Basso, re-requested the international arrest of four additional suspects, charged with having been secondary participants in the preparation of the AMIA bombing. Federal Judge Daniel Rafecas, then temporarily in charge of the Court in which the court record was filed, sustained the Prosecutor's requests and issued international arrest orders for:

1. **Hussein Mounir Mouzannar** (currently in Lebanon);
2. **Alí Hussein Abdallah**, who possibly died in 2020;
3. **Farouk Abdul Hay Omair**, who is currently in the Federative Republic of

Brazil, a naturalized citizen of that country. Brazil informed Argentina that because he is a Brazilian national, according to the Brazilian legislation he cannot be extradited, regardless of which he may be tried in that country for the charges he is accused of by the Argentine prosecution. To date, the legal action is currently pending.

4. **Abdallah Salman (AKA) José El Reda** whose whereabouts are unknown, (presumably Lebanon).

2) About the defendant known as Samuel Salman El Reda:

Although since 2016 it was public that the person known here as Samuel Salman El Reda, was actually Salman Salman (born on June 5, 1963 in Bint Jbeil, Lebanon and registered there in Family Record 216). Information sent by Interpol Paraguay in September 2019 confirmed said data, which in turn led to identifying the defendant as **Salman Raouf Salman**, born in Bint Jbeil, in the south of Lebanon, on June 5, 1963, Lebanese Passport # 566633, confirmed by the Prosecutor's Office.

This man has been charged as an active member of Hezbollah and one of the main local managers of the preparation and execution of the AMIA bombing. Specifically, it is said he transmitted the necessary information for the attack and acted as a liaison between the agents that operated in Argentina and

those located in the “tri-border” area. The information obtained from the court record confirmed that the defendant’s lifestyle allowed him to live partly in his domicile in Buenos Aires (where some of his wife’s relatives lived) and partly in Foz de Iguazú (where he lived with his wife). Because of this he could be in close relation with the leaders of Hezbollah in the “three-border” area, and from there take actions for the preparation and execution of the bombing.

In 2019, on the 25th anniversary of the AMIA bombing, Mike Pompeo, then U.S. Secretary of State, visited Argentina. During his visit to the AMIA headquarters, he announced that his government would pay a 7 million dollar reward to the person providing information that would lead to the capture of Samuel Sal-man El Reda (aka Salman Raouf Salman). After that, he was included as a suspect in the “Rewards for Justice” program of the U.S. State Department.

In December 2023, a New York State Federal Prosecutor charged with acts of terrorism Salman El Reda, a Colombian-Lebanese citizen, recognized as a high

Hezbollah official, accused of planning attacks in Thailand, Panama and Peru with affiliated agents, and storing explosive chemical precursors, including ammonium nitrate.

The U.S. Department of Justice, led by prosecutor Geoffrey S. Berman officially delivered the accusation. The communiqué describes the participation of El Reda in the planning and execution of the attack perpetrated by Hezbollah on July 18, 1994 against *Asociación Mutual Israelita Argentina* (AMIA) in Buenos Aires

The decision states that at least since 1993 El Reda had led terrorist operations on behalf of Hezbollah and the Jihad in South America, Asia and Lebanon. Among the charges brought against him are the following: to provide material assistance to a foreign designated terrorist organization, with a maximum sentence of 20 years in prison; conspire to provide material support to a foreign terrorist organization , with an additional maximum sentence of 20 years in prison; help and instigate to receive military training from a foreign terrorist organization, with a maximum sentence of 10 years in prison or a fine; and conspire to receive military training from a foreign terrorist organization punished with a maximum of 5 years in prison. The defendant has his base in Lebanon and is a fugitive, according to the American Department of Justice. He is also accused of

conspiring to assist Hezbollah, which has been designated a terrorist organization by the U.S.A.

Jacob H. Gutwillig and Jason A. Richman, deputy federal prosecutors for the Southern District of New York, are in charge of the case, with the support of the assistant attorney general Larry Schneider of the Homeland Security Counterterrorism Section.

3) About the Interpol red notices

In the Interpol system, a red notice is the highest alert level attached to the request issued by a member country for the arrest of a certain person.

