

# Limits to Governability, Corruption and Transnational Terrorism: The Case of the 1992 and 1994 Attacks in Buenos Aires

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The obliteration of the Embassy of Israel and the Jewish community center known as AMIA (*Asociación Mutual Israelita Argentina*), two of the worst terrorist attacks worldwide during the 1990s, and the complex web of complicities, corruption and limits to governability that hindered the investigation of these acts are an interesting case for a broader study of the relationship between state disintegration, corruption and terrorism.

After 11 September 2001, it is increasingly clear that in many Third World scenarios the struggle against transnational terrorism will face major obstacles derived from state disintegration and corruption, which contribute to set the scene for terrorist complicities. The study of the Argentine case (in which the limits to governability were barely visible in 1992 and 1994, but have since become apparent) can help to demonstrate in a compelling manner the nature of these challenges.<sup>1</sup>

This study will document the nature of the terrorist attacks in Buenos Aires, the role of the limits to governability in the generation of complicities that conspired against the investigation's success during five administrations,<sup>2</sup> and the role of corruption in the obstruction of justice. Its relevance lies not only in the fact that these unsolved cases underscore the interplay between corruption, limits to governability and a terrorist menace that struck twice in Argentina and can strike again, but also in the even more ominous consideration that

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transnational terrorism can potentially make use of the *laissez faire, laissez passer* made possible by corruption and the erosion of state authority to provide the logistics for staging attacks elsewhere. Indeed, this appears to be a sphere of global politics in which the center-periphery dichotomy loses relevance.

### **Argentina as a target of Islamic fundamentalist terrorism**

Islamic fundamentalist terrorism ceased to be a foreign phenomenon for Argentina long before 11 September 2001. Indeed, when Hezbollah (Party of God), an armed branch of Islamic Jihad, claimed responsibility for the bombing of the Israeli Embassy in Buenos Aires, on 17 March 1992, that killed twenty-two people, it became clear that Islamic terrorism had gone global and that its targets were not limited to Israeli and American interests.<sup>3</sup> Prior to its 1992 attack in Buenos Aires, neither Iran nor Hezbollah had attacked Israeli or Jewish targets abroad. Rather, Iran preferred to encourage Hezbollah to strike Israeli military objectives in Lebanon. But after the Madrid Peace Conference in October 1991, a spate of deadly attacks was launched against Israel and other Jewish targets throughout the world.<sup>4</sup> Interestingly, Argentina preceded U.S. territory as a target of Islamic fundamentalism.

But the scourge did not stop with the bombing of the Embassy. The second Islamic terrorist attack in Buenos Aires was perpetrated on 18 July 1994, demolishing the building of the AMIA. There were eighty-five dead and approximately 300 wounded. In this case also, all roads led to Hezbollah as well as to Iran and Syria. Ten days before the bombing, the Argentine government had been warned of the impending attack by a strange tipster who walked into the Argentine Consulate in Milan.<sup>5</sup> This individual, a frightened Brazilian who introduced himself as Wilson Dos Santos, explained that his former girlfriend, an Iranian prostitute whom he had met in Buenos Aires with strong connections to her country's Embassy, belonged to a terrorist cell that had bombed the Israeli Embassy in Argentina. He said the terrorists were preparing to bomb another Jewish target in Buenos Aires, a building that was being renovated (which was, in fact, the case of the AMIA building). Dos Santos also approached the Brazilian and Israeli consulates and provided more information in frantic phone calls to the police in Buenos Aires and in meetings with Argentine agents in Rome just after the bombing.<sup>6</sup>

The warning went unheeded and Dos Santos' tip was forwarded to higher authorities only after the attack. Dos Santos reiterated his story on the day of the bombing, but then went on to deny it in subsequent interrogations.<sup>7</sup> Nevertheless, investigations have shown that Dos Santos was heavily involved with Middle Easterners in the so-called Triple Border between Argentina, Paraguay and Brazil,<sup>8</sup> and that the persons he mentioned in his first declarations existed and

had a profile consistent with that of potential accessories to the bombing.

More direct confirmation of Hezbollah and Iranian involvement in the AMIA bombing was provided by a witness codenamed “C”, a repentant high-level Iranian intelligence official who used the alias of Abolghasem Mesbahi, son of one of the leaders of the Islamic Revolution and protected by Germany since 1996. He testified repeatedly from 1998 onwards that planning for the attack in Buenos Aires began in 1992. He said the operation was led by Mohsen Rabbani (the cultural attaché of the Iranian Embassy at the time, whose name also came up in the Dos Santos investigation) and supervised by Hamid Naghashan, a senior official in the Iranian intelligence agency. According to the *New York Times*’ account, he said that “one cell focused on cooperating with members of the Argentine police, corrupting them or threatening them to collaborate with the attack” while “another devoted itself to obtaining the explosives” in Brazil. According to the *Times* version, the witness also accused then President Carlos Menem of accepting a US\$ 10 million bribe to obstruct the investigation (an accusation from which “C” later retracted in a letter to the SIDE,<sup>9</sup> made public in January 2003).<sup>10</sup> An earlier version in *Clarín* also implicated Menem in an Iranian bribe, but predates it to 1990 and attributes the hush-up not to the bribe but to increased Iranian meat and cereal imports after the blast.<sup>11</sup>

These versions place the responsibility for masterminding the operation on Iran.<sup>12</sup> Yet the operational involvement of Hezbollah in the actual execution of the attack, and the important logistical role played by local mercenaries, including rogue elements from both the federal and provincial security forces, are also mentioned and have been proven beyond a reasonable doubt.

Indeed, in late September 2002 the suicide bomber who carried out the terrorist attack was identified. He was a young Lebanese from Baalbeck and a Hezbollah militant who went by the name of Ibrahim Hussein Berro.<sup>13</sup> Soon after the attack, he received the homage of his relatives, and today a square in his native town bears his name. The terrorist entered Argentina illegally through the Triple Border. This information was corroborated by the CIA and the Mossad.<sup>14</sup> The Iranian connection was also confirmed inasmuch as the CIA and the Mossad made it known to Argentine intelligence that at least seventeen couriers had arrived at the Iranian Embassy in Buenos Aires several days before the blast and all had left by July 17, twenty-four hours before the attack. Moreover, one of the prime suspects of masterminding the Argentine attacks, also accused by Witness “C”, is Imad Fayez Mugniyah, one of the twenty-two most wanted terrorists on the list released by President George W. Bush on 10 October 2001.<sup>15</sup>

## The Condor II and the Syrian connection

But Iran and Hezbollah were not the only transnational actors sponsoring the attacks. Another actor, which is insinuated in the *Times* article but was well known to officials in the Argentine Foreign Ministry during Guido Di Tella's tenure (1991-1999), was Syria. Both Syria and Libya<sup>16</sup> had provided financial sources for Menem's 1989 presidential campaign.<sup>17</sup> When Menem became president, he developed a good relationship with the Syrian government and when Iraq invaded Kuwait, he promised Hafez al-Assad that Syria would inherit the Iraqi partnership in Argentina's Condor II ballistic missile project, and would also become a privileged recipient of Argentine nuclear technology.

The Condor II requires explanation. In January 1984, former president Raúl Alfonsín, chief of state of the then recently re-democratized Argentina, signed a secret agreement with Egypt and Iraq for the development and production of an intermediate range ballistic missile, the Condor II, that theoretically was to be slightly superior to the U.S. Pershing II, capable of carrying a payload of over 1000 pounds across a distance of more than 1000 kilometers, with a state-of-the-art guidance system.<sup>18</sup> In other words, it would have been capable of carrying an average nuclear warhead from Patagonia to Falklands/Malvinas or from Baghdad to Tel Aviv. Libya would also contribute to financing the missile's development.<sup>19</sup> However, the project ran into trouble because, not long after Menem became president, the world's geopolitical configuration changed after Iraq's invasion of Kuwait. Iraq was a certain loser and a partnership with it was no longer feasible, so Menem (who is of Syrian descent) negotiated with Assad, who had helped him fund his electoral campaign.

