



מרכז המידע למודיעין ולטרור
המרכז למורשת המודיעין (מל"מ)

12 בנובמבר 2006.

ארגנטינה שבה ומצביעה על איראן כאחראית לביצוע פיגועי טרור בשטחה באמצעות חזבאללה: בתום חקירה ממושכת הכריזה המערכת המשפטית בארגנטינה על איראן כאחראית לפיצוץ בניין הקהילה היהודית בבואנוס איירס (אמי"א) ב-1994. שופט חוקר ארגנטיני הוציא צווי מעצר בינלאומיים נגד שבעה בכירים איראניים (כולל נשיא איראן לשעבר) ולבכיר חזבאללה (עמאד מע'ניה)

זירת הטרור



מבוקשים: שבעה בכירים איראנים ובכיר

CON PEDIDO DE CAPTURA

Ali Akbar Heshemi Bahramie Rafsanjani ■ Ex presidente de Irán	Ali Fallahijan ■ Ex ministro de Instrucción y Seguridad	Ali Akbar Velayati ■ Ex ministro de Relaciones Exteriores	Mohser Rezaei ■ Ex comandante de la Guardia Revolucionaria
Imad Fayed Moughnieh ■ Jefe de Seguridad Exterior de Hezbollah	Mohser Rabbani ■ Ex consejero cultural de la embajada de Irán	Ashgari o Randjbaran ■ Ex tercer secretario de la embajada de Irán	Amad Vahidi ■ Ex comandante de las fuerzas QUDS



שרידי בניין אמי"א. עבודות החילוץ של גופות הנרצחים נמשכו שבועות.

בשורה העליונה משמאל לימין: עלי אכבר האשמי רפסנג'אני, עלי פלחיאן, עלי אכבר וליאתי, מחסן רזאא'י. בשורה התחתונה מימין לשמאל: אחמד וח'ידי, אחמד ריזא אסע'רי (או מחסן רנג'באראן), מחסן רבאני ועמאד מע'ניה. צילום: אתר האינטרנט של התובע הראשי בארגנטינה.

1. ב-25 באוקטובר 2006 פרסמו התובע הכללי של ארגנטינה (ד"ר אלברטו ניסמאן) יחד עם תובע נוסף (מרצ'לו מרטינו בורגוס) את ממצאי הצוות המיוחד שחקר את הפיגוע בבניין הקהילה היהודית בבואנוס איירס (להלן: בניין אמ"א). בפיצוץ הבניין, שבוצע ע"י מחבל מתאבד חבר חזבאללה ב-18 ביולי 1994, נהרגו 85 אנשים ו-151 נפצעו.

2. בדו"ח מפורט, שהוצג במסיבת עיתונאים ע"י התובע הכללי ועוזרו, נקבע באופן חד משמעי כי ההחלטה לפוצץ את הבניין התקבלה ע"י צמרת המשטר האיראני וכי ביצוע הפיגוע הוטל ע"י האיראנים על חזבאללה המשמש בידם מכשיר למימוש מדיניותם. לפיכך ביקשה התביעה הארגנטינית מהשופט ד"ר רודולפו קניקולה קורל להוציא צווי מעצר בינלאומיים נגד שבעה איראנים בכירים (כולל נשיא איראן לשעבר עלי רפסנג'אני) ונגד בכיר בחזבאללה עמאד מע'ניה. יצוין כי נגד מנהיג איראן עלי ח'אמנאי לא הוצא צו מעצר על אף שהדו"ח קבע במפורש כי גם הוא היה שותף להחלטה בדבר הפיגוע.

3. ב-9 בנובמבר 2006 אימץ השופט הארגנטיני רודולפו קניקולה קורל את המלצות התביעה והוציא צווי מעצר בינלאומיים נגד שבעת האיראנים ובכיר חזבאללה. צווי המעצר הוצאו נגד צמרת המשטר האיראנית לשעבר (כולל מי שהיה נשיא איראן בעת הפיגוע), נגד דיפלומטים איראנים ששרתו בבואנוס איירס ונגד סגנו הצבאי של חסן נצראללה. להלן שמותיהם והתפקידים בהם כיהנו ב-1994 על פי דו"ח התובע הכללי הארגנטינאי :-

- א. עלי אכבר רפסנג'אני, נשיא איראן¹.
- ב. עלי פלחיאן, שר המודיעין והביטחון.
- ג. עלי אכבר וליאתי, שר החוץ.
- ד. מחסן רזאי, מפקד "משמרות המהפכה" (ה"פסדראן").
- ה. אחמד וחיד, מפקד "כוח אלקדס"².
- ו. מחסן רבאני, כיהן כנספח התרבותי של איראן בבואנוס איירס.

¹ ברור לחלוטין כי החלטה מעין זאת לא יכולה היתה להתקבל ללא אישור ה"מנהיג" עלי ח'אמנאי. דו"ח החקירה של המודיעין הארגנטינאי Cide ממרס 2003 הטיל את האחריות גם על עלי ח'אמנאי. בדו"ח הנוכחי העדיפה מערכת המשפט הארגנטינית שלא לבקש נגדו צו מעצר בינלאומי למרות ששמו מוזכר בדו"ח כאחד הבכירים האיראנים שקיבלו את ההחלטה בדבר פיגוע הטרור בבניין אמ"א (ראה להלן).

² כוח זה, שבראשו עומד כיום קאסם סלימאני, אחראי על האכוונה והסיוע לחזבאללה ולגורמי טרור נוספים, בלבנון ובמקומות נוספים בעולם.

ז. **אחמד רזא אסע'רי (או מחסן רנדג'באראן)**, מזכיר שלישי בשגרירות האיראנית בבואנוס איירס.

ח. **עמאד מע'ניה**, ראש מודיעין החוץ של חזבאללה (הממשיך לכהן בתפקידו זה ומשמש כסגנו הצבאי של חסן נצראללה עד עצם היום הזה³).

4. איראן וחזבאללה (כדרכן) שבו ודחו את ממצאי החקירה אולם נמנעו מלהגיב לגופן של ההאשמות שהופנו נגדן ע"י המערכת המשפטית הארגנטינית :-

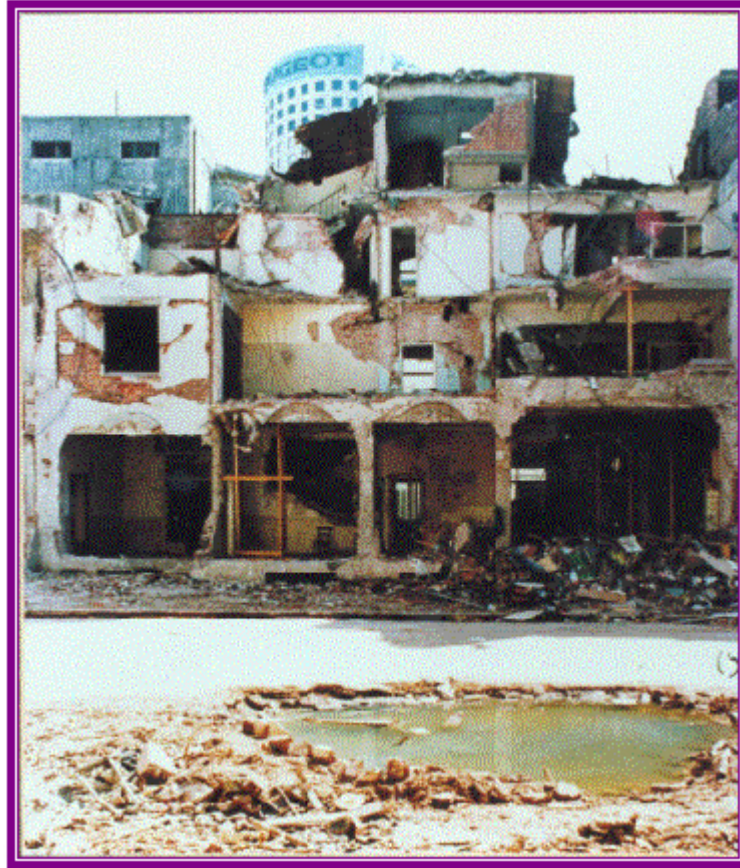
א. **דובר משרד החוץ האיראני סיד מחמד עלי חסיני** טען כי אין שחר להאשמות הארגנטיניות וכי הן נובעות מ"לחץ פוליטי של הציונים" על מנת להסיט את דעת הקהל מה"התקפות הציונים" נגד העם הפלסטיני והעם הלבנוני. הוא הוסיף כי "איראן עצמה היתה קורבן של פעילויות טרוריסטיות שונות והיא שילמה מחיר אנושי וחומרי כבד על כך" (סוכנות הידיעות אירני"א, 26 באוקטובר). לאחר פירסום צווי המעצר חזר דובר משרד החוץ על טענותיו כי המדובר ב"מזימה ציונית-אמריקאית" ("רויטרס", 11 בנובמבר).