The red notices issued by INTERPOL, according to the agency's rules, are valid for 5 years and may be extended at the requesting authority's petition. With respect to the persons registered as defendants in the AMIA case, those corresponding to Salman Salman El Reda or Salman Raouf Salman will expire on August 27, 2024, while those corresponding to the Iranians Ali Fallahijan, Mohsen Rezai, Ahmad Vahidi, Mohsen Rabbani and Ahmad Reza Asghari were renewed in 2022 and will expire on November 7, 2027.

Notwithstanding the arrest orders and the red notices, some of the defendants have traveled abroad, from the Islamic Republic of Iran, to countries that for various reasons have not complied with the arrest request issued by the Argentine authorities. On many occasions in the last years, when it became known that one of the defendants was in a third country, Argentina immediately requested their capture. However, never were they arrested, despite the fact that this happened on numerous occasions. Over the years, some of the defendants traveled to countries like Russia, China, Uzbekistan, Azerbaijan, Turkey, Pakistan, Qatar, Bolivia and Nicaragua, among others.

Just to mention the latest case that was made public, in April 2024 the Argentine government demanded the international arrest of Ahmad Vahidi, current Minister of the Interior of Iran, one of those identified by the Argentine justice as responsible for the AMIA bombing.

Vahidi was part of a government delegation on an official tour to Pakistan and Sri Lanka. When informed of the situation, Interpol Central office, headquartered in Lyon, issued a Red Notice for his arrest, and the Argentine authorities requested through the Ministry of Foreign Affairs “to the governments of Pakistan and Sri Lanka his arrest according to the mechanisms provided by Interpol”.

However, Vahidi interrupted his publicized trip to Sri Lanka and returned to Iran from Pakistan.

4) About the Registry of Terrorist Persons and Entities

In 2019, the National Executive Power established the Public Registry of Persons and Entities linked to Terrorist Acts and their funding (REPET), that reports to the National Registry of Criminal Records, and the UIF (Financial Information Unit). Hezbollah was included in said Registry, designated as a terrorist organization. Argentina was the first country to take such measures in the Latin American continent. The freezing of financial goods and assets belonging to legal persons and entities linked to such organizations was ordered.

After the establishment of the Registry and the designation made by the authorities, other countries in the region also designated Hezbollah as a terrorist organization, namely Paraguay, Colombia and Honduras.

The RePET list also included the terrorist organizations already designated as such by the United Nations (UN).

5) Reliable identification of one of the victims

It is important to highlight the determination of identity of victim 85: Augusto Daniel Jesús, a 29-year old young man, born in 1974. Only in August 2016 was his identity established; he was the son of María Lourdes Jesús, who also died in the bombing. The UFI-AMIA prosecution had the professional assistance of the Board of Forensic Medicine, the *Universidad de Buenos Aires* School of Pharmacy and Biochemistry Genetic Fingerprints Service, and the Argentine Forensic Anthropology Team. Applying current scientific methods and standards, their assistance led to the closure of an investigation that lasted over two decades and met the ethical and legal duty to correctly identify one of the fatalities of the attack.

6) New trial for Carlos Alberto Telleldín (2019-2021)

After the first judgment of acquittal issued by Federal Oral Court Number 3 after the oral trial held between 2001 and 2004, in which all those accused of participating in the AMIA bombing were acquitted, among them Carlos Telleldin, AMIA and DAIA appealed the decision, reaching even to the Argentine Supreme Court of Justice.

In May 2009, the Supreme Court overturned the sentence –with respect to Carlos Telleldin – considering that the trial court had not duly appreciated the validity

of the existing evidence in the case against him, and ordered a new trial.

In a clear sample of how the Judiciary works in Argentina, even in a high pro-file and interesting case such as the AMIA bombing, ten years elapsed before the beginning of the new trial. It started in 2019, was interrupted several months because of the 2020 pandemic, and continued remotely by the end of that year. After a year and a half of hearings and over one hundred witnesses, the parties filed their charges. The Prosecution and the unified group of Relatives of the Victims requested the conviction of the accused, prison for life, understanding that Telleldin had been a direct participant in the crime of aggravated homicide by the use of means appropriate to create common danger, described in article 80, section 5 of the Criminal Code.