But the promises made to Syria were to remain unfulfilled. After the Gulf War, U.S. diplomatic pressure (plus a certain inclination in that direction on the part of Guido Di Tella and his team) caused Argentina to shelf the Condor missile project and join the Nuclear Non-Proliferation Treaty. Assad felt betrayed and simply eliminated Argentina from the targets forbidden to Hezbollah, the pro-Iranian Lebanese terrorist organization under Syrian military protection.

This green light to Hezbollah was reinforced soon afterwards by the added motivation provided by the killing in Lebanon, on 16 February 1992, of Abbas El Mousawi, secretary general of the organization, along with his wife and daughter. At Mousawi's funeral, Sheik Fadlallah, Hezbollah's spiritual leader, vowed to seek revenge.<sup>20</sup> The scene was thus set for an attack against the Israeli Embassy in Buenos Aires, co-sponsored by Iran and Syria and executed by Hezbollah, with the logistical support of local right-wing, anti-Jewish mercenaries with links to the state security forces.

At first, the CIA office in Buenos Aires asserted that Syrian authorities might also have been behind the terrorist act, together with Iran and Hezbollah. This

could have been embarrassing to the Menem administration, since revealing the details of Menem's previous dealings with Assad and his regime would not have been flattering and might even have been incriminating. But soon enough U.S. agencies began to divert attention from Syria, focusing exclusively on Iran and Hezbollah. According to some analysts, this was due to the American and Israeli perception that Syria could be co-opted for the Middle East peace process. From this point of view, it was not worthwhile to sacrifice such an opportunity for the sake of solving the case of the terrorist attacks in Buenos Aires. Thus, concealing the Syrian involvement, or at least not following the Syrian lead all the way, was congenial to all parties concerned with the investigation. The generalized perception of senior Argentine Foreign Ministry sources was that Syria had been an important co-sponsor of both the 1992 and 1994 bombings, but that it was in no one's interest to bring this out, excepting the victims' families organized in the non-governmental institution *Memoria Activa*.<sup>21</sup>

### **The need for a cover-up**

But there were other incriminating elements connected to the terrorist attacks that were largely overlooked in the investigations. In the context of a 1995 Hearing before the Committee on International Relations of the U.S. House of Representatives, the U.S. State Department's Coordinator for Counterterrorism, Philip C. Wilcox, attributed the lack of substantive investigation results to poor coordination among Argentine security and intelligence networks, and to the ill will of the Buenos Aires provincial police.<sup>22</sup> At the same Hearing, Avi Weiss, Senior Rabbi of the Hebrew Institute of Riverdale and National President of the Coalition for Jewish Concerns, went much further, accusing the Argentine National Bureau of Migrations (DNM) of complicity with the terrorists. He denounced that in January 1990, "the Syrian terrorist Monzer al Kassar, linked to the Achille Lauro hijacking, had been permitted to enter Argentina by (Navy Captain Aurelio Carlos) Martínez," suspected of human rights violations during the military dictatorship of 1976-83 and National Director of Migrations during the Menem administration.<sup>23</sup>

Indeed, Al Kassar was even granted Argentine citizenship during Menem's tenure, allegedly upon the initiative of the President himself.<sup>24</sup> In Buenos Aires, he was connected to the local branch of the infamous transnational money-laundering bank BCCI (Banco de Crédito Comercial Internacional), and is himself suspected of money laundering and financing terrorism.<sup>25</sup> He was officially appointed arms dealer for the Menem government and commissioned, among other things, the sale of several submarines.<sup>26</sup> Even more important, he was involved in dealings with Arab countries concerning the Condor II missile, as established by several intelligence documents from the Argentine Ministry

of Defense. Moreover, Al Kassar had connections in the Argentine Air Force, especially through Brigadier General Ernesto Horacio Crespo and Brigadier General José Antonio Juliá.<sup>27</sup>

Thus, Monzer al Kassar is possibly a crucial yet never fully investigated link between Syria, Menem's broken promises to Hafez al-Assad, the terrorist attacks, money laundering, and perhaps other arms-trafficking scandals during the Menem administration. Although the official AMIA/DAIA report of 1997 recommended investigating him, it diplomatically shied away from suggesting a Syrian connection. This was in keeping with the attitude of some Argentine Jewish leaders who preferred to let the investigation lapse, since they believed that an indictment of Syria would help neither Israel nor the Middle East peace process.<sup>28</sup>

By contrast, a 1999 report prepared by the legislators of *Acción por la República* (a political party headed by former Economy Minister Domingo Cavallo) contended that the absence of a real investigation of a Syrian connection was but an attempt "to divert public attention away from any suspicion that [the Menem administration] was involved in the attacks."<sup>29</sup> The report also suggests a cover-up to conceal Menem's illegal campaign funding by Syria and Libya, and Menem's unfulfilled promises to Arab countries, as a key trigger for the bombings. The same is true of the report of the Special Bicameral Commission for the Follow-up of the Investigation of the Terrorist Acts Against the Israeli Embassy and the AMIA building, which delved both into Al Kassar's presumed participation in the bombing and that of Ibrahim al Ibrahim, also suspected of being connected to the attack. The latter was a former colonel in Syrian intelligence, closely linked to Menem, who was graciously granted Argentine citizenship. Even though he barely spoke Spanish, he was appointed special advisor to the Argentine Customs, and thus placed in a position from which he could facilitate all sorts of illicit trafficking.<sup>30</sup>

### **Autonomy of security services and erosion of state authority**

Another issue denounced by Weiss to the House Committee was that the Federal Police guard was off duty and that the neighborhood police patrol was mysteriously unaccounted for at the time of both bombings.<sup>31</sup> He complained that there had been no meaningful investigation of who had ordered the police guards to abandon their posts at the Israeli Embassy and the AMIA just before each attack.<sup>32</sup> Weiss accused the Argentine state of "stonewalling the investigation," adding that "A cover-up operation is taking place... It was clear from the very beginning of the AMIA investigation that the police had one preferred lead, Iran, and that they were not going to give serious consideration to other leads that would embarrass the Menem government." Weiss also

collected evidence that “Menem employed many with extreme right-wing or neo-Nazi views or criminals with murderous pasts in the state intelligence service, people with notorious backgrounds like Pascual Oscar Guerrieri, a repressor during the last military dictatorship, appointed by Menem as a SIDE advisor... One cannot expect individuals with this kind of view to carry out a serious investigation into either bombing...”.<sup>33</sup>

The involvement of police and military elements in both terrorist attacks probably points more in the direction of security service autonomy and serious limits to governability than to direct state complicity in the attacks themselves. Although there were many reasons for Menem to seek a cover-up that would conceal incriminating links, he had everything to lose and nothing to gain from the bombings. But rogue elements in the two police forces (federal and provincial), as well as among the military (the so-called *carapintadas*, who had previously rebelled against Alfonsín and Menem), were in a position to act autonomously. Once they had done so, the administration probably felt that to expose them would be more destabilizing than to protect them. In addition, as we shall see below, the local intelligence services (themselves an important part of the investigating team) probably had malfeasances of their own to hide.