ב. **תחנת הרדיו של חזבאללה** טענה כי ארה"ב מנהלת מסע לחצים בינלאומי על חזבאללה על מנת לטרפד כל מאמץ להקמת ממשלת אחדות לאומית בלבנון (שאת הקמתה דורשת חזבאללה). חזבאללה טענה כי כחלק ממסע לחצים זה יש לראות את האשמות התובע הכללי הארגנטינאי, שהינן, לטענת חזבאללה, חסרות יסוד ("רדיו נור", 25 באוקטובר).

ההרס שנגרם בעקבות הפיגוע



³ **עמאד מע'ניה**, טרוריסט בינלאומי בעל מוניטין, פקד על פיגועים רבים נגד יעדים מערביים, ישראלים ויהודים בלבנון ומחוצה לה. בשל כך הוא אחד הטרוריסטים הבינלאומיים המבוקשים ביותר ע"י ארה"ב.



המכתש שנפער בכביש הסמוך לחזית בניין אמי"א בעקבות הפיצוץ. ההערכה היתה כי המדובר בכ-400 ק"ג חומר נפץ



השופט רודולפו קניקובה קורל
(המקור: אתר האינטרנט של אמי"א)

עיקרי הדו"ח

1. הדו"ח המלא של התביעה הארגנטינית משתרע על יותר מ-800 עמודים. הוא מפרט את המידע הרב שנאסף ע"י התביעה, מנתח אותו ומצביע על המסקנות העולות ממנו. תמצית דו"ח החקירה (שעדיין לא הסתיימה) פורסמה ע"י התביעה ותורגמה ע"י משרד החוץ מספרדית לאנגלית (ראה נספח ב).

2. להלן עיקרי הדברים העולים מתמצית הדו"ח:-

א. הדו"ח קובע בודאות כי "ההחלטה לבצע את הפיגוע התקבלה לא ע"י קבוצת מיעוט מבודדת, בעלת תפיסה אסלאמית רדיקלית במיוחד, אלא למעשה מדובר בהחלטה אשר נדונה בהרחבה, ושבסופו של דבר התקבלה בקונסנזוס מוחלט ע"י הנציגים הבכירים ביותר של המשטר האיראני דאז".

ב. במהלך החקירה נבחנה השאלה כיצד יש להגדיר את חזבאללה: האם ניתן להגביר את חזבאללה כ"ארגון טרור" או כתנועה הנלחמת נגד "הכיבוש" הישראלי בלבנון? הדו"ח מציין כי "עבורנו בפרוש מדובר בארגון בעל מאפיינים של ארגון טרור", משום שההוכחות הרבות שהצטברו בתיק החקירה תומכות בהגדרה זאת.

ג. מסקנת החקירה הינה שצמרת המשטר האיראני הטילה על ארגון הטרור הלבנוני חזבאללה לבצע את הפיגוע נגד בניין הקהילה היהודית אמ"א. המשטר האיראני, עשה שימוש בתשתית המבצעית של חזבאללה, ארגון המשמש ככלי מבצעי לקידום יעדיה של מדיניות החוץ האיראנית.

ד. הסיבות לפיגוע: הדו"ח אינו מתעלם מכך, שהפיגוע הטרוריסטי בוצע על רקע סיבות הקשורות גם לסכסוך המזה"ת (כולל חטיפת מצטפא דיראני והפצצת מחנה אמונים של חזבאללה בבקעת הלבנון). אולם, על בסיס ההוכחות שנאספו, הדו"ח מגיע למסקנה כי הגורם המכריע שעמד ביסוד ההחלטה על ביצוע הפיגוע היה החלטתה החד-צדדית של ממשלת ארגנטינה לבטל חוזים לאספקת חומרים גרעיניים וטכנולוגיה גרעינית, אשר נחתמו שנתיים קודם לכך בין ארגנטינה ואיראן.

ה. הדו"ח מפרט את הדרך שבה התקבלה ההחלטה ע"י הצמרת האיראנית. ההחלטה לביצוע הפיגוע התקבלה ע"י גוף בשם "הועדה לעניינים מיוחדים",

אשר היתה מורכבת באותה תקופה מעלי ח'אמנאי⁴, עלי רפסנג'אני, עלי פלחיאן ועלי וליאתי. ועדה זאת התכנסה לשם כך ב-14 באוגוסט 1993 בעיר משהד שבאיראן וקיבלה את ההחלטה אודות ביצוע הפיגוע בארגנטינה.

ו. בדו"ח פורטה התשתית המודיעינית הנרחבת שהקים המשטר האיראני בבואנוס איירס, שבלעדיה לא ניתן היה לבצע את הפיגוע באמיי"א. מאז תחילת שנות השמונים, קובע הדו"ח, החל שירות המודיעין האיראני לבסס בארגנטינה רשת מודיעין מגוונת תוך שימוש בשגרירות איראן ובלשכה התרבותית האיראנית בבואנוס איירס. בתשתית זאת שולבו גם "אלמנטים קיצוניים" של הקהילה המוסלמית בארגנטינה, בבואנוס איירס ומחוצה לה.

ז. האחראי לפעילות המודיעינית היה היועץ התרבותי של שגרירות איראן בארגנטינה מחסן רבאני, שעסק בכך מאז הגעתו לארגנטינה ב-1993. מחסן רבאני השתתף ב"כינוס משהד" בו הוחלט על הפיגוע. לאחר חזרתו מהפגישה בוצעו העברות כספים (המפורטות בדו"ח), אשר שימשו למימון הפיגוע. בידי הארגנטינאים מסמכים רבים (ותמלילי האזנה לטלפונים) המוכיחים את מעורבותו של רבאני בהכנות הלוגיסטיות לפיגוע. הדו"ח קובע כי הניהול הכללי של המבצע נעשה ע"י שר המודיעין האיראני עלי פלחיאן.

ח. מבצעי הפיגוע: "הצוות המבצעי" שביצע את הפיגוע הורכב מאנשי חזבאללה שהגיעו לארגנטינה ב-1 ביולי 1994. עמאד מע'אניה, מפקד מודיעין החוץ של חזבאללה היה אחראי להפעלת הצוות המבצעי ולשם כך הוא נכנס לארגנטינה בתחילת יולי 1994. בידי הארגנטינאים מצויות הקלטות של שיחות טלפון רבות בהם היו מעורבים עמאד מע'אניה, ה"צוות המבצעי" של חזבאללה, פעילי חזבאללה בלבנון ותשתית חזבאללה ב"משולש הגבולות" בברזיל⁵. ב-18 ביולי, יום הפיגוע, נקלטה שיחת הטלפון האחרונה במכשיר הטלפון הנייד של עמאד מע'אניה שהעידה כי המבצע הגיע לסיומו.

ט. ביצוע הפיגוע ע"י מחבל מתאבד: ב-18 ביולי 1994 בשעה 09:53, אברהים מחסן ברו, ביצע פיגוע התאבדות באמצעות טנדר "רנו טרפיק" עמוס בכ-300 – 400 ק"ג חומר נפץ. בפיגוע נרצחו 85 בני אדם ונפצעו 151. המטען הופעל מול בניין הקהילה היהודית והוא גרם לקריסת החזית הקדמית שלה ולנזקים רבים ברכוש ובבניינים שכנים. בדו"ח נאמר כי המודוס אופרנדי של הפיגוע תואם את הפיגוע שבוצע שנתיים קודם לכן נגד שגרירות ישראל

⁴ ולמרות זאת לא הוכלל ה"מנהיג" עלי ח'אמנאי ברשימת הבכירים האיראנים, שנגדם הוצאו צווי מעצר בינלאומיים.
⁵ "משולש הגבולות": מפגש הגבולות של ברזיל, ארגנטינה ופארגואי. במקום מתגוררת קהילה מוסלמית שיעית גדולה ובה מצויה תשתית של חזבאללה ושל ארגונים אסלאמיים קיצוניים אחרים.

בבואנוס איירס (שבית המשפט העליון בארגנטינה קבע כי הוא בוצע ע"י "הג'האד האסלאמי", זרוע ביצועית של חזבאללה).

3. בדו"ח נמסר כי המסמך המלא שהוצג בפני השופט החוקר כלל נספח מיוחד שבו נותחו פיגועי טרור נוספים שהרפובליקה האסלאמית של איראן היתה מעורבת בהם. המשותף לפסקי הדין שניתנו בפגועים הללו הינו שהמשטר האיראני מארגן ונותן חסות לפעולות טרור ומשתמש באופן שיטתי באלימות ובטרור כאמצעי להשגת יעדיו. הדו"ח מייחס חשיבות מיוחדת לשלושה אירועים שבהם חיסל המשטר האיראני את מתנגדיו בגרמניה, שוויץ וצרפת :-

א. **רצח המזכיר הכללי של המפלגה הדמוקרטית של כורדיסטאן האיראנית ושלושה מאנשיו במסעדת "מיקונוס" בברלין (17.9.1992).** פסק דין שניתן ע"י בית המשפט העליון של ברלין תאר בפרטי פרטים את סידרת הפעולות שהתבצעו ע"י המשטר האיראני, במעורבות נציגים בכירים של המשטר.