AMIA and DAIA acting jointly as complainants, requested the Court to sentence the above mentioned to 20 years in prison, with the certainty that he was guilty of having been a direct participant in the property destruction by extreme recklessness through an explosion, causing the death of persons. The court finally

issued its decision in December 2020, declaring the innocence of the defendant, and found him not guilty of all charges. Summarizing, the Court stated that the evidence submitted did not prove that Telleldín knew the purpose for which the van that he had delivered or sold in his own home on July 10, 1994 would be used. Against this decision, AMIA and DAIA filed a motion to appeal, for the decision to be reviewed by the highest federal criminal court, before reaching the Supreme Court. UFI-AMIA also filed an appeal against the judgment of acquittal. The case then moved to the 2nd. Division of the National Court of Criminal Appeals.

Decision of the Court of Criminal Appeals of April 11, 2024

The decision may be divided in two parts. On one hand, with regards to the specific reason that determined its formal intervention on this occasion, the Court overruled the appeals filed by AMIA and DAIA and the UFI-AMIA, thus con-firming the acquittal of Carlos Telleldín on account of his alleged participation in the bombing of July 18, 1994. The Court accepted the decision of the Trial court, and emphasized the fact that the evidence submitted did

not confirm that the accused had known the purpose for which the van that he delivered on July 1, 1994 would be used. Moreover, the Court stated that there was no confirmation that the van that he had delivered was the one used as a car bomb for the terrorist attack. Ultimately, the Court confirmed the acquittal of Carlos Telleldín.

Both AMIA and DAIA as complainants and the Federal Prosecution have currently filed extraordinary appeals to transfer the case to be studied and tried by the Argentine Supreme Court of Justice. It is impossible to guess how long it could take the Court to issue a decision on the case.

On the other hand, in the same decision, the judges of the court confirmed the conclusions presented in the court record, and stated that the 1992 and 1994 terrorist attacks in the country –Israeli Embassy and AMIA- were the result of a political and strategic plan of the Islamic Republic of Iran. The attacks were executed by the terrorist organization Hezbollah, acting under the inspiration, organization, planning and funding of state and parastatal agencies reporting to the Iranian government.

The decision, as documented in the criminal record of the case, referred to the fact that one of the reasons for targeting Argentina was the “unilateral decision of

the government to cancel three contracts for the supply of nuclear materials and technology agreed with Iran, as a consequence of a change in the foreign policy, between the end of 1991 and mid-1992.”

Reviewing the evidence existing in the case, the Court stated that Iranian and Lebanese officials and agents who participated in the terrorist attack on AMIA, were identified there. It added that there is diverse and solid evidence confirming the responsibility of Hezbollah and the highest Iranian government authorities.

II) Case known as “IRREGULARITIES”, which investigated and tried the crimes committed during the investigation of the attack by public officials

After many years since the beginning of the proceedings in the year 2000, on August 6, 2015 started the oral trial to try the responsibilities of former officials in the investigation of the AMIA bombing.

The trial was structured on two main topics: on one hand the payment to Carlos Telleldín in 1996, according to the State’s criminal complaint and that of the intervening complainants, to involve then a group of police officers of the Buenos Aires Province Police Department in the attack. According to Telleldín’s statement to the judge at that moment, on July 10, 1994

he had delivered to that group of policemen the Renault Traffic van that he had prepared. The former police officers (and Telleldín himself as noted in a previous paragraph) had been acquitted in the 2001-2004 oral trial, precisely when the whole investigation was declared invalid, because of the existence of that payment to Telleldín, which had been kept secret.

On the other hand, the trial investigated the alleged interruption, in the course of the original investigation of the attack, of the so-called “Syrian clue”. According to this hypothesis, Carlos S. Menem, then President of Argentina, had ordered to dismiss several means of evidence related to persons investigated, because of personal relationships.

The oral trial lasted three years, with hundreds of witnesses and statements. On May 3, 2019, the Court issued its decision, determining that the money given to Telleldín in 1996 was an illegal payment. Telleldín was the only person detained in the case after two years from the bombing, prior to a statement in the main case in which he involved a group of police officers of the Buenos Aires Prov-

ince Police Department in the investigation, who were later acquitted. The Court determined that the former police officers had been falsely charged as defendants in the AMIA case by the former judge and other officials, and therefore illegally deprived of their freedom (since they have been detained eight years, accused of possible participation in the bombing).