The improvised cover-up was apparent soon after the 1994 attack. In his first press conference after the AMIA bombing, Menem intimated that the *carapintadas* were responsible for the act. Hours later, however, Minister of Defense Erman González rejected this possibility. In August, after denying what he had stated in the original press conference, the President denounced Iran and tried to distract attention from the purported local connection.<sup>34</sup>

Nevertheless, the Special Bicameral Commission provided important information on the local connection for both attacks. Judge Juan José Galeano and prosecutor Eamon Mullen went further, making it known that some local collaborators were police officers and *carapintadas*. At the Campo de Mayo military base outside Buenos Aires, Galeano found evidence that army personnel had helped prepare the attack, providing explosives and intelligence, but for some reason this lead did not prosper.

Despite these accusations, and even though evidence surfaced showing that members of the Buenos Aires provincial police had also participated in the logistics of the attack, Galeano did not seem really interested in carrying out a thorough investigation of the organization that had provided the car bomb and other such support for the terrorists.<sup>35</sup> Moreover, the Judge himself acknowledged responsibility for the destruction of numerous videotapes officially labeled as evidence, with the excuse that he was blackmailed. In September 2001, after Galeano admitted his responsibility, the attorneys of *Memoria Activa* pressed charges against him and the Federal Chamber decided to investigate the Judge,

who—this notwithstanding—is still in charge of the case.<sup>36</sup>

*Memoria Activa* was not alone in denouncing Galeano. On 6 April 2003, Congresswoman Nilda Garré, who under the De la Rúa administration had been chief of the Ministry of Justice's Special Unit of Investigation of the Attacks, filed for a political trial against Judge Galeano on fifteen counts of negligence or misconduct, among them failing to prosecute irregularities attributed to agencies of the state.<sup>37</sup> Furthermore, on 19 March 2003, Judge Galeano's former secretary, Javier de Gamas, after giving testimony to the Federal Oral Court, was himself indicted and arrested on false testimony charges related to police participation in the logistics of the attack.<sup>38</sup>

Galeano was also accused by Claudio Lifschitz, who during the first two years of the investigation was his adjunct secretary and eventually became a witness himself. Lifschitz claims in his book that three months before the bombing, the SIDE had infiltrated an Iranian sleeper cell suspected of links to Hezbollah, provided logistical support and prompted it to act, in what was supposed to be a sting operation. In his words, it was a "controlled operation" that went out of control. When the investigators discovered these embarrassing and incriminating facts, the cover-up became official policy.<sup>39</sup>

In 2000, after Lifschitz publicly denounced Galeano and the SIDE, he was accused by the DAIA, AMIA and SIDE of violating a "political secret" (article 222 of the Penal Code).<sup>40</sup> Lifschitz is currently being prosecuted by Federal Judge Jorge Urso, although no one has accused him of falsifying information. On the other hand, the attorneys of *Memoria Activa*, Alberto Zuppi and Pablo Jacoby, have pointed out that although at first Lifschitz's declarations were hard to believe, all the new evidence tends to confirm what he wrote in his book.<sup>41</sup>

Thus, it is not surprising that Argentine intelligence services continuously jeopardized the investigations. They were plagued by internal conflicts. Many of the measures suggested by a task force organized with the help of the CIA, FBI, Mossad, and the French, German and Spanish security services were announced but never implemented. Yet the worst came when the SIDE boycotted the CIA, leaking the photograph of Ross Newland (then CIA delegate in Buenos Aires) to the newspaper *Página 12*, which published his face under different guises in January 2001. Newland had to flee the country and the CIA broke relations with the SIDE.<sup>42</sup> The incident occurred during the government of Fernando de la Rúa, illustrating that the obstruction of the investigation by state security agencies was not merely a phenomenon associated to the Menem administrations, but rather it reflected some level of deterioration of the state apparatus and/or its chains of command. The incident shows that both corruption and the autonomy of certain segments of the state security apparatus were close to being unmanageable.



Furthermore, in the investigation of the terrorist attacks, the deterioration of state authority is a variable that fed back into another, already documented factor of equal importance: government reluctance to advance in any direction that might prove incriminating (to the Menem administrations) or destabilizing (to either the Menem or the De la Rúa administrations). Raúl Kollmann, perhaps the journalist most familiar with the AMIA case, stated that: "The real problem is that the Argentine government was never interested in solving the case. At times, only fifteen to twenty people were assigned to it, while after the Oklahoma City bombing 5,000 law enforcement officials were deployed immediately. The United States sent over 1,500 agents to Africa after the bombing of the embassies in Tanzania and Kenya. These agents interrogated 10,000 witnesses in four days. In Argentina, witnesses are still waiting to be called. And it took over three years to put together a 100-person team of investigators that never functioned properly."<sup>43</sup>

When he was sworn in as President in December 1999, Fernando de la Rúa promised a swift resolution to the AMIA affair, but the policy of concealment continued. The chief of the Ministry of Justice's Special Unit of Investigation of the Attacks, Nilda Garré, who since her appointment in 2000 had fostered the investigation as never before, was forced to present her resignation in 2001. She was accused of hurting the investigation by revealing that Witness "C" had admitted that Menem's team had received money to protect Iran from being investigated, even though it was no news and had been published in 2000.<sup>44</sup> At the bottom of the squabble was the annoyance of Jorge De la Rúa, Minister of Justice and the President's brother, who objected to Garré's zeal.<sup>45</sup> She had proved that as part of an official cover-up, police logbooks had been altered and the electronic address books and planners of various suspects had been erased. In an interview with *New York Times* correspondent Larry Rother, Garré said that "not only has there been no support for getting to the bottom of this case; you can also say that some government organs have actively sabotaged the investigation," adding that "state intelligence and the federal police are clearly involved... but there is also evidence pointing to the involvement of agencies ranging from Immigration to the Foreign Ministry."<sup>46</sup>

Consistent with these charges is the fact that several of the twenty suspects brought to trial accused of participating in the AMIA bombing are former officers of the Police of the Province of Buenos Aires. The most conspicuous is Juan José Ribelli, a high-ranking officer accused of nothing less than supplying the terrorists with the vehicle used as a car bomb.<sup>47</sup> The latest revelations concerning police involvement were made in late 2002. A year after the trial began, the wife of a man specializing in selling stolen cars, who was charged with supplying the vehicle used as a car bomb in the AMIA attack, broke down and confessed that

her husband had given the vehicle to agents of the Buenos Aires police as a result of the latter's extortion. Although her husband had previously denounced the provincial police, she contradicted herself, first acknowledging and then denying the link between her husband and the police. Finally, she panicked, burst into tears and confessed in court that she had recanted from her original acknowledgement of the link with the police because she had been threatened by members of the force.<sup>48</sup> Indeed, the collapse of chains of command in the security agencies of the state has been proven to be an important element both in the cover-up and in the mercenary complicities that facilitated the attack.<sup>49</sup>

It is important to remember here that the autonomy of state security agencies is to some extent a legacy of the 1976-83 military dictatorship, which encouraged the repression of leftist guerillas by autonomous groups of officers of the armed forces on active duty, in order to free itself from the constraints of lawful criminal prosecution. Nevertheless, during the dictatorship the autonomy of paramilitary groups and the state intelligence agency converged with the perceived self-interests of the regime, and the central state was an accomplice to the perpetration of their crimes. By contrast, the 1992 and 1994 bombings were in no way perceived as desirable by the government, while the central state as such was an accomplice only to the cover-ups of the crimes, not their perpetration. The cover-ups were perceived as damage control.

### **Corruption as an independent variable**

The destruction of the AMIA building also obliterated the offices of the DAIA (*Delegación de Asociaciones Israelitas Argentinas*), the Jewish umbrella organization housed together with the AMIA. Unlike the latter, which is a mutual aid association, the DAIA is the organization that has traditionally handled the relations between the Jewish Community and the Argentine State. During a meeting on 21 July 1994, the President of the DAIA, Rubén E. Beraja, also President of Banco Mayo, stated that the Argentine government was responsible for investigating the terrorist acts and demanded a thorough investigation.