ב. **רצח קאזם רדג'אוי בשוויץ (24.4.1990).** רדג'אוי היה דיפלומט איראני שכיהן כשגריר איראן באו"מ והיה גם אחיו של מסעוד רדג'אוי, ראש ארגון "המג'אהדין" המתנגד למשטר האיראני. חקירת השוויצרים העלתה כי שרותי המודיעין האיראנים היו מעורבים ברצח. בעקבות זאת שופט שוויצרי הוציא צו מעצר בינלאומי נגד שר המודיעין האיראני לשעבר עלי פלחיאן.

ג. **רצח שהאפור בח'תיאר, ראש הממשלה האיראני הגולה ומזכירה הכללי של תנועת ההתנגדות למשטר האיראני יחד עם מזכירו האישי (8.8.1991).** הרצח בוצע בקרבת פריס וגם במקרה זה היו בכירי המשטר האיראני אחראים לתכנונו, הכנתו וביצועו.⁶

⁶ פרטים נוספים על פיגועי טרור בחזו"ל בהם היתה מעורבת איראן ראה לקט מידע של "מרכז המידע למודיעין ולטרור" מאפריל 2003: "איראן כמדינה תומכת ומפעילת טרור".

**SUMMARY OF THE ARGENTINIAN ATTORNEY GENERAL'S PETITION
REGARDING ISSUANCE OF AN ARREST WARRANT FOR THE
PERPETRATORS OF THE 1994 ATTACK ON THE JEWISH COMMUNITY
CENTER (AMIA) IN BUENOS AIRES**

We, the prosecutors in charge of investigation of the attack on the AMIA Jewish Community Center in Buenos Aires (hereinafter: "AMIA"), Alberto Nisman and Marcelo Martínez, hereby petition the judge in the case Rodolfo Canicoba Corral, to issue an international warrant for the arrest of seven Iranian nationals and one Lebanese national that are suspected of having played a role to one degree or another in the terrorist attack on AMIA in Buenos Aires on July 18, 1994. In the more than 800 pages of our report (which represents only a minute amount of the information gathering and analysis that has been realized by our unit since February 2005, at which time we took over the investigation at the judge's behest), we also express our conviction, which is supported by a numerous pieces of evidence, that the heinous attack on AMIA, which caused 85 deaths, 151 injuries and extensive property damage, was the brainchild of, and was organized by, the highest instances of the Iranian government, which then asked Hezbollah to carry out the attack (Hezbollah has traditionally been under the thumb of the Iranian government from an economic and political standpoint).

We are seeking the arrest of the following persons: Ali Akbar Rafsanjani, who was the president of Iran in 1994; the former head of the Ministry of Intelligence and Security Ali Akbar Velayati; the former commander of the Revolutionary Guard (Pasdaran) Mohsen Rezai; Ahmad Vahidi, who was commander of the Al Quds special operations unit; Mohsen Rabbani, the former cultural attache of the Iranian embassy in Argentina; Ahmad Reza Asghari (also known as Mohsen Randjbaran), third secretary (tercer secretario) of the Iranian embassy in Argentina; and Imad Fayeze Moughnieh, head of Hezbollah's External Security Service on the day of the attack.

The report submitted today⁷ does not take a position with respect to the Spiritual Leader of Iran, in light of the currently unanimous view in both case law and the philosophy of law regarding government leaders' immunity from prosecution.

In view of the extreme gravity and public importance of the event that has been under investigation, which is reflected in the unusual length of our report (which is also written in a suitably forensic style), we have decided to issue the present document, which uses language

⁷ Translator's note: The "report" being referred to here is the 800 page document mentioned above, rather than the present report, which is an extended summary of the longer document.

that is more accessible to the general public, whereby we have attempted to summarize, if not all the relevant elements, at least the key facts and considerations on which our case rests and which we took into consideration in formulating our accusations of the suspects. In addition to the reasons already mentioned, we also feel that the general public (which is the very essence of a democratic system of government) has the right to know the most relevant conclusions that our investigation has reached, particularly in view of the profound effect this attack has had on the general public.

We also felt that for various reasons, it was imperative to issue a report of the type we are submitting to the judge today. It should be borne in mind that Judge Galeano (who was impeached and removed from office on charges of serious irregularities in handling the investigation) had ordered the arrest of 12 Iranian nationals and one Lebanese citizen that are suspected of having played a role in the attack.

However, with the exception of the order to arrest Imad Mughnieh (for whom U.S. judicial authorities as well as the Argentinean Supreme Court are also considering issuing international arrest warrants, but not in regard to the present case), the status of all of Judge Galeano's instructions has been downgraded by Interpol, which is the agency with ultimate responsibility for arresting the AMIA suspects. These changes in status began with temporary suspension and ultimately culminated in definitive discontinuation of efforts to apprehend the suspects, this latter decision having been adopted by the Interpol General Assembly last September in Berlin on the basis of a unanimous recommendation by the organization's Executive Committee. Of the 115 representatives attending the General Assembly session, 91 voted in favor of the Executive Committee's recommendation, 9 voted against it, and there were 15 abstentions. The main justification given by Interpol for both the temporary suspension and the definitive discontinuation of efforts to apprehend the suspects related to irregularities committed by ex-Judge Galeano in handling the case. In the case of the suspension – which transitioned to a virtual discontinuation as from October 29, 2004 – the Office of Legal Affairs' notification regarding the decision of October 3, 2004 referred to the sentence handed down by a Buenos Aires criminal court (Tribunal Oral en lo Criminal Federal no. 3, file no. 437/00 in the court register, *Telleldín, Carlos Alberto y otros s/homicidio calificado...(atentado a la AMIA)* [Telleldin, Alberto Carlos and other persons suspected of manslaughter (...) attack on AMIA]), which found these persons guilty of having comprised the so called "local connection" for the attack. The notification not only emphasizes the innocence of the 22 suspects that have been subject to a criminal investigation, but also quotes verbatim a passage from the press release issued by the aforementioned criminal court regarding the ruling on the case on September 2 of last year, particularly in stating that (a) "the evidence presented in court constituted a serious violation

of the rules of due process and legal defense, as was demonstrated by the judge's lack of impartiality;" and (b) "a number of irregularities committed by the judge show that his actions were aimed at "constructing" an incriminatory hypothesis in an attempt to meet the expectations of public opinion and at the same time cater to the sinister interests of unscrupulous political leaders." Hence, there can be little doubt that what was uppermost in the minds of Interpol officials in making their decision were not legal considerations, but rather the distrust aroused by Judge Galeano's dubious performance in the case, which ended up affecting all aspects of the trial itself.

In other words, Interpol's reasoning was more or less along the lines of the following: Having taken cognizance of the fact that Judge Galeano committed irregularities in handling the case, Interpol reached the conclusion that all of the legal decisions the judge must be equally aberrant. Moreover, the Executive Committee's recommendation to the General Assembly that the red alert be cancelled for the AMIA suspects clearly states the organization's position as follows: "The Executive Committee has in particular taken note of that fact that the arrest warrants were signed by a judge whose actions in the case were declared irregular by the competent Argentinean authorities." Hence, the real and concrete result of Interpol's decision to terminate the search for the suspects (a measure for which the jargon term is "cancellation of red alerts") is practically tantamount to declaring the suspects' arrest non-enforceable.

Tacitly taking on board this virtual stalemate, the Interpol Directorate has now ventured to suggest, via their head of legal affairs, that "only new arrest warrants signed by a different judge and based on a reexamination of the evidence underlying the accusations would justify reestablishment of the red alerts." Until such time as this occurs, the "discontinuation of search" for the 12 Iranian suspects promulgated by the Interpol secretary general remains in force.

The matters described above are definitely enough to shed light on what led us to reach the conclusions presented in our report. Our basic goal was to explain in minute detail the conclusions that were reached by the investigation team in the prosecutor's office, on the basis of a more than 18 month-long investigation, but not as a mere slight variation on petitions that have proven unsuccessful in the past, but rather with a view to leveraging the opportunity presented by the Interpol decision to completely reexamine the facts of the case with respect to the attack's so called "international connection."