The decision sentenced former judge Juan José Galeano to 6 years in prison for the following crimes: embezzlement, breach of public duty, aggravated unlawful imprisonment, abetting for personal benefit and violation of labeled types of evidence. The former Secretary of Intelligence Hugo Alfredo Anzorreguy was sentenced to 4 years and 6 months in prison for embezzlement and abetting for personal benefit. Carlos Alberto Telleldín to 3 years and 6 months in prison for embezzlement; the former Deputy Secretary of Intelligence Juan Carlos Anchézar to 3 years in prison for abetment for personal benefit and document tampering. Former chief of police Carlos Antonio Castañeda, 3 years in prison for abetting for personal benefit, violation of labeled types of evidence and document tampering. Former prosecutors Eamon Gabriel Müllen and Carlos José Barbaccia to 2 years suspended sentence, for breach of public servant's duty. Ana María Boragni (former partner of Carlos Telleldín, who received the payment), to 2 years suspended sentence.

The former President of Argentina, Carlos S. Menem, was acquitted; also the former president of DAIA at the time of the bombing, Rubén Beraja, who had been charged as an indirect participant in the illegal payment to Telleldín.

The decision was appealed both by the prosecution (that had generally re-requested stronger penalties), and the defense. The case was set for entering judgment at the 2nd. Division of the National Court of Criminal Appeals, which issued its decision on April 11, 2024.

In its decision, the Court of Criminal Appeals confirmed the responsibility of former judge Juan José Galeano, former chief of SIDE, Hugo Alfredo Anzorreguy, former Counterintelligence deputy chief of that secretariat, Patricio Miguel Finnen, and the first defendant in the case, Carlos Telleldín. The latter was held responsible for the theft of 400,000 US dollars from the State Intelligence Secretariat reserve funds illegally paid to Telleldín for him to involve the former Buenos Aires Province police officers.

In its decision, the Court of Criminal Appeals modified several points of the Trial Court's previous decision: former federal judge Galeano was sentenced to

four years in prison for issuing rulings containing false facts and evidence, which led to the illegal arrest of former Buenos Aires Province police officers. Former prosecutors José Carlos Barbaccia and Eamon Gabriel Müllen (who had been penalized by the trial court because they had not reported the illegal payment to Telleldín), the charges were changed and they were sentenced to two years sus-pended sentence as indirect participants of illegitimate deprivation of freedom of the former police officers illegally ordered by Galeano.

Moreover, the decision of the Court of Appeals reversed the sentence of Ana María Boragni (former partner of Telleldín), acquitted her as well as Rubén Beraja.

The Court of Appeals by majority vote modified the sentence in relation to another axis of the trial, the so-called “Syrian clue” and the alleged benefit for the defendant Alberto Kanoore Edul. In such sense it stated that not only was it not proven that former judge Galeano was aware at that time of the family bonds between Kanoore Edul and the then President Carlos Saúl Menem, or that the decisions at the time of the investigation were geared towards his benefit. Along those lines, the Court of Appeals rejected the motions of the Prosecution and the complainants and acquitted on those charges Galeano, Anzorreguy, Juan Carlos Anchézar and Carlos Alberto Castañeda.

At the time this report was drafted, the filing of extraordinary appeals to submit the case to the Supreme Court of Justice is pending; they will surely be filed by both the prosecution and the defendants. It is impossible to guess how long it could take the Court to issue a definitive decision in the case.

III) Case known as “MEMORANDUM” that investigates the eventual liability of former President Cristina Fernández de Kirchner, and other former officials of her second term as President, in the previous negotiations and the signing of a Memorandum of Understanding with the Islamic Republic of Iran about the AMIA case in 2013.