However, two years after the bombing, it became clear that the DAIA and the AMIA's leadership had softened their initial demands. At the same time, *Memoria Activa*, an organization composed of relatives of the victims, was created.<sup>50</sup> While the Jewish leadership avoided confrontations with the government, *Memoria Activa* radicalized its position, systematically denouncing successive findings that showed increasing irregularities in the investigation coordinated by Judge Juan José Galeano.

Until 1996 Beraja's proximity to the government was accepted by the great majority of the Jewish community. But towards 1997, a generalized perception of Beraja's special relation with Menem and Minister of the Interior Carlos

Corach led to increasing public expressions of repulse, on the grounds of a serious conflict of interests and apparent complicity with the government's stonewalling of the investigation.<sup>51</sup> After the collapse of his bank, documents have shed light on the special aid given by the Central Bank to Banco Mayo when the sequence of bank failures began. At present, Beraja is being prosecuted by Argentina's federal justice.<sup>52</sup>

Two reports published in 2001 by the Special Investigative Committee on Illicit Deeds and Money Laundering of the Chamber of Deputies of the Argentine Congress (CEIHIVLD)<sup>53</sup> detailed the illegal practices that characterized the financial operations coordinated by Beraja. Banco Mayo was shown to have received some US\$ 350 million in soft credits from the Central Bank, more than any other bank of its size. The President of the Central Bank, Pedro Pou, was indicted by CEIHIVLD, accused of tolerating dubious operations of money laundering and fiscal evasion on the part of some banks, including Banco Mayo. Consequently, Pou was forced to resign his position by a decree signed by President De la Rúa.<sup>54</sup>

As early as September 1995, Rabbi Avi Weiss had expressed his disagreement with Beraja's support of the government's investigation in statements made to the Committee on International Relations of the U.S. House of Representatives.<sup>55</sup> By the third anniversary of the AMIA bombing, in July 1997, crowds heckled and turned their backs on Beraja, while Laura Ginsberg, a *Memoria Activa* militant, spoke scathingly against the Argentine government. When Beraja and AMIA's President, Oscar Hansman, apologized to the government for Ginsberg's speech, the Argentine Jewish community suffered a severe split that was only overcome in 1999, with the fall of Banco Mayo and Beraja's indictment and disgrace. Such a denouement generated community consensus over the government's stonewalling and Beraja's complicity with the latter.<sup>56</sup>

In July 1999, *Memoria Activa* denounced the Argentine government before the Inter-American Committee on Human Rights of the Organization of American States (OAS) for its non-investigation of the attacks. When in September 2001 (thirteen days *after* the attack on the Twin Towers and the Pentagon) the trial of some twenty individuals accused of providing logistical support for the terrorists finally began, the OAS Committee validated *Memoria Activa's* charges by appointing Claudio Grossman, president of the former, as observer to the trial.<sup>57</sup>

Thus, the President of the DAIA, who was civil society's chief representative in the AMIA case and the foremost Argentine civil leader responsible for pressuring a reluctant administration to pursue justice, was at the same time president of a bank that, at best, was badly in need of government favors and, at worst, profited from undue privileges. Many knew what was going on and kept quiet as long as Beraja's power lasted. In other words, strong pressures on the

government were unlikely because of corruption and/or conflicts of interest within the more powerful segments of Argentine civil society (including prominent members of the Jewish community), whereas pressure stemming from less powerful segments, such as *Memoria Activa*, were unlikely to cause more than some embarrassment to the national administration.

### Some conclusions

Neither the Menem nor the De la Rúa administrations were interested in suffering the destabilizing effects of an effective investigation that fully uncovered and exposed the involvement of security forces, rogue military officers and intelligence agencies in the attacks. Although Menem may have had more to hide than De la Rúa (especially in relation to his promises to Syria, prior to the pro-Western shift in his foreign policy), the negative attitude of the De la Rúa administration towards Nilda Garré's investigative zeal clearly demonstrates that it also obstructed justice. The Duhalde Administration, in turn, insisted on maintaining the secrecy of the SIDE's internal investigation. And although some positive developments have sprung from the executive branch in the early stages of Néstor Kirchner's administration,<sup>58</sup> the persecution of Claudio Lifschitz by the SIDE and the judiciary does not bode well.

Although the 1992 and 1994 bombings remain unsolved, in the sense that no material perpetrator of the attacks has been brought to justice, it is known:

1. That they were an offshoot of the global phenomenon of Islamic fundamentalist terrorism and its suicidal instrument for mass murder, and directly linked to Hezbollah and Iran;
2. That they were partly motivated by Menem's broken pre-election promises to Arab countries, and by the geopolitical gambits of the early months of his administration, especially vis-à-vis Hafez al-Assad, who also wielded direct influence on Hezbollah;
3. That local elements were involved in the logistics of the attacks;
4. That an important segment of these local elements was officially linked to a state apparatus that does not fully respond to legitimate chains of command, as proven not only by the involvement of rogue police and military elements, but also by the SIDE boycott of CIA activities when it leaked to the press the photograph of the latter's chief operative in Argentina during the De la Rúa administration;
5. That although the autonomy of state security and intelligence agencies is a legacy of the 1976-83 dictatorship, it became qualitatively different in the case of the 1992 and 1994 bombings, inasmuch as the military regime gave *carte blanche* to paramilitary groups that conducted crimes it perceived functional to its interests, while the complicity of rogue security agents with the terrorist

attacks of the 1990s was not desirable for the Menem government. The 1976-1983 dictatorship was behind the perpetration of state terrorism, whilst with regard to the bombings of the 1990s, the successive administrations were accomplices to the cover-up of the crimes, but not to the acts of terrorism themselves;

6. That notwithstanding, corrupt practices such as placing the Syrian national Ibrahim al Ibrahim as special advisor to Argentine Customs, or granting an Argentine passport to the Syrian arms merchant and terrorist-suspect Monzer al-Kassar, facilitated all sorts of illegal wheeling and dealing, some of which was necessary to carry out the attacks;

7. That neither the Menem nor the De la Rúa administrations were willing to investigate fully and risk some measure of destabilization of their governments for the sake of solving the cases, and that they both incurred in obstruction of justice. This verdict can be extended to the Duhalde Administration, if we remember the most incriminating fact against the Argentine state as a whole: that the judge who to this day (September 2003, three months into the Kirchner Administration) continues to be in charge of the AMIA investigation confessed long ago to having personally destroyed evidence relative to the case. This is also the most compelling indication of the systemic nature of the phenomena we have analyzed.

Thus, we can see the interplay between corruption, serious limits to governability and a terrorist menace that has struck twice in Argentina and can not only strike again, but could also make use of the *laissez faire, laissez passer* made possible by corruption and the erosion of state authority to provide the logistics for staging attacks elsewhere.

This is especially evident when we consider that nothing has changed at the infamous Triple Border, where sleeper cells linked to Islamic terrorism have been identified by Western intelligence agencies.<sup>59</sup> As early as March 1994, Robert Gelbard, Assistant Secretary of State for International Narcotics Matters, declared his concern over the fact that the permeability of the Argentine borders could facilitate possible attacks by fundamentalist groups.<sup>60</sup> Yet the Argentine government paid little attention to such warnings until it was too late, and afterwards was unwilling or unable to significantly alter the situation. The fact that someone like Ibrahim al Ibrahim was appointed special advisor to the Argentine Customs makes it necessary to consider the hypothesis that we are confronting not only impotence arising from an inefficient state apparatus, but also a complicity with illicit trafficking that knows no bounds.