However, this complete reexamination doesn't mean that the two petitions have nothing in common, since one cannot seriously expect them to be totally different, given the large amount of information accumulated in the case through so many years of investigations. However, and particularly in view of the work that has been done since Judge Galeano was

recused from case, there are many other aspects of the investigation for the conclusions of the previous and current assessment differ substantially. This difference is reflected in the individualization in our report of some of the suspects whose arrest we feel should be requested, although Judge Galeano did not order the arrest of these individuals. And the reverse holds true as well. In other words, we feel that some of the arrest warrants issued by Judge Galeano were not justified by the evidence. These discrepancies are also apparent in the accusations, both against the highest authorities in the Iranian government at the time, as well as against Hezbollah. Indeed, whereas Judge Galeano confined himself to declaring that the attack was the work of “radicalized elements of the Iranian regime,” in our view it has been proven that the decision to carry out the attack was made not by a small splinter group of extremely radical Islamic functionaries, but was instead a decision that was extensively discussed and was ultimately adopted by a consensus of the highest representatives of the Iranian government at the time within the context of a foreign policy that was quite willing to resort to violence in order to achieve the goals are inherent to the Islamic republic that was established by the revolution of February 1979.

By the same token, the contrast between the view of Hezbollah that are expressed in our report versus the view expressed by Judge Galeano is noteworthy. Beyond the fact that in Judge Galeano’s ruling the nature and scope of the relationship between Hezbollah and Iran remains obscure (we are **absolutely** certain that Hezbollah marches to the beat of the Iranian political and strategic drum) one thing is clear: whereas Judge Galeano made a point of stating that there was no need to determine whether Hezbollah is a “terrorist movement on one hand, or a movement that is resisting Israel’s illegal occupation of Lebanon,” it is obvious to us that the “terrorist movement” characterization is the correct one. And thus our report tries to shed light on this matter for the simple reason that it is precisely Hezbollah’s terrorist dimension that throws abundant light on many of the immediate causes of the AMIA attack.

Also relevant in this regard is that unlike us, Judge Galeano also laid responsibility for the attack right at Hezbollah’s doorstep, despite the fact that some passages in his decision clearly show that he had doubts about the validity of this view. For example, in referring to the group “Ansar Allah” that claimed responsibility for the attack, Judge Galeano states that “it was a small group of fanatics that served as a shield for an Islamic fundamentalist group that *presumably had ties to Hezbollah.*” These doubts also surface a bit further on. In discussing the strong public statements made by Hezbollah leaders shortly before the AMIA attack, Judge Galeano says that “if these statements were a manifestation of political rhetoric that was indicative of a political agenda that did not necessarily define a specific action (...) *in no way did these declarations imply that Hezbollah regarded itself as a political party that*

was implicated in initiatives that entailed the group's responsibility." Judge Galeano concludes by saying this: "No evidence has come to light as yet indicating that Hezbollah could have known of the plans, and subsequent to that, could have been implicated in the consequences."

Another key factor here is this: No one should conclude from our report that the conclusions stated therein mean that all avenues of investigation have been exhausted in this case, since a great deal of substantiating evidence has been placed in the various files (to take just one example, it should be mentioned that extensive cross-checking of phone data is still ongoing in collaboration with the Secretaría de Inteligencia [intelligence department], including an assessment of national and international calls since 1991). This in turn precludes our reaching any conclusion regarding these aspects of the investigation, since doing so would entail the risk of unduly fragmenting our analysis, which could lead to erroneous conclusions. We would like to add one last comment, which is perhaps unnecessary. As mentioned above, in the report we state that in our view and in light of the abundant evidence that supports this view, the AMIA attack was conceived and organized by Iran's highest officials, which then asked the terrorist organization Hezbollah to carry out this criminal act.

On the other hand, we want to make one thing very clear: in investigating the attack in Buenos Aires on July 18, 1994, it is important to take into consideration the geopolitical situation that prevailed in the Middle East at the time of the attack, and at the same time realize a more detailed historical analysis of the conflict has traditionally afflicted, and continues to afflict Arab-Israeli relations.

In fact – and in keeping with the testimony of experts in this field – we believe that the most salient characteristics of the event place it squarely in the category of religious terrorism or terrorism that is rooted in religion (as opposed to secular terrorism), that the event has clear transnational implications, and that any assessment of the attack that omits these factors will run the risk of sinning through omission, or at best will be incomplete.

Hence, we felt that it was necessary to touch upon issues, albeit indirectly, that relate to religion, specifically Islam, or to put it more clearly, a radicalized assessment of Islam. These are without a doubt highly complex and sensitive matters which we actually would have preferred to steer clear of completely. But for the reasons stated above, we felt that addressing these issues was not only necessary but in fact unavoidable.

This viewpoint is more readily understandable when viewed in light of the specific features that characterized theocracies such as Iran in 1994 when the attack occurred, whereby politics and religion were inextricably bound up with each other, to the point where the former was regarded as a function of the latter.

In the case under consideration here, and notwithstanding the fact that specific individuals were in charge of and responsible for the actions that led to the decision to carry out the attack, plan it and execute it, we should bear in mind that many of these persons were high officials in a government whose legitimacy rests on principles of a religious nature, and that this wholly objective real-world fact, which is eminently amenable to verification (it suffices to simply read Iran's formal name, or look at certain principles laid down in its constitution), perhaps embodies better than anything else the confluence of politics and religion in Iran that we are trying to shed light on in the present report.

On the other hand, one must also avoid the pitfall of oversimplification, i.e. the assumption that any theocracy, just by virtue of being one, will support the use of terrorism in pursuit of its political aims, or that practicing a specific religion invariably means that its adherents will automatically believe violence is a legitimate way to propagate their religion. It is most decidedly not our intention to put forward any generalization of this nature, which would also be extremely unfair to the millions of Muslims in the world today that practice their religion in a peaceful and well intentioned manner.

Needless to say, we fully support the principle of freedom of religion laid down in Articles 14, 19 and 20 of the Argentinean constitution, as well as the international treaties that were incorporated via clause 22 of the constitution's article 75. We also want to make it clear that addressing the subject of religion itself in the sense of a manifestation of the spiritual dimension of the individual is, as we have stated, an extremely complex and delicate subject, and not at all the purpose of the present report. We also wish to state our unequivocal belief that the Islamic religion promotes peace and harmony between all human beings, and does not seek to provoke hatred and barbarism – far from it.

Unfortunately, this has not prevented – since time immemorial – fanatic and unscrupulous individuals from using religion as a pretext for carrying out their alleged religious “duty” to incite others to murder their fellow human beings. In such cases, religion becomes a mere facade, a pretext and a mere excuse that serve to mask facts that when looked at squarely in the face, can only be described as heinous crimes.

It has been established that the highest authorities of the Iranian government at the time of the attack, namely Mssrs. Rafsanjani, Fallahijan, Velayati, Rezai and Vahidi, were the parties that planned and decided to carry out the AMIA attack, executed diagrams showing how the attack should be carried out, entrusted execution of the attack to the Lebanese terrorists organization Hezbollah (which acted in this case as a mere appendage of the wishes of the Iranian government) and took charge of the final phase of the operation which consisted of blowing AMIA on July 18, 1994.

As our report shows, for Iran's leaders, there was nothing unusual or exceptional about the realization of an attack of this nature. To the contrary: an analysis of the information that has been gathered in this case shows beyond a shadow of a doubt that the realization of acts of terrorism abroad was not the outgrowth of an unusual foreign policy instrument, but was instead based on principles of the Iranian revolution of February 1979, the ultimate goal of these principles being to propagate Iran's fundamentalist view of Islam throughout the world.

With this goal in mind, and as actually occurred in the case of the AMIA attack, the following emerges: the Tehran regime was in the habit of availing itself on frequent occasions of the operational structure of Hezbollah – a militia that itself had developed under the protection of the ideology of the Homeni revolution. And as the years went by, Hezbollah had evolved into a fundamental instrument for the realization of the Iranian foreign policy objectives alluded to above. In view of this particular aspect of the matter at hand, the present report attempts to describe the close relationship of subordination that existed between Hezbollah's leadership and its Iranian opposite number, whereby the emergence and consolidation of this relationship cannot be fully explained without taking into account the expediency of this attack for Iranian interests in the region.

We show in our report that this was reflected not only on the theocratic plane, through identification of a common enemy, but also and more patently, through the regular and not in the least bit concealed military and financial support the Iranian government gave to Hezbollah.

Based on the evidence in the case, we have been able to establish that the terrorist attack on AMIA occurred against the backdrop of the conflict that has been raging in the Middle East for decades, and particularly the avatars of the peace process that had begun with the signing of the Madrid and Oslo accords in 1991 and 1993 respectively.

Against this backdrop, and without prejudice to the obvious fact that the attack was directly aimed at the Jewish community, insofar as the specific reasons that made Argentina a suitable place to which to extend the Middle East conflict, we felt it that it sufficed to prove, on the basis of the evidence in the case, that the attack was carried out in Argentina in particular owing to the government's unilateral decision to terminate the nuclear materials and technology supply agreements that had been concluded some years previously between Argentina and Iran.