This relates to the complaint filed by Prosecutor Nisman before his death. On January 14, 2015, the then prosecutor of UFI-AMIA accused the president Cristina Fernández de Kirchner and the Minister of Foreign Affairs Héctor

Timerman (deceased) of having conducted the preliminary talks and the signing of the Memorandum of Understanding with Iran about the AMIA case. The aim was to cover up the Iranian nationals accused of being the masterminds of the bombing. As stated by the Prosecutor, they were trying to improve the situation of the Iranian fugitives, as well as the cancellation by Interpol of the red notices.

Initially in charge of federal judge Daniel Rafecas, who rejected the complaint, for failure to establish a crime. After the appeal by a group of relatives and DAIA, complainants in the case, and the intervention of the Federal Court of Criminal Appeals, the case was reopened and reassigned to a new judge, federal judge Claudio Bonadío.

On December 7, 2017, the judge ordered the detention of Cristina Kirchner (which did not happen because she enjoyed privileges as a National Senator, since October that same year). Also of former Minister of Foreign Affairs Héctor Timerman, former legal and technical secretary Carlos Zannini, social leader Luis D'Elía, former head of the Quebracho movement, Fernando Esteche and Jorge Khalil, defined in the resolution as the Iranian lobbyist. Other persons prosecuted without preventive custody were former secretary general of the Presidency Oscar Parrilli, currently a senator; the former Attorney for

the National Treasury Angelina Abbona; former Ministry of Justice official Juan Mena; the then national representative Andrés Larroque; the former Deputy Minister of Foreign Affairs Eduardo Zuain, and the intelligence agent Alan Bogado. All of them were charged with concealment and treason to the motherland. The case then moved for the oral trial to the Buenos Aires Federal Oral Court # 8.

However, on October 7, 2021 Federal Oral Court # 8 decided to dismiss the charges without an oral trial, because as stated by the judges, signing the Memorandum was not a crime. Again DAIA and a group of relatives of the AMIA victims filed an appeal and the Federal Court of Criminal Appeals decided that it had to be overturned, since at this stage of the process the oral trial had to take place to determine – or otherwise- responsibilities. The judges that had passed the decision, now overturned, were removed from the case.

At the time this report is being drafted, we are awaiting the Court, with new judges, to set the date to try the defendants.

IV) Case investigating the homicide of Alberto Nisman

Alberto Nisman devoted over a decade to helping do justice for the victims of the AMIA bombing through his careful investigation of the most lethal terrorist attack in Argentina. He also raised awareness and asked questions that are still pressing, on the Iranian terrorist networks in Argentina and other places in Latin America.

In 2007, in a decision of over 800 pages, he requested the international arrest of former Iranian officials and members of Hezbollah involved in the decision and execution of the bombing. In 2009, he requested the international arrest of the Lebanese national Raouf Salman, and in 2013 he issued a decision revealing the infiltration of Iran and Hezbollah all over Latin America. The international arrests issued against those allegedly responsible for the bombing are still valid, and hold the highest priority in the Interpol alerts system, with red notices.

On January 18, 2015, several days after having submitted a criminal complaint against the president Cristina Fernández de Kirchner and other high officials of the Argentine government, for their role in the alleged covering up of the AMIA terrorist attack, Nisman was found dead in the bathroom of his apartment in Buenos Aires, with a bullet hole in his skull. The crime scene

investigators initially stated that he had committed suicide. However, the court in charge of the investigation, and later the National Federal Court of Appeals confirmed in December 2018, and again in June 2019 that Nisman was murdered and that his death was a “direct consequence” of his work as Prosecutor in the AMIA case.

Nine years have gone by since the death of prosecutor Nisman; the judicial investigation has reported no certainty about the perpetrator or perpetrators of the homicide. The main hypothesis is still under investigation.

So far, the only individual directly prosecuted for the alleged homicide is Diego Lagomarsino, who worked as an IT expert for the Prosecutor at the time of his death. He is being prosecuted as direct participant of the alleged homicide since he provided the weapon he owned to the Prosecutor, and the bullet that killed him came from that weapon. Lagomarsino denies any possible link with the Prosecutor’s alleged homicide, and reports that he had lent him the weapon at Nisman’s request.

The case is now pending in charge of Federal Prosecutor Eduardo Taiano; there has been no significant progress in the case.