This is compounded by the fact that Argentina's *Documento Nacional de Identidad*, the key to obtaining a passport, is one of the easiest to forge in the world. Neither the Menem, the De la Rúa or the Duhalde governments were

inclined to solve this problem.<sup>61</sup> Likewise, they suspended a project to connect Argentina's 121 border points via an intranet.<sup>62</sup> Once again, corruption of such magnitude that it leads to an increasing erosion of governability has shown itself to cut across administrations. It is systemic.

Borders in Argentina seem to be intentionally porous. This is indicated by the successive cases of Ibrahim al Ibrahim and the frustrations linked to the identity document, but most dramatically highlighted by the so called case of the "parallel customs house", whose investigation was launched in 1996 by Judge Guillermo Tiscornia. It was established that between 1990 and 1996, 22,000 containers entered the country with false documentation and forged seals through the harbor and airport of Buenos Aires. Nevertheless, the case remains unsolved, while several key witnesses have been murdered over the years, the last in February 2003.<sup>63</sup>

Limits to governability are such that a government determined to put an end to this situation is likely to encounter insurmountable difficulties, whereas one willing to become the accomplice of the murderous forces that profit from porous borders will find life much easier in the short and middle terms. Corruption and the erosion of state authority feed each other, facilitating the activities of terrorists and traffickers, and jeopardizing the security and well-being not only of Argentines, but also of people in many other countries. The perverse dynamics between these variables would appear to be well illustrated by the case of the 1992 and 1994 terrorist attacks and their aborted investigations.

## NOTES

1. See C. Escudé, "Argentina, a parasite state on the verge of disintegration", *Cambridge Review of International Affairs*, Vol. 15 (3), Oct. 2002.
2. Menem's two plus De la Rúa's, Duhalde's and the early stages of Nestor Kirchner's.
3. Hezbollah was established following the 1982 Peace for the Galilee War in Lebanon. As a result, Iranian influence increased in Lebanon. It is an umbrella organization of various radical Shi'ite groups that adhere to a Khomeinistic ideology. It is led by clerics who see in the adoption of a radical Iranian doctrine a solution to the Lebanese political malaise. This includes the use of terror as a means of attaining political objectives. They regard the export of revolution as one of the main goals of foreign policy, most especially to Islamic countries with strong Western influence, but also against "heretics" everywhere. Despite its pro-Iranian convictions and Shi'ite identity, however, Hezbollah is militarily protected by Syria, and its operations are conditioned by Syrian political goals. Syrian forces surround the Hezbollah headquarters in Baalbeck, in central Lebanon, and it is hardly imaginable that the terrorist organization will hit a target vetoed by Syria.

4. Eli Karmon, "Iran's Policy on Terrorism in the 1990s," paper presented at the International Conference on Recent Trends in Research on Terror and the Fight against Terror (Department of Political Science, Haifa University, May 10, 1998).
5. In mid-2003, another forewarning was disclosed. On 31 May 1994, 48 days before the blast, the Argentine Embassy in Lebanon sent a cable to the Foreign Ministry warning of the threat of an attack against a Jewish target in Argentina, made publicly by Sheik Mohamed Fadlallah, spiritual guide of Hezbollah. The cable was resent to the state intelligence agency SIDE, but the threat was not made known to Jewish institutions. The cable was uncovered in the Foreign Ministry in 1997, but only in 2003 was the copy sent to SIDE discovered. *Clarín*, June 1, 2003.
6. The Iranian prostitute mentioned by Dos Santos is Nasrim Mokhtari. A legislator had helped her obtain an Argentine passport. She hung out at an Iranian butcher shop near the doomed AMIA building. There she introduced Dos Santos to two Arab friends, who would later accompany them on visits to the Iranian Embassy chauffeured by one of them. Dos Santos testified that he later helped them move merchandise into Argentina across the Paraguayan border. They met with Arabs and returned from Ciudad del Este with a heavy metal suitcase that Dos Santos brought into Argentina with the help of Nora González, then local chief of the Argentine Customs Station. In November 1994, in Argentina, Dos Santos gave his 10-hour deposition to federal police about Mokhtari and her friends. A few days later, however, with a terrified look, he retracted his account in front of Judge Juan José Galeano, who charged him with perjury. He spent about a week in jail, was conditionally released and fled to Brazil. The FBI report corroborated key elements of his original version. Details such as Mokhtari's driver match prior evidence of Iranian cells operating under the guise of taxi drivers, students, and meat-related businesses in Buenos Aires. Investigators believe this network, along with Hezbollah terrorists and Argentine accomplices who provided the van used in the bombing, was coordinated by the former cultural attaché of the Iranian Embassy, Moshen Rabbani. Among clues pointing to the attaché is his cellular phone, which was detected a few blocks away from the AMIA building at a key moment before the bombing. The attaché was barred from Argentina after testimony by an Iranian defector (protected witness "C") identified him as his country's espionage chief in the region. See Sebastian Rotella, "Deadly blasts and an itinerant's tale: hazy figure may hold the key to anti-Semitic bombings in Argentina", *Los Angeles Times*, April 17, 1999; "Iranian woman charged in Argentine blast probe", *Agence France-Presse*, December 4, 1998; "Argentina charges Iranian woman in Israeli Embassy bombing", *Dow Jones International News*, December 4, 1998; "Argentina detains Iranian woman", *Chicago Tribune*, December 5, 1998; "Argentine police arrest Iranian woman over Israel Embassy attack", *Deutsche Presse-Agentur*, December 5, 1998; "Argentina holds Iranian in Embassy bombing", *The Jerusalem Post*, December 6, 1998; "Argentina releases Iranian woman linked to Jewish bombings", *Dow Jones International News*, December 22, 1998; "Key witness to Buenos Aires bombing located in Brazil", *Associated Press Newswires*, November 18, 1998; "Key witness arrested in bombing of Jewish Community Center", *Agence France-Presse*, November 19, 1998; "Argentina bomb witness to testify", *AP Online*, November 22, 1998; "Iranian held in '92 Argentina blast", *AP Online*, December 4,