We also show in our report that this decision on the part of the Argentinean government represented a radical change in the foreign policy of then president Carlos Menem, which resulted in Argentina relinquishing its neutral status as a member of the group of non-aligned

nations, and instead becoming a country that was aligned with the arch enemies of the Iranian government, namely Israel and the U.S.

In our view, this was the straw that broke the camel's back, and that led directly to the AMIA attack. The decision to go ahead with the attack was made by the Special Affairs Committee (Omure Vijeh in Farsi) on August 14, 1993 in the city of Mashad, at which time the decision was approved by Ali Khamenei, Ali Akbar Rafsanjani, Ali Akbar Velayati and Ali Fallahijan.

Moreover, two prominent representatives of the Iranian regime that were serving in Buenos Aires at the time were specifically invited to attend the meeting in Mashad (hereinafter referred to as the "Mashad meeting"). These parties were the Shiite cleric Mohsen Rabbani, sheik of the At-Tauhid mosque (and later named cultural attache of the Iranian embassy in Argentina), and Ahmad Reza Asghari (also known as Mohsen Randjbaran), who had served in Iran's renowned Revolutionary Guard, and at the time was third secretary at the Iranian embassy in Buenos Aires.

We were able to establish that this meeting actually took place on the basis of statements by reliable witnesses who had ties in one way or another, directly or indirectly, with the Iranian regime.

Irrespective of whether the statements supporting our contention that the meeting took place were made by parties that attended meeting (as is the case of former president (during the Khomeini period) Abolghassam Bani Sadr); and irrespective of whether these parties held relevant positions in the Iranian government's intelligence service (which is the case of the witness who is identified solely by the letter "c", and whose credibility was assessed by the German court that ruled on the "Mykonos" case and by the *Tribunal Oral* of the *Criminal Federal* no. 3 in Buenos Aires); or irrespective of whether the parties that made these statements were members of relevant opposition organizations headquartered abroad that had their own information services, one thing is clear: all of these statements, – which were made at various periods and (it should be noted) by parties across the political spectrum – for all intents and purpose say the same thing about the meeting in question, which is a strong indication that the statements are true. This – in conjunction with other evidence – has led us to the conclusion that the Mashad meeting did in fact take place.

As for the proposal that was discussed and approved at the Mashad meeting, it should be pointed out that the evidence in the case (as we present it in our report) shows that the preliminary plan to carry out an attack in Argentina originated with the Iranian Office of Intelligence, which was directly controlled by the president of Iran and was headed by Rafsanjani himself. We also determined that it was integrated into the power structure via the involvement of the aforementioned Ali Fallahijan and Ali Velayati, as well as the

commander of the Al Quds special operations forces, Ahmad Vahidi and the commander of the Revolutionary Guard (Pasdaran), Mohsen Rezai.

The present report also takes into account the intelligence infrastructure that the Iranian government maintained in Buenos Aires at the time of the attack, and without which an operation of the magnitude of the AMIA bombing could not have been realized successfully. In this regard, we found that when it came to Iran achieving its foreign policy goals during the period in question here, the implementation and maintenance of the type of infrastructure described above in so called “infiltrated” countries arose from practical considerations, and to some extent was a necessity.

Numerous pieces of evidence show that Argentina was infiltrated by Iran’s intelligence service, which in the mid 1980s began establishing a vast spy network that then became a complete “intelligence service” that basically comprised the Iranian embassy and its cultural attache in Buenos Aires; extremist elements that were associated with the Shiite mosques At-Tauhíd in Floresta, Al Iman in Cañuelas and El Mártir in San Miguel de Tucumán; the businesses that we refer to as “fronts” – G.T.C. and Imanco; as well as other radicalized members of the Islamic community, who were in Argentina for the sole purpose of gathering the information and making the arrangements that paved the way for realization of the attack on AMIA on the morning of July 18, 1994.

Our report shows that the driving force behind these efforts was Sheik Mohsen Rabbani, who later became the cultural attache of the Iranian embassy in Argentina. From the time of his arrival in the country in 1983, Mr. Rabbani began laying the groundwork that allowed for later implementation and further development of the spy network referred to above. All of the elements that went to make up this infrastructure were interlocked, and involved the implementation of an intelligence service in Argentina that had sufficient capacity to successfully organize the activities that culminated in the attack. As can be seen when one reads the presentation that was made to the judge in the case, the bomb explosion at AMIA constituted this culmination.

In our view, the record shows that once the decision had been made to carry out the attack, the information flow between Iran and its Argentinean embassy substantially increased, basically via functionaries and diplomatic mail. At the same time, substantial amounts of money were transferred from Iran to one of the bank accounts held by the aforementioned Mr. Rabbani – who was indisputably the leader of the “mullah” regime in Argentina and perhaps its most representative member from an ideological standpoint – and involved considerably larger sums than in comparable periods that were assessed.

In this regard, we have proven that soon after Mr. Rabbani's return to Iran, where, as previously mentioned, he had been summoned to participate in a meeting during which the decision was made to carry out an attack against Argentina, and only four months prior to the crime itself, funds were sent to Mr. Rabbani from Iran amounting to no less than USD150,812, of which USD94,000 was withdrawn prior to the date of the attack (July 18, 1994), and USD45,588 of which was withdrawn over the course of the two months following the attack.

Mr. Rabbani's involvement in preparations for the attack is demonstrated even more clearly by the incontrovertible documents indicating that during this same period Mr. Rabbani visited several car rental agencies in Buenos Aires in search of a utility vehicle similar to the one that was parked outside Calle Pasteur 633 [no. 633 Pasteur Street] a few months later. The various explanations the cleric provided (which were obtained from various statements, including ones Mr. Rabbani made during a TV program) were so confused and contradictory that, as can be seen from our the present report, they do little more than confirm that the real reason for his search for a vehicle bore little relationship to the various explanations Mr. Rabbani provided.

The evidence we analyzed indicates that Mr. Rabbani was in charge of the local logistics for the attack, while other evidence indicates that the then Iranian minister of information Ali Fallahijan was in charge of overall coordination of the operation from Iran. Furthermore, we found that the identical type of work, albeit strictly limited to the operational aspect of the attack, was realized by the then head of Hezbollah's foreign affairs department, Imad Moughnieh. In this regard, reports that were entered in the court record suggest that Mr. Moughnieh was in charge of establishing the operational group whose task it was to carry out the attack. The members of this group in all likelihood entered Argentina in early July 1994, as is shown by the international phone records that were analyzed by our investigation unit.

These facts have led us to the conclusion that the members of the operational group, or at least some of them, entered Argentina on July 1, 1994 via Ezeiza International Airport and that they left the country via Jorge Newberry Metropolitan Airport on the day of the attack, as can be seen from the various phone calls that were made via phone lines that were installed at the aforementioned airport, as well as calls made from various phone booths located near AMIA. All of these calls were placed to one cell phone subscriber located in the city of Foz de Igazu, Brazil, in the region known as the triple border, where groups affiliated with Hezbollah were headquartered at the period during which the attack occurred.

The evidence submitted in the case enabled us to determine that the aforementioned cell phone was operated by the party that was in charge of coordinating the activities of the

members of the cell that was in operation in Buenos Aires. This hypothesis is supported by the fact that the flow of calls from Argentina to this subscriber abruptly and definitively stopped on the day of the attack.

On July 1, 1994 at 10:53 a.m., the first cell phone call was placed from a subscriber at Ezeiza International Airport to the cell phone used by the coordinator of the operational group. A second call was placed at 12:18 p.m. from the same airport, but using a different phone line.

A third call was placed at 5:21 p.m. on the same day to the aforementioned cell phone, but this time from a phone booth located at Av. Corrientes 707 in Buenos Aires. Only six minutes later, and from this same location but using yet another phone line, a call was placed to a member of the group headquartered in Foz de Iguazú, which according to Argentina's intelligence service, has ties to Hezbollah. Nine minutes later, another call was placed using the same outbound line to a subscriber that was identified as the head office of Hezbollah in Beirut.

A week later, i.e. on July 8, 1994 and again from the phone booth on Av. Corrientes 707, a call was placed to the cell phone of the coordinator of the operational group. From 9:28 a.m., when this call was placed, until 9:47 a.m., more than 20 calls were made to subscribers in Lebanon who, according to the Argentinean Secretary of Intelligence were members of Hezbollah. These calls involved an extensive exchange of information that coincides precisely with the day upon which Ahmad Asghari, the third secretary of the Iranian embassy in Argentina, abruptly left Argentina for good. Mr. Asghari was one of the highest placed persons in charge of the attack, and was also responsible for activating the clandestine networks of Iranians in Argentina.

On July 10, Carlos Alberto Telleldín published a classified ad in a national Argentinean newspaper offering for sale a Renault Trafic van whose characteristics were identical to those of the vehicle³ that was used for the suicide bombing and whose engine serial number 2831467. The piece of the engine with this exact serial number on it was found in the wreckage of the AMIA building several days after the attack.