Besides Lagomarsino, the four non-commissioned officers of the Argentine Federal Police Department that were assigned to guard the Prosecutor are being prosecuted for breach of duty as public servants and homicide concealment. They are Rubén Benítez, Luis Miño, Armando Niz and Néstor Durán.

As easily noted, the situation is complex and as time goes by the truth seems to vanish also in this case. One person is being prosecuted for aiding in the homicide, although the perpetrator is unknown, which is in itself a unique fact. The same applies to those who guarded the deceased prosecutor: they are being prosecuted for breach of duty and concealment. The pressing question is who helped Lagomarsino, if they were a party to the crime, and who are the guards protecting, in case they are concealing a homicide. The investigation continues and is formally open.

V) Action filed against the Argentine state by civil association “Memoria Activa”

On June 14, 2024, the Inter-American Court of Human Rights issued its sentence in this case, started in 1999 by Memoria Activa, a civil association which reunites a group of the victims’ relatives. The Court condemned Argentina for not having prevented nor clarified the attack on AMIA on July 18, 1994.

The Court declared Argentina responsible for having violated the rights of the victims in the clarification of the attack on AMIA, which occurred almost 30 years ago. The ruling of the international court was based on the Argentine State's own acceptance of responsibility, in the governments of Néstor Kirchner and Alberto Fernández. "This Court concludes that the State committed a serious failure in its duty to investigate one of the largest terrorist attacks in the history of the region," it was held.

The government of Néstor Kirchner signed a decree in 2005 where it recognized the responsibility of the Argentine State for not having clarified or prevented the terrorist attack and committed to carrying out a series of measures to fulfill its obligations.

The failures of the State in its duty to investigate, the unjustified delays in the process and, in general, the lack of clarification and the situation of impunity, "have caused feelings of anguish, sadness and frustration in the families of the

victims,” the Court said. In this context, the State was ordered to compensate the victims.

The Court also ordered that all information from the intelligence services classified as confidential is contrary to the right to seek and receive information enshrined in the American Convention on Human Rights. Thus, the Court ordered to remove all the obstacles that maintain impunity, establishing that the State must carry out an act of international recognition of its responsibility.

“This Court concludes that the State committed a serious failure in its duty to investigate one of the largest terrorist attacks in the history of the region. This lack of due diligence implied, on the one hand, poor handling of the evidentiary material and the scene of the incident and, on the other hand, poor conduct of the development of the investigation”

In establishing reparations, besides monetary compensations to the individuals that filed the complaint, the Court determined, amongst others, the following comprehensive reparation measures:

Obligation to investigate: the State was ordered, immediately, to remove all obstacles, de facto and de jure, that maintain total impunity in this case and to initiate, continue, promote and/or reopen the investigations that are necessary to identify, judge and, where appropriate, punish those responsible for the events of this case, their cover-up and, thus, be able to

establish the truth of what happened, all within a reasonable period of time.

Measures of satisfaction: the publication of the sentence and its summary was ordered, the holding of a public act of recognition and an audiovisual documentary on the facts of the present case, and the creation of a historical archive accessible to the entire public on the facts of the attack, the investigation, its cover-up and the role of victims' associations.

It was ordered that the State regulate the incorporation of intelligence information as judicial evidence and develop a training program on its use. In addition, it was ordered to give full access to the victims and the complainants to all investigations and information related to the attack and its cover-up. It was decided that all the files be located in the same physical space, where their correct conservation is guaranteed. Finally, it was ordered the creation of an area for analyzing declassified intelligence information.

In all, the Argentine state is responsible for the violation of the rights to life and personal integrity recognized in articles 4.1 and 5 of the American Conven-

tion, to the detriment of the victims of the attack; also for the violation of the principle of equality and non-discrimination, enshrined in articles 1.1 and 24 of the Convention; for the violation of access to justice and judicial guarantees, recognized by articles 8 and 25.1 of the Convention in relation to article 1.1 of the same instrument; for the violation of the right of access to information enshrined in Article 13 of the American Convention, as well as the right to know the truth based on the violation of the rights to judicial guarantees, judicial protection and access to information enshrined in articles 8.1, 13 and 25.1 of the American Convention, in relation to articles 1.1 and 2 of the same instrument, to the detriment of the surviving victims of the attack and their family members.

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