- 1998; “Swiss extradite Jewish Center bombing suspect to Argentina”, *Jerusalem Post*, 24 December 2000; and “Argentine court denies passport to Iranian bombing suspect”, *Agence France-Presse*, January 14, 1999.
7. In May 2003 Dos Santos was sentenced to prison for false testimony.
  8. Dos Santos had frequently been to the so called Triple Border between Argentina, Brazil and Paraguay, which is well known for its Lebanese population and sleeper Hezbollah cells. All major intelligence services agree that mafias based in the Arab immigrant enclaves of Ciudad del Este (Paraguay) and Foz de Iguazú (Brazil) run criminal industries such as money laundering and smuggling of merchandise and people. These mafias finance a network of terrorists belonging to Hezbollah, Hamas and other groups, thanks to porous borders, corrupt officials and the availability of illicit documents and weapons. Recently, the U.S. government’s foremost concern in the region has been the financing of terrorism elsewhere by Lebanese immigrants in the Triple Border. In December 2002, officials from the State and Treasury departments, the Pentagon, the FBI and the CIA met with Argentine, Brazilian and Paraguayan officials to discuss terrorist activities in the area. The U.S. delegation was headed by the State Department counterterrorism director, J. Cofer Black, and his predecessor, Francis Taylor. It provided an opportunity for Washington to discuss recent news reports about the presence of the Al Qaeda network in the region, and to attempt to quell open disagreements over fundraising for Hezbollah and other Middle Eastern groups. Brazil is more willing than the United States to define some types of fundraising for such groups as “humanitarian philanthropy”. See Marc Perelman, “US Joining Terrorism Probe Along Lawless Brazil Border: Hezbollah, Al Qaeda Links Sought”, Lebanon Foundation for Peace, December 13, 2002, and “EEUU reclamó más controles financieros en la Triple Frontera”, *Clarín*, December 16, 2002.
  9. SIDE, Secretaría de Inteligencia del Estado, Argentina’s state intelligence agency.
  10. Gerardo Young, “El testigo C ahora dice que Irán nunca le pagó al menemismo”, *Clarín*, 12 January 2003.
  11. This information is well known in the United States nowadays because it was published by the *New York Times* (Larry Rohter, “Iran blew up Jewish Center in Argentina, defector says”, July 22, 2002), but it was available to the informed public long before. See “El Testigo ‘C’: Un viejo conocido para los investigadores del caso”, *Clarín*, 23 de julio de 2002, and “Quieren que vuelva a declarar un iraní que habló del menemismo”, *Clarín*, 17 de julio de 2001.
  12. On 21 August 2003, Hadi Soleimanpour, former Iranian ambassador to Buenos Aires, was arrested in London as a consequence of a warrant issued by Judge Galeano.
  13. Report presented by the SIDE to Judge Galeano in January 2003. The report was declared “secret” by the Executive Power on 23 January 2003, but the Supreme Court objected and demanded a copy. Judges Miguel Pons, Gerardo Larrambère and Guillermo Gordo (of the Third Oral Federal Court) also demanded a copy for the use of defendants accused of being local mercenary accomplices. Finally, on 16 April 2003, the Executive Power acquiesced to declassify the SIDE’s secret report, protecting the names of all local and foreign operatives. See *Diario del Juicio*, April 16, 2003.
  14. “Identifican al conductor del coche bomba”, *La Nación*, September 28, 2002. In January 2003, on the basis of information from the SIDE report, prosecutors Eamon Mullen,



- José Barbaccia and Alberto Nisman demanded the arrest of 17 Iranians, among whom were some of the most important officials of their country's delegation to Buenos Aires at the time of the 1994 bombing. They were suspected of being "ideologues" and "perpetrators" of the attack. Nevertheless, Judge Galeano did not issue the warrant. See *Diario del Juicio*, January 23, 2003.
15. At 40, Mugnyiah has been sought for half his life by U.S. and Israeli security agencies, and the United States is offering a \$25 million reward for his capture, the same as for Bin Laden. Though he has never achieved the celebrity status of Bin Laden, until September 11 he was implicated in the deaths of more Americans than any other terrorist. The U.S. government holds Mugnyiah responsible for planning or executing a long list of atrocities. Within Hezbollah there are a few higher-ranking spiritual and political leaders, but according to Prof. Marius Deeb of Johns Hopkins University, Mugnyiah is "the operator on the ground". Scott Shane, "Failure to stop longtime terrorist haunts U.S.", *The Baltimore Sun*, June 9, 2002. For Mugnyiah's connection to the AMIA bombing, see Antonio Garrastazú and Jerry Haar, "International Terrorism: The Western Hemisphere Connection", The North-South Center, University of Miami, URL <http://www.miami.edu/nsc/pages/newsupdates/Update48.html>; and Sergio Kiernan, "Seeking The Truth: The AMIA Bombing Goes to Trial", American Jewish Committee, November 2001, New York; URL <http://www.ajc.org/InTheMedia/PublicationsPrint.asp?did=133>.
  16. On the broken promises of Menem to Kadhafi, see the Prologue by Juan Salinas, "La larga historia de Yabrán" and the chapter on "MERCOSUR" in Christian E. Sanz, *La mafia, la ley y el poder: la relación entre Alfredo Yabrán y el poder en el marco de la ley de privatización del correo* (Buenos Aires: Ediciones Dunken, 1996). Juan Salinas was chief researcher in the investigation of the terrorist attack against AMIA during the presidency of Alberto Crupnicoff. See also Julio Rajneri, "Río Negro va más lejos con la pista Siria. ¿Pudo llegar tan lejos la venganza, como para provocar los atentados antijudíos en Buenos Aires?", *Diario Río Negro*, January 11, 2000; Norberto Bermúdez, *La pista Siria* (Montevideo: Urraca, 1993); Eduardo De Miguel and Gabriel Pasquini, *Blanca y radiante* (Buenos Aires: Planeta, 1995); Martín Granovsky, *Misión Cumplida* (Buenos Aires: Planeta, 1992); Roman Lejtman, *Narcogate* (Buenos Aires: Sudamericana, 1993); Daniel Santoro, *El hacedor* (Buenos Aires: Planeta, 1994); and Hernán López Echagüe, *La frontera* (Buenos Aires: Planeta, 1997).
  17. See J. Salinas, *ibid.*, "La larga historia de Yabrán," pp. 164-166. In relation to Menem's commitments, see Archivo de la Cámara de Diputados de la Nación, file 1656-D-00/2000. According to official sources, Syria and Libya seem to have given forty million dollars to Menem for his pre-electoral political campaign in 1988. See Norberto Bermúdez and Carlos Torrenzo, "Lo que no se investigó sobre los atentados", Part 1, *Río Negro*, January 11, 2000.
  18. See L.S. Spector, *Nuclear Ambitions* (Cambridge, MA: Ballinger/Carnegie Endowment, 1990). For an analysis of the Condor II missile project and its implications for IR theory, see C. Escudé, "An Introduction to Peripheral Realism and its Implications for the Interstate System: Argentina and the Cónдор II Missile Project", in Stephanie Neuman (ed.), *International Relations Theory and the Third World* (New York: St. Martin's Press, 1998).

19. Although the financing came mainly from Iraq and Libya, Argentina contributed some funds, plus the human resources. The technology was basically the product of contraband from Germany, France and the United States, in some cases with the complicity of important Western firms. In Falda del Carmen, Province of Córdoba, Argentina, a plant of advanced technical characteristics was built, almost wholly with smuggled technology. A great part of the public information available regarding the Condor II comes either directly or indirectly from U.S. intelligence sources (who, for example, intercepted an Egyptian smuggling operation destined to the Condor II; see Spector, *op. cit.*).
20. On the killing of Abbas el Mousawi by Israeli Defense Forces, and claims for revenge, see Tamar Hahn, "Terror Attack an Open Issue in Argentina", Global Beat Syndicate, New York University, August 16, 1999, URL <http://www.nyu.edu/globalbeat/syndicate/Hahn081699.html>.
21. On the informal peace conversations between Israel and Syria between 1992 and 1995, see Itamar Rabinovich, *El Umbral de la Paz. Las conversaciones sirio-israelíes* (Buenos Aires: Universidad de Tel Aviv/Eudeba, 2000), pp. 60-61. These conversations partly explain Israel's low profile in its demands to the Argentine government on behalf of a serious investigation of the Embassy bombing in Buenos Aires, and its acceptance of the hypothesis that responsibility for the terrorist act was Iran's, exculpating Syria. See also Joe Goldman and Jorge Lanata, *Cortinas de Humo* (Buenos Aires: Planeta, 1994); and file 1656-D-00- Cámara de Diputados de la Nación, República Argentina, Proyecto de Resolución, "La causa Embajada y la pista Siria: el atentado a la Embajada de Israel y Monzer Al Kassar". According to this document, in 1992 the CIA presented a report to the U.S. House of Representatives informing that Iran and Syria had signed an agreement of nuclear cooperation and co-sponsored terrorist attacks. In a series of articles published in the newspaper *Río Negro* on January 11, 12 and 13, 2000, Norberto Bermúdez and Carlos Torrenge developed the same hypothesis on the basis of legislative sources. See "Lo que no se investigó sobre los atentados" (Parts I, II and III); "Los acuerdos y compromisos secretos de Menem y los árabes"; "El dominicano Nemen Nader habla desde Madrid: 'Menem recibió 40 millones de los países árabes en 1988,'" and "Munir Menem: entre Damasco y la Rosada".
22. U.S. Department of State 95/09/28 Testimony: Philip Wilcox on International Terrorism in Latin America, Office of the Coordinator for Counterterrorism, "International Terrorism in Latin America", Testimony to the House of Representatives Committee on International Relations, September 28, 1995.
23. *Ibid.*, loc. cit. During the military dictatorship, Captain Martínez served in ESMA, the school for petty officers that was also a notorious clandestine detention and torture camp.
24. Al Kassar is a distant cousin of Menem's former wife, Zulema Yoma, also of Syrian origin. He had the Menem administration's full cooperation, obtaining a full set of Argentine documents in record time. *Clarín*, April 21, 2000. Al Kassar declared that Menem offered him a passport while they shared dinner, and that one of the President's brothers lent him his jacket for the photograph. *Tercera* (Santiago de Chile), April 26, 2000. His Argentine passport was # 13.263.273.
25. "Proyecto de Resolución", Third Part, "La causa Embajada y la pista Siria: el atentado a la Embajada de Israel y Monzer Al Kassar". Archive of the Argentine Chamber of