At approximately 6 p.m. on July 15 (i.e. five days before Mr. Telleldin's ad appeared in the newspaper, and only three days before the attack) the car that was later used in the bombing was driven into a parking lot called Jet Parking, which was located approximately 400 meters from the target. The identity of the party that parked the car in the parking lot is unknown.

Less than 20 minutes after the car was parked, a phone call was made from Mohsen Rabbani's cell phone (which had been purchased shortly before this time) to the At-Tauhid mosque. The relevance of this call is demonstrated by the fact that, according to information

from the cell phone provider, the call was placed from an area near the Jet Parking parking lot (according to the cell that was activated upon placement of the call). This call lasted only 26 seconds, just the amount of time that would have been necessary to confirm the success of a key phase of the operation.

The string of confirmations continued, except that approximately 60 minutes later at 7:19 p.m. a new call was detected, this time to the phone of the operation coordinator in Foz de Iguazu. The call was placed from a phone booth located at Avenida Nazca 1744 in Buenos Aires, which is only a few city blocks away from the aforementioned At-Tauhíd mosque. This means that the information had been conveyed to the party who, in our view, was the coordinator of the operational group.

This cursory description of the triangulation that it was necessary to realize, for reasons of security, in order to convey the information that the van containing the bomb had been successfully parked clearly shows that (a) the Traffic van that was parked in the Jet Parking parking lot was the same vehicle that was later used for the AMIA attack; and (b) the parking operation was carefully monitored by the members of the terrorist group, one of whom was Mohsen Rabbani.

Finally, on the day of the attack (July 18) the final call received by the operation coordinator's cell phone was verified. This was the call realized from Jorge Newberry Metropolitan Airport at 7:41 a.m. There can be little doubt that the assigned task of this segment of the operational group (i.e. the suicide bombing) was carried out successfully.

The operation had entered its final phase.

Anticipating the consequences that committing this attack could conceivably bring, the Tehran regime adopted a series of measures aimed at protecting itself and its functionaries from any accusations that might be leveled at them in the wake of the attack.

Thus in March 1994, just four months prior to the attack, despite the fact that Mr. Rabbani had been posted to Argentina since 1983, he was suggestively granted diplomatic status – and hence diplomatic immunity – by virtue of being designated cultural attache. In doing this, the Iranian government demonstrated that they had learned from past experience. In October 1992, Kazem Darabi a local regime functionary whose functions were analogous to those of the cultural attache Mohsen Rabbani in Argentina, was arrested in Berlin, Germany for having participated one month previously in an attack on a Berlin restaurant called Mykonos. Unlike Rabbani, Darabi did not have diplomatic immunity, and thus nothing could have prevented his being captured and ultimately sentenced for his crime.

In the same vein, on June 30, 1994, only 18 days before the AMIA attack, Iran's ambassador to Argentina Hadi Soleimanpour left Argentina from Ezeiza International Airport. Eight

days later, on July 8, Ambassador Soleimanpour named Ahmad Reza Asghari his deputy chief of mission and right hand man. The day before the attack, the Iranian ambassadors to Chile and Uruguay did likewise i.e. they left on the same flight to Frankfurt.

They were all preparing for execution of the operation.

On July 18, 1994 at 9:53 a.m. Ibrahim Hussein Berro – a Lebanese national and active member of Hezbollah who was at the wheel of a Renault Trafic van that was carrying between 300 and 400 kilograms of explosives – stopped the vehicle in front of the AMIA building at 633 Calle Pasteur and detonated the explosives, which resulted in the collapse of the front of the building and varying degrees of damage to neighboring buildings. The attack also killed 85 persons and inflicted injuries of varying degrees of severity on an additional 151 persons at a minimum.

In view of the modus operandi employed in this operation – which various experts on and analysts of international terrorism indicated in the court record is characteristic of Hezbollah – and the fact that the method used in the AMIA attack was identical to the method employed two years previously in the attack on the Israeli embassy in Buenos Aires (an attack that the Argentinean Supreme Court found was the work of Islamic Jihad in its capacity as the military wing of Hezbollah), suspicion was immediately cast on Hezbollah.

Less than one week after the attack, the hypothesis began to take form. On July 23 [TN: hereinafter all dates are in 1994 unless otherwise indicated] the Lebanese newspaper *An-Nahar* published a communique from an organization calling itself Ansar Allah taking responsibility for the AMIA bombing as well as the bombing over Panama of an Alas Chiricanas passenger airliner.

As demonstrated in detail in the present report, the name Ansar Allah turned out to be one of the many fictitious names that Hezbollah has used to claim responsibility for its attacks. Moreover, experience has shown that Hezbollah has habitually adopted this method for the clear purpose of avoiding blame for the various actions it has carried out, except for those realized in Lebanon where the conflict has taken the form of a conventional war.

From this point on, as mentioned previously, the judicial investigation of the AMIA bombing went through a long series of ups and downs, mainly regarding the investigation of the bombing's "local connection." Nonetheless, already in the early stages of the investigation, there were indications that the then government of Iran and Hezbollah bore ultimate responsibility for the attack.

As for the issue of responsibility on the part of the then government of Iran, we have shown in the present report that during the first half of the 1990s at a minimum (a period during which the two Buenos Aires bombings were also carried out) the perpetration of terrorist acts in other countries was business as usual for Iran's leadership. Toward this end, we have also demonstrated satisfactorily that during the aforementioned period the Iranian regime was in the habit of employing a specific operational methodology that was implemented by the government's own functionaries, a practice that was no doubt instrumental in ensuring that the attacks were carried out efficiently. This matter is discussed in further detail below.

Needless to say, the concept of a government bureaucracy being the handmaiden of terror as was done by the Iranian government during the period under consideration here, may be difficult for a reader that is not an expert on these matters to take on board. Nonetheless, this modus operandi is perfectly intelligible when viewed in the context of the logic that informed a phenomenon that has come to be called "exporting revolution."

This concept (which we describe in greater detail in our report) alludes to one of the fundamental principles that served as an inspiration for the Iranian revolution led by Ayatollah Khomeini (who came to power in February 1979) and has to do with the avowed goal of propagating the revolution's ideas throughout the rest of the world. This goal of universalizing Shiite Islamic doctrine, which is clearly enunciated in the Iranian constitution, not only promotes the formation of and provides support for specific Islamic groups (including Hezbollah) in other Middle Eastern countries, but also fosters more or less covertly the realization of terrorist attacks on targets that are associated with enemies of the Tehran regime, namely Western countries in general and the U.S. and Israel in particular. As is well known, radical fundamentalist Muslims regarded both of these countries as the embodiment of everything that the most radical Shiite doctrine found vile and despicable.

According to the preamble of the Iranian constitution, the revolution is exported for the following reason: "[so that the government can] establish a basis for perpetuating the revolution both domestically and internationally. With regard to relationships with foreign countries, the constitution is concerned with paving the way, in collaboration with other popular and Islamic movements, for the creation of a single world community (...) and ensuring the perpetuation of the struggle for the liberation of all the world's dispossessed and oppressed peoples."

All available economic and infrastructural resources, including official institutions abroad, are devoted to the achievement of this objective. The secretary general of the Iranian opposition group Flag of freedom stated as follows in his testimony during the court proceeding: "What matters is the fact that the Islamic revolution has never stopped supporting the realization of terrorist activities abroad; that this has never been a secret; and that the regime has expressly stated that its attacks target Israel and the U.S."

The late Ayatollah Khomeini put it this way: "The Islamic Shiite movement seeks to export revolution throughout the world and will never renounce this goal because Islam not only refuses to recognize any differences between the world's Islamic countries, but also

because we believe that Islam has become the leader of the world's oppressed peoples. This is something that we need to demonstrate to the powers that be and to the world's superpowers. Our attitude toward the world is governed by our religious convictions.”

Thus, in the interest of achieving its objective of exporting revolution, which as previously mentioned is one of the pillars of the Iranian constitution, one of the key instruments of the Iranian theocracy's foreign policy is the use of terrorism. From its inception, the Iranian regime has been using terrorism to coerce or simply intimidate or silence its opponents, wherever they happen to be.

However, one must be careful not to fall into the trap of oversimplifying to the point of believing that the doctrine of exporting revolution is the immediate and exclusive factor that leads to the realization of terrorist attacks. As a rule – or at any rate, this is what emerges from the specific cases we have analyzed for the purposes of the present report – each of these acts fulfilled a need to achieve specific political objectives such as destabilizing groups that oppose the regime, active resistance to the presence of Western nations in the Middle East, or simply responding through the use of violence to actions that the Iranian regime regards as being detrimental to or an attack on its interests. However, while the doctrine of exporting revolution does not in and of itself justify the recourse to indiscriminate violence, it does provide a theoretical and ideological justification that allows for the use of violence in specific cases in which violence is necessary in order to further the regime's strategic objectives.

