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AMIA: Appellate court confirms obstruction convictions in terrorist attack investigation

Joint statement with Memoria Activa following a ruling by judges Carlos Mahiques, Diego Barroetaveña, and Ángela Ledesma on April 11 regarding the cover-up.

The ruling by the Federal Criminal Court of Appeals confirmed that there were maneuvers to deliberately prevent the truth from being known and justice from being served for the AMIA Jewish community center attack, which occurred 30 years ago, resulting in the death of 85 people and injuring another 300.

On one hand, the sentence affirmed the guilt of judicial officials, politicians, and former intelligence agents for implementing these maneuvers. On the other hand, it ruled out intentional concealment of the lead linking an associate of former President Carlos Menem to the attack, thus acquitting those convicted in the oral trial for concealment.

According to the ruling, the damage inflicted on the investigation has “almost irreversibly hindered the pursuit of truth.” However, the sentences imposed on the convicted officials for these serious offenses are not commensurate with the magnitude of such harm or the reproach they deserve.

Payment made to Telleldín

Judges Carlos Mahiques, Ángela Ledesma, and Diego Barroetaveña determined that the investigation was indeed diverted to implicate a group of Buenos Aires police officers who had nothing to do with the incident. They also found that a payment made by former judge Galeano to Carlos Telleldín with reserved intelligence funds to make this false accusation was illegal.

In this regard, and at the request of Memoria Activa, the court overturned the acquittal of former prosecutors Eamon Mullen and José Barbaccia, sentencing them to two years in prison for the unlawful deprivation of liberty of the police officers. However, this sentence is very close to the minimum prescribed for the attributed crimes.

Additionally, they also dismissed the acquittal of Patricio Finnen, sentencing him to two years in prison as an accessory to embezzlement. Finnen was considered the right-hand man of the head of intelligence agency SIDE, Hugo Anzorreguy, and, according to testimony, he was the one who brought the money to Galeano’s court that was later handed over to Telleldín.

The Kanoore Edul lead

With Judge Ledesma dissenting, the appellate judges held that the concealment of the “Kanoore Edul lead,” which linked the businessman close to the Menem family to the attack, was not proven.

In this ruling, and arbitrarily, Judges Mahiques and Barroetaveña resolved the acquittal of all those involved in the lead. This is undoubtedly a serious setback in the case and the path toward achieving truth and justice.

Iran’s responsibility, an unoriginal hypothesis

One of the aspects of the ruling that received widespread public attention was Judge Mahiques’s vote, which attempted to assert that the attack has already been resolved, and that Iran and the Hezbollah organization were responsible, despite there being no judicial conviction against them.

This hypothesis is not new and should not be dismissed. However, it must be emphasized that it was precisely the criminal actions of the conspirators that prevented the intelligence information supporting this accusation from being confirmed with sufficient judicial evidence for a criminal conviction.

That same cover-up explains why the two trials attempting to determine the responsibility of the alleged “local connection” to the attack ended in acquittals.

Other considerations by Judge Mahiques that were widely circulated are also not new: the attack was declared a crime against humanity in 2006.

30 Years of Struggle

The lack of justice led Memoria Activa to denounce the Argentine State in 1999 before the Inter-American Human Rights System. Alongside CELS, [the claim was sustained until reaching its Court](#), which will soon rule on the case.

There, we demand that the State implement everything necessary to conduct an effective investigation into the attack and its cover-up, with the intention of not using the case for political purposes. We also request the implementation of reforms and measures to open and systematize all intelligence archives (amending intelligence law, regulating the incorporation of intelligence evidence into judicial cases, and creating a specialized federal investigative body). Without these decisions, the material responsibility for the attack will remain unproven in court.

The story of the AMIA case is the tale of striving to dismantle secrecy. Secrecy surrounding the case file, the utilization of reserved intelligence funds, and the documentation generated by the former intelligence agency SIDE and other state agencies. Attaining a legal and historical truth that even partially alleviates the anguish of the families of the 85 fatal victims of the attack will prove challenging.

The impunity surrounding the AMIA case is not a stroke of fate or a spontaneous occurrence, as some judges, politicians, community leaders, and media outlets would have us believe. Despite facing opposition and standing alone, we have succeeded in proving that this impunity was

deliberately orchestrated from the highest levels of the Argentine state. Therefore, we reiterate our past denunciations and reaffirm today: we will appeal to the Supreme Court of Justice regarding all questionable aspects of this appellate court ruling.

30 years after the AMIA attack, we will continue to pursue justice relentlessly.

Memoria Activa

Centro de Estudios Legales y Sociales

[AMIA
intelligence](#)

<https://www.cels.org.ar/web/en/2024/04/amia-appellate-court-confirms-obstruction-convictions-in-terrorist-attack-investigation/>