- Deputies, file 1656-D-00/2000. On Al Kassar see Mark Aarons and John Loftus, *Unholy Trinity: The Vatican, the Nazis, and Soviet Intelligence* (New York: St. Martin's Press, 1992), p. xix. Consult also the 30-minute, August 1996 broadcast FTR-5 "Argentine Terror", in URL <http://www.spitfirelist.com/ftt-old.htm>, "For the Record" (FTR), "Half-hour and one-hour Segments Produced by David Emory for Syndicated Radio Programming".
26. "Al Kassar fue comisionista oficial de venta de armas argentinas", *Río Negro*, January 12, 2000.
  27. These intelligence documents were drafted while Raúl Borrás served as President Raúl Alfonsín's Minister of Defense. Archive of the Argentine Chamber of Deputies, file 1656-D-00/2000 and 1652.
  28. AMIA/DAIA official report, *La Denuncia* (Buenos Aires: Planeta, 1997), pp. 41-43.
  29. The report was filed in the Chamber of Deputies, and on February 19, 2000, an investigation was demanded by the Deputies of *Acción por la República*, to no avail. See "Cronología: Hechos relacionados con la causa", URL <http://www.atentado-amia.com.ar/avance/2000/texto04.html>.
  30. Congreso de La Nación, *Informe de la comisión bicameral especial de seguimiento de la investigación de los atentados a la embajada de Israel y al edificio de la AMIA*, Buenos Aires, 1997; and *Segundo Informe de la comisión bicameral especial de seguimiento de la investigación de los atentados a la embajada de Israel y al edificio de la AMIA*, Buenos Aires, 1999. See also the report on the international ramifications of a band dedicated to laundering drug money, published in March 1991 by the Spanish magazine *Cambio 16*. An alleged member was Amira Yoma, Menem's secretary and sister-in-law as well as Ibrahim's wife. As a consequence of this information, corroborated by witnesses such as repented racketeer Andrés (Andy) Cruz de Iglesias, Spanish Judge Baltazar Garzón ordered the arrest of several persons, among which were Yoma and Ibrahim. Amira Yoma is also sister of Emir Yoma, Menem's former advisor, whose firms have been accused of money laundering in reports to the U.S. Congress.
  31. In 1997 the Argentine Minister of Foreign Affairs, Guido Di Tella, admitted that the investigation carried out by the Supreme Court was "lamentable," (Juan Salinas, *AMIA, el atentado* (Buenos Aires: Planeta, 1997, p. 57).
  32. *Terrorism in Latin America/AMIA Bomb Explosion in Argentina*, Hearing before the Committee on International Relations, US House of Representatives, 104<sup>th</sup> Congress, September 28, 1995 (Washington, DC: US Government Printing Office, 1996), pp. 20-21.
  33. U.S. House of Representatives, *ibid.*
  34. Menem first said that the perpetrators were the authors of the frustrated December 1990 military rebellion against him, and pointed to the imprisoned chief of the *carapintadas*, former Colonel Mohamed Ali Seineldin, as one of the main culprits. J. Salinas, *op. cit.*, p. 41.
  35. On the local connection, see: Archivo de la Cámara de Diputados de la Nación, file 1656-D-00/2000, pages 1-5 and Lifschitz, *AMIA, op. cit.*, pp. 149-155.
  36. On the issue of the missing evidence for which Judge Galeano is responsible, see Raúl Kollmann, "Galeano admitió que destruyó los videos que había mandado filmar", *Página*

- 12, September 20, 2001; “AMIA: Piden investigar a Galeano”, *Los Andes Online*, September 26, 2001, and *Memoria Activa*’s July 1999 denunciation to the Inter-American Commission on Human Rights of the Organization of American States, “Presentación en la OEA”, as well as its “Observaciones a la Respuesta del Estado Argentino”, URL <http://www.memoriaactiva.com/oea.htm>.
37. *Diario del Juicio*, May 6, 2003, URL: <http://www.diariodeljuicio.com/>.
38. Terra.com, “Atentado a la AMIA: Detuvieron a ex secretario del juez Galeano”, March 19, 2003, URL <http://www.terra.com.ar/ctematicos/amia/65/65502.html>.
39. See Claudio A. Lifschitz, *AMIA, porque se hizo fallar la investigación* (Buenos Aires: Departamento Editorial, 2000), pp. 10-11.
40. By contrast, on 18 August 2003, a group of relatives of the victims who had accepted the DAIA’s leadership in the investigation during the nine previous years decided to demand Judge Galeano’s resignation, actually taking the same side as Lifschitz on this issue. See *DAIA Noticias Micro*, August 19, 2003, URL <http://news.daia.org.ar/shop/detallenot.asp?notid=964>.
41. Case 10.854/200 – “Lifschitz Claudio Adrián s/Violaciones de secretos”. See Guillermo Lipis, “Editorial: Cuando la mentira es la verdad”, *Nueva Sión*, August 2003, p. 3. Also, “Jorge Urien Berri, Investigación AMIA, el encubrimiento: la SIDE y Galeano, en la mira”, *La Nación (Enfoques)*, July 13, 2003. The reluctance to reveal the SIDE’s role continued to prevail throughout the Duhalde Administration, despite the reiterated demands presented by the Federal Oral Court in charge of the prosecution of the suspects of the so-called “local connection” to the effect that the SIDE’s internal investigation (which contains evidence related to obstruction of justice by the SIDE) be incorporated to the proceedings. Notwithstanding the Court’s insistence, in January 2002 Duhalde again ratified his decision to keep the documents secret. See “Atentado AMIA- El Gobierno respaldó el informe de la SIDE”, *Clarín.com*, Política, January 24, 2003.
42. Miguel Bonasso, “El espía que vuelve al frío”, *Página 12*, January 14, 2001; “La SIDE quiere probar al fin quiénes cometieron el ataque”, *La Nación*, October 7, 2002.
43. Raúl Kollmann, “El escrito del juez admite errores y maniobras en la investigación”, *Página 12*, March 5, 2000.
44. The confidentiality of the identity of Testigo C, Abolghasem Mesbahi, was broken by the Iranian authorities in 1997, long before Garré spoke about the subject. Nevertheless, the leadership of the DAIA backed Galeano in his idea of prosecuting Garré. Ariel Sujarchuk, the speaker for the DAIA, was the first person to inform the press about Garré’s prosecution. *Nueva Sión*, Year 55, August 2003, p. 5.
45. Raúl Kollmann, “A Jorge de la Rúa no le gusta el ‘afán de informar’ de Nilda Garré”, *Página 12*, October 4, 2001.
46. Larry Rohter, “Iran blew up Jewish Center in Argentina”, *New York Times*, July 21, 2002.
47. See Sergio Kiernan, “Unfinished business. The bombing six years later”, American Jewish Committee, New York, 1999 (<http://www.ajc.org/InTheMedia/Publications.asp?did=146>), and the American Jewish Committee’s “Annual Report on AMIA Bombing: Trial Exposes Executive, Judicial Corruption”, of November 29, 2001.
48. “AMIA: la mujer de Teleldín cargó contra los ex policías”, *Clarín*, October 17, 2002;