The report that we are submitting to Judge Corral today contains a dedicated section that analyzes the specific acts of terrorism that have been attributed to the Islamic Republic of Iran. One common element emerges from the legal decisions that have been handed down as a result of these acts: to one degree or another, they all hold the government of Iran and its functionaries accountable for these acts, in their capacity as their organizers and sponsors. This evidence constitutes the most compelling proof that the Iranian regime has systematically resorted to violence in its efforts to export the Iranian revolution. In other words, the verbal excesses and veiled threats that Iran's leadership directs every so often toward its opponents and the government of Israel are more than just verbiage: they translate into concrete criminal acts.

Three events should be mentioned in this regard, namely the cases (and terrorist attacks) known as Mykonos, Radjavi and Bahktiar.

The first of these events occurred on September 17, 1992, when Dr. Sadegh Sharafkandi, secretary general of the Iranian Democratic party of Kurdistan and three of his colleagues – Fattah Abdoli, Homayoun Ardalan and Nouri Dekhord – were machine-gunned to death at Mykonos restaurant in Berlin, where they had gone after attending a congress of the International Socialist movement. The verdict handed down by the Superior District Court of Berlin describes in detail the process the then government of Iran used to carry out these murders, from activation of the dormant cells to collecting the required information, making the decision to carry out the attack, and then the actual realization.

The verdict also mentions Hezbollah's ties to Iran, stating that Hezbollah is a “political appendage of Iran. Iran created it, finances it, provides it with troops and weapons, and

trains its soldiers. None of this was realized in a disinterested fashion. Iran uses Hezbollah to spread the Islamic revolution to Lebanon, as well as to fight opponents of the Islamic region through military force.” The German court concluded that the highest authorities in the Iranian government were directly responsible for the killings.

Kazem Radjavi was murdered in broad daylight on April 24, 1990. While driving his car on Tannay street in Coppet, Switzerland, Mr. Radjavi was forced off the road by two vehicles, causing him to collide with a pillar at the entrance to a building located at number 68 of the aforementioned street. Two persons armed with machine guns with silencers then got out of one of the cars and opened fire on the victim, killing him instantly. Mr. Radjavi was a former Iranian diplomat who had served as Iran’s UN ambassador and head of the Iranian diplomatic mission in Dakar, a position he relinquished in April 1981. He was the brother of Massoud Radjavi, who was head of the Iranian National Resistance Council and of the mujahidin, an extreme left Iranian opposition organization.

The legal proceedings resulting from this event revealed that the Iranian government had been instrumental in bringing about these murders. The Swiss investigators put it this way: “In light of the facts that have been uncovered in this case and that are described above (...), we are convinced beyond the shadow of a doubt that one or more organs of the Iranian government were involved in the assassination of Kazem Radjavi.” A similar conclusion was reached by the report of July 3, 1990 submitted by Inspectors Junod and Cottier of the Security Police in Geneva, regarding an investigation that was realized under the direction of the magistrate in the case Dr. Chatelain. The report states as follows: “...We are convinced that an Iranian governmental organization was involved in the killings.”

For these and other reasons that we set forth in our report, the magistrate in charge of the case Jacques Antenen ultimately issued an international arrest warrant for the Iranian Minister of Intelligence Ali Fallahijan for his alleged participation in the crime. Judge Antenen stated as follows: “The unit that carried out the attack probably comprised four persons. In any case, the investigation established that 13 persons were involved in planning and carrying out the killings. All of these persons were legitimized by virtue of their diplomatic passports, which stated that they were carrying out a mission. Some of these documents were issued in Tehran on the same dates. The majority of the suspects entered Switzerland together via Iran Air flights from Tehran to Geneva, and had in their possession flight tickets whose numbers were reciprocally sequential. (...) The minister Ali Fallahijan was in charge of coordinating the operation; all orders and missions were promulgated by him.”

On August 8, 1991 at approximately 11:50 a.m. Chapour Bakhtiar, secretary general of the Iranian National Resistance Movement and his secretary Soroush Katibeh were found dead at the residence located at 37 Rue Cluseret de Suresnes near Paris. Autopsies of the victims revealed that the murders had been committed two days previously. Bakhtiar was found to have suffered mechanical asphyxiation, multiple fractures of the larynx, as well as external bleeding resulting from puncture wounds inflicted by a sharp weapon. Katibeh had suffered facial asphyxiation, as well as multiple puncture wounds inflicted by a sharp weapon.

Bakhtiar had been named prime minister of Iran in early January 1979 under the Shah's government, but was forced to leave this post less than a month later when the Shah was deposed by the Islamic revolutionaries. Bakhtiar then escaped surreptitiously to France, where he founded the Iranian National Resistance Movement, which was opposed to the Iranian regime. Bakhtiar channeled his political activities into this organization and used it to fight against the Iranian government.

A detailed analysis of the findings of the French court in this case clearly reveals that Bakhtiar's and Katibeh's murderers were not only carried out under the aegis of, and abetted by, the Iranian government: the perpetrators also made use of the Iranian government's infrastructure to faithfully carry out the murder of the leaders of Iran.

That the most senior officials in the Iranian government were directly responsible for planning such a specific assassination, providing the weapons for it, and realizing it is demonstrated beyond any doubt by the following: the Islamic government clearly stood to benefit from the disappearance of one of the main members of the opposition to its rule; extensive resources were deployed during the operation; those involved in the operation were readily able to obtain the fake documents they needed; a sizeable number of Iranian nationals helped the suspects escape; the relationship between the Iranian government and some of persons involved in the operation has been documented.

As previously stated, during the period in which the AMIA bombing occurred, the realization of terrorist operations abroad by the Iranian government entailed joint and coordinated activity on the part of specific Iranian governmental organizations, each of which carried out the activities, within its sphere of responsibility, that were necessary to bring the target operation to a successful conclusion. This structure, which we refer to as a matrix (a term that conveys the idea of a predefined model or schema) functioned in a pyramidal mode, whereby the apex of the pyramid was the aforementioned Special Affairs Committee, which was headed by the Spiritual Leader of the Nation, beneath which interacted, at the same level, the Intelligence and Security Ministry, Foreign Affairs Ministry, the Islamic Culture and Religion Ministry, and the Revolutionary Guard Ministry (Pasdaran), within which operated the feared Quds special forces, which were in charge of carrying out special operations abroad.

The following specific activities (among others) were methodically organized, rapidly supplied and equipped, and scrupulously monitored by various Iranian government agencies that were involved in the AMIA attack to one degree or another: gathering sensitive information regarding the potential targets; elaboration, assessment and acceptance of the plan of attack; obtaining more specific information on the target that was ultimately selected; transmitting passports and visas; assigning diplomatic cover identities; providing airline tickets and accommodations in the country selected; and the use of money laundering after the crime was committed.

Cognate with this, in all countries where the Iranian government had diplomatic representation, it maintained intelligence capabilities that provided the aforementioned matrix with the support that kept it going. The organizational structure of this matrix (which was described in detail by expert witnesses that testified in the case) included consulates, Iranian diplomats and embassies also helped gather intelligence and monitored

the targets that Iran planned to attack); mosques, which in addition to being perfectly legitimate places of worship, were used by fanatic and unscrupulous individuals to recruit followers; and certain members of the local Islamic community, who used their legitimate social roles (many were taxi drivers or college students) as covers for the realization of intelligence gathering activities on behalf of the Iranian government.

The exhaustive investigation into the AMIA bombing proved that at the time of the attack, a system of this nature was functioning actively and successfully in Argentina. The concrete evidence that backs up this statement is described in detail in a lengthy chapter of our report; this evidence cannot be reproduced here for obvious reasons.

It should be borne in mind that without the logistical and operational advantages provided by the infrastructure described above, it would have been impossible to carry out an operation of the scope of the AMIA bombing. This is a key point, because among the numerous factors indicating that the then government of Iran was ultimately responsible for the AMIA attack, the intelligence service abroad emerges as one of the most important factors and an essential precondition for the attack, since it both embodied and provided the window of opportunity without which the attack would have been unrealizable.

As for what we feel are the underlying causes of the AMIA bombing, our report contends – without prejudice to Islam’s extremist ideology which has been a key driving force behind every act of violence committed by the regime – that certain issues were in the air at the time of the attack that were related to the then-geopolitical situation in the Middle East and that in some ways “justified,” the AMIA attack, according to the pernicious logic of Islamic fundamentalism,

These causal factors are related to the sudden cancellation by the Argentinean government of nuclear technology transfer agreements between Argentina and Iran, a decision which (as we explain in our report) was an impediment to the implementation of Iran’s nuclear strategy.

In short, we have in the sudden cancellation of the so called “nuclear contracts” – a fact that was adequately proven during the court proceedings – the advent of a totally plausible reason or motive which in our view constitutes one of the main indicators that the then government of Iran was involved in the AMIA attack.