“AMIA: se quebró una testigo clave”, *La Nación*, October 17, 2002. According to *La Nación*: “La esposa de Carlos Telleldín, Ana Boragni, se quebró. Lloró, y compungida por el recuerdo de las presiones que sufrió, reconoció ante el tribunal a cargo del juicio por el atentado contra la AMIA que mintió cuando dijo que la Traffic con que fue volado el edificio fue vendida por su marido. En cambio, reveló que Telleldín se la entregó a policías bonaerenses ocho días antes del ataque, porque lo estaban extorsionando. Además reconoció que uno de los efectivos que amenazaban a su esposo era el actualmente detenido ex subcomisario Raúl Ibarra. Este oficial era la mano derecha del ex comisario Juan José Ribelli, ex segundo jefe de la Brigada de Investigaciones de Lanús, y el principal acusado entre los ex policías responsabilizados como partícipes necesarios del atentado del 18 de julio de 1994...”.

49. To develop his investigation inside the SIDE, Lifschitz took advantage of an internal conflict among two sectors of the organization: *Sala Patria* and *Contraineligencia-85*. See Jorge Urien Berri, “Investigación AMIA, el encubrimiento: la SIDE y Galeano, en la mira”, *La Nación (Enfoques)*, July 13, 2003.
50. *Memoria Activa* is a grass-roots organization created in 1996 by relatives and friends of the victims of the terrorist attack against the AMIA. Since its creation, every Monday morning at 9:53 A.M., more than one hundred people meet in Plaza Lavalle, in front of the Palace of Justice, to denounce the failures of the investigation coordinated by Judge Galeano.
51. Comments on Beraja’s relations with Corach made by both authors of this paper were published by Katherine Ellison, “Argentina to Investigate Nazi Loot Complaints of Inaction - Prompt Decision by Government,” *Miami Herald*, April 17, 1997. In 1996 the son of the Interior Minister, Carlos Corach, was appointed to a high position in Beraja’s bank. See URL [www.archiv.com.ar/economia/ba-bz.htm](http://www.archiv.com.ar/economia/ba-bz.htm).
52. Beraja is being tried by Federal Judge Adolfo Bagnasco (Sala I of the Cámara Federal), under the charges of co-author of the crimes of fraud through unfaithful administration and jeopardy to public administration (“coautor de los delitos de defraudación por administración infiel y fraude en perjuicio de la administración pública”). For more information, consult URL: [www.elportenio.com/beraja.htm](http://www.elportenio.com/beraja.htm).
53. Comisión Especial Investigadora sobre Hechos Ilícitos Vinculados con el Lavado de Dinero de la H. Cámara de Diputados (CEIHIVLD).
54. On Pou’s destitution, see *Clarín*, May 27, 1999. Although several banks were involved in these questionable dealings, we focus on Banco Mayo because of the conflict of interests between Beraja’s role as president of his bank and his role as DAIA president.
55. U.S. House of Representatives, *op. cit.*, pp. 20-21.
56. On Beraja’s dubious attitude toward the Menem government and the possible economic benefits deriving from his alleged complicity, see also “Discurso pronunciado por *Memoria Activa* en la Plaza Lavalle en el 9º Aniversario de la masacre en AMIA”, URL [http://www.memoriaactiva.com/aniversarios\\_abajo.htm#02](http://www.memoriaactiva.com/aniversarios_abajo.htm#02).
57. For the text of *Memoria Activa*’s presentation before the Inter-American Committee on Human Rights, see URL <http://www.memoriaactiva.com/oea.htm>. The accusation was formally presented by *Memoria Activa*’s lawyer, Alberto Zuppi, who had represented the Italian Embassy during the Otto Priebke extradition case. Chilean jurist Claudio M.

- Grossman is Dean of American University's Washington College of Law, as well as President of the Committee. *Clarín*, September 24, 2001.
58. On 30 June 2003, Kirchner overturned the policy of secrecy with regard to the SIDE procedures. As a consequence, SIDE agents are allowed to testify for the first time. In this context, on 21 August 2003, after being relieved of the obligation to keep silent regarding state secrets, agent Isaac Eduardo García declared to the Federal Oral Court that (as part of his official duties) he had been a party to the payment of approximately US\$ 400,000 to Ana María Boragni, the wife of Carlos Telleldín (the merchant of stolen cars accused of supplying the vehicle used as a car bomb against the AMIA). The payment, which was supposed to finance a book, was made in the presence of García's superior officer, Alejandro Brousson, and of Víctor Stinfale, Boragni's lawyer. She claims Telleldín did not actually sell the vehicle but gave it to the provincial police as the result of blackmail. See *Diario del Juicio*, "Testimonio clave: un agente de la SIDE aseguró que le pagaron a Telleldín", August 21, 2003. Lifschitz had always claimed that the Telleldíns had been paid off by the SIDE. See *Diario del Juicio*, "La esposa de Telleldín dice que no recibió dinero de nadie", October 21, 2001, URL [www.diariodeljuicio.com](http://www.diariodeljuicio.com).
  59. US House of Representatives, *op. cit.*
  60. On Robert Gelbard's statements, see the report by *Memoria Activa*, as published by *Revista Digital Sitio Al Margen*, URL: <http://www.almargen.com.ar/sitio/seccion/politica/amia3/memact1.htm>.
  61. In 2002, for reasons that were not limited to this issue, Argentina was finally removed from the U.S. visa waiver program.
  62. On 26 April 2002, already into the Duhalde administration, Ángel Roig, national director of migrations (DNM), said the project was unfeasible. See URL: <http://www1.hcdn.gov.ar/dependencias/cpyrhumanos/VersTaq2000.htm>.
  63. Rodolfo Etchegoyen (Air Force brigadier in charge of the Customs Office in 1990); José Micuccio (customs official in charge of overseeing merchandise traffic); Jorge Omar Gutiérrez (Buenos Aires Police Force under-commissar investigating illegal trafficking in 1994), and Jorge Luis Piazza (Buenos Aires Police Force commissar who had investigated the 1994 Gutiérrez murder and was due to appear as a witness in the "parallel customs house" case in 2003), were all the victims of unsolved murders. See "Hallaron muerto a un ex policía desaparecido hacía once días", and Jesús A. Cornejo, "El misterio que apunta en la aduana paralela", both in *La Nación*, February 25, 2003. Other suspicious deaths took place, linked to both the Customs Office and the AMIA bombing. Such was the case of Nora González (mentioned in footnote 6 above), also known as Fat Nora, chief of the Argentine Customs House in the Triple Border, who helped Arab smugglers move people and goods across and assisted Wilson Dos Santos, Nasrim Mokhtari and their Arab friends when they brought into Argentina the heavy metal suitcase reported by Dos Santos; she reportedly died in a car accident soon after the AMIA blast in 1994.