Other events more closely related to the delicate situation that existed in the Middle East at the time served as an ideal and certainly very opportune excuse that provided the organization that carried out the AMIA attack – namely Hezbollah – with a justification for it, although the decision to commit the crime was made previously.

The events we are referring to are the abduction in May 1994 of the Hezbollah commander Moustapha Dirani (an action that was attributed to Israel) and the Israeli bombing that began the following month of a Hezbollah refugee camp in the Bekaa valley of Lebanon. The bombing resulted in the deaths of an indeterminate number of people, but according to the court record in the case, there were between 9 and 40 deaths.

As stated above, another factor that has led us to the conclusion that the Iranian government was responsible for the AMIA attack is that on dates that are very sensitive owing to their proximity to the date of the attack, the amount of mail and the numbers of diplomatic functionaries being sent by the Iranian government to Argentina rose dramatically and out of all proportion to previous practice (as reflected by records that were examined during the investigation). This mail originated in various parts of the globe such as Germany, Iran, Brazil, Chile and Uruguay, the latter also being completely atypical relative to previous periods. \

Our investigation also revealed that, according to documentation from the Argentinean embassy, at this period there was no reason, circumstance or event that could have justified such a flood of diplomatic mail. All of this, when analyzed in light of the other evidence in the files, led us to infer that the operations of this nature that were detected, whether they were meant to be a smokescreen, or whether they served to transport sensitive information and/or materials, or perhaps both, were a direct outgrowth of the preparations that were being made for the AMIA attack.

Equally suggestive in this regard is the sudden departure from Argentina of the influential third secretary of the Iranian embassy (and former member of Iran's special forces unit Padaran) Ahmad Reza Asghari, according to the evidence related to the case, also attended the Special Affairs Committee meeting on August 14, 1993. Indeed, in view of the confluence of circumstances that we have just described, we feel that there is no reason more plausible than the one we have set forth for Ashgahri's extremely abrupt departure from Argentina in early July 1994, when he was in fact not scheduled to leave the country until three months later, in October of 1994.

The concurrent – and certainly very opportune – departure of the Iranian ambassadors in the region fits into this chain of events as well, since it is clear, in light of the circumstances we have described, that we are confronted here with yet another maneuver on the part of the Iranian government designed to put enough distance between its functionaries – and in so doing the government itself – and any possible direct connection with the attack.

As has been pointed out a number of times in the present document, in the interest of carrying out the terrorist bombing of AMIA on August 14, 1993, the Iranian officials in charge of the Special Affairs Committee used Hezbollah, a Shiite Lebanese organization that has historically been subordinated to the interests of the Iranian

government. The key evidence developed during the case demonstrating that Hezbollah participated in the AMIA attack is as follows:

The modus operandi:

Carrying out attacks using a car bomb loaded with explosives that are triggered by the vehicle's suicide bomber-driver is the first factor that suggests that Hezbollah was responsible for the attack. In fact, and as one of the experts on international terrorism that testified during the court proceedings put it, this spectacular method is a veritable Hezbollah "trademark," a fact demonstrated by the large number of similar operations (enumerated in our report) that Hezbollah realized in Lebanon in the 1980s and the early 1990s.

The attack on the Israeli Embassy in Buenos Aires:

In a decision handed down on December 23, 1999, the Argentinean Supreme Court stated that the March 17, 1992 attack on the Israeli embassy in Buenos Aires was the work of Islamic Jihad, which the Court accused of being the "armed wing" of Hezbollah.

In short, the marked similarities between the two events (although these are more than just similarities: it would be more accurate to speak in terms of identical events: identical location, identical target, and identical modus operandi), in conjunction with the temporal proximity between the two acts, as well as other elements, clearly justify our inference that both attacks were realized by the same terrorist organization – namely Hezbollah.

Claiming responsibility:

Five days after the AMIA attack, a group called Ansar Allah published a communique in the Lebanese daily *An Nahar* claiming responsibility for the AMIA attack, as well as for the previous bombing of an Alas Chircanas airliner over Panama.

This was the same procedure that Islamic Jihad had used two years previously to claim responsibility for the attack on the Israeli embassy in Buenos Aires (identical method, including publication of the communique in the same newspaper). The documents and testimony obtained from the files (including periodic declarations made by the deputy secretary general of Hezbollah and number two man in the organization Nahim Kaseem) demonstrate that Ansar Allah does not exist and that it is merely one of the fictitious names used by Hezbollah to claim responsibility for this type of attack in a manner that at the same time enables the organization to escape direct blame for its crimes.

The explosion:

It was conclusively established that on July 18, 1994 the Lebanese national and Hezbollah member Ibrahim Hussein Berro was driving the Renault Trafic van that blew up in front of AMIA, killing Mr. Berro. We will not describe here, one by one, the elements in the chain of evidence that proves the aforementioned facts, since this has already been done in a dedicated section of our report.

Moughnieh:

As has already been mentioned, testimony from various witnesses proves that Imad Fayeze Moughnieh was in charge of planning and coordination of the operational phase of the AMIA attack. Needless to say, this fact is yet another clear indication that Hezbollah was responsible for the bombing.

Public statements by Hezbollah leaders:

It would make no sense to refrain from analyzing public statements made by Hezbollah leaders prior to the attack as possible indicators of the organization's responsibility for it; in any case, these statements do not prognosticate the operation, in any way whatsoever, particularly its modus operandi.

In this vein, Francois Gorphe referred to two statements made by Hezbollah leaders as "a sign of statements made prior to the crime" (*Apreciación judicial de las pruebas*, Bogotá Editorial Temis, 1989, p. 239). These two statements are particularly noteworthy, coming as they did from the highest levels of the Hezbollah hierarchy, and in view of their macabre nature and, in the case of the second, their forcefulness.

The first statement, which is attributed to Hezbollah's spiritual leader Mohamed Hussein Fadlallah, was made after the abduction of Dirani alluded to above: "The resistance – supported by the Shiite clergy – has a lot of oxygen. The enemy has said that they have a long reach but when Abbas Moussawi was assassinated, the Islamic fighters proved that they can reach all the way to Argentina. The battlefield has spread throughout the world, and the battle is unfolding as time goes on."

Hezbollah secretary general Hassan Nasrallah made the following less elliptical, but similarly prophetic statement only one month before the attack: "A thousand suicide commandos are preparing to confront Israel all over the world."

In view of the scope of the tragedy that struck AMIA a mere 32 days later, and the rest of the evidence in this case, it would be absurd to suppose that this terrible threat was pure happenstance.

The whole body of proof and evidence, which is consistent, serious and accurate in its entirety, confirms that Hezbollah was responsible for the AMIA bombing. This evidence, which is substantiated by the testimony of numerous experts and analysts in the field of international terrorism, unanimously points to Hezbollah as the perpetrator of this heinous act, and has done so since the inception of the investigation.

Moreover, the aforementioned testimony also indicates forcefully and unanimously that Hezbollah – an organization that was created and is supported militarily and economically by the government of Iran – does not carry out foreign terrorist acts (or at any rate was not doing so during the period in which the attack occurred) on its own initiative, but rather in response to instructions that are issued by the Tehran regime directly to the Hezbollah leadership.

And this is in fact exactly what happened in the AMIA attack, as has been proven by the evidence in the case: Tehran and Hezbollah were the two sole actors in the bombing, actors whose actions were coordinated like clockwork within the framework of Hezbollah's subordinate relationship with Tehran that was described by the experts.

Hence, the elements adduced as supporting evidence in our report answer many of the central questions that the investigation of the bombing set out to answer.

Our report specifies who decided to carry out the attack on AMIA, when this decision was made, the reason for the decision, the parties in charge of coordinating the operation, and the parties in charge of carrying out the actual attack. Our report also specifies which parties were instrumental at the local level in implementing the attack, and describes the most salient characteristics of the operational infrastructure which, in providing intelligence and logistical support, laid the indispensable groundwork for successful realization of the bombing.

However, we wish to reiterate that the petition that we are submitting to the court today should not be construed to mean that all avenues of investigation have been exhausted in this case. Far from it. For there are numerous aspects of the investigation that we are working on tirelessly in collaboration with other Argentinean government agencies, and significant progress has been made in some of these areas.

But these additional findings cannot be disclosed until certain ongoing procedures have been completed, so as to avoid jumping to conclusions that might well be erroneous or at best incomplete.

However, what we have said above does not mean that it would be inappropriate to disclose other findings at this stage in the investigation, since these findings are substantiated by the evidence. And this is exactly what we have endeavored to accomplish in our report, and for two main reasons: the necessity of (a) demanding the arrest of the group of individuals that are suspected of having participated in the AMIA attack; and (b) determining the extent of the responsibility of the highest authorities in the Iranian government and of Hezbollah in the case.