

Transcript

Remarks by Robert Morgenthau, former New York County District Attorney

Introductory Remarks by Toby Dershowitz, Vice President for Government Relations and Strategy, Foundation for Defense of Democracies

DERSHOWITZ:

My name is Toby Dershowitz and I am Vice President of Government Relations and Strategy at FDD. The story and images is still fresh in our mind. Just about three months ago, Argentine prosecutor Alberto Nisman was found dead in his apartment a day before he was scheduled to present Argentina's congress with his findings of a planned cover-up of Iran's role in Argentina's deadliest terrorist attack, the 1994 bombing of the AMIA, the Jewish Community Center in Buenos Aires. Arrest warrants he had prepared for President Cristina Fernandez de Kirchner and Foreign Minister Hector Timerman were later found buried in his trash. News of Mr. Nisman's death rapidly sparked international outrage. Hundreds of thousands protested throughout Argentina and suspicions of conspiracy cast a shadow over Kirchner's government. For a decade, Mr. Nisman worked tirelessly to expose the terrorist network behind the AMIA bombing. He found that senior Iranian government officials approved and directed the attack and used its embassy and emissaries to facilitate the operation that killed 85 and wounded hundreds more.

Many of you in this room know that Interpol issued red notices for these senior Iranian officials and the red notice stands still today. But Mr. Nisman went much further. He uncovered an extensive network of Iranian terrorists reaching into several other Latin American countries. He detailed how Iran was planting sleeper cells in cities throughout the Western Hemisphere. Moreover, he exposed links between those implicated in the AMIA attack and terrorism much, much closer to home. For example, he connected the dots for American law enforcement officials between a Guyanese nation arrested for the plot to blow up fuel tanks at New York's JFK Airport in our very own backyard just five years ago. And Mohsen Rabbani, the cultural attache at Iran's embassy in Buenos Aires at the time who was implemented in the AMIA attack, 21 years ago.

Mr. Nisman, or Alberto to those of us at FDD who knew him well, believed he found evidence that President Kirchner's government was looking to erase Iran's role in the AMIA attack in exchange for enhanced trade and other ties. President Kirchner has denied the accusation and has gone so far as to shut down the country's intelligence agency. But the controversy just won't go away this time, and the investigation into his very suspicious death continues.

On a visit to Washington D.C. once, Alberto told me that when he was asked originally by President Nestor Kirchner to take on the AMIA investigation, he told President Kirchner that he would do so under one condition and that was that he be allowed to follow the evidence trail wherever it led, no matter the consequences. And that is just what he did. He pursued terrorists and justice relentlessly, even while his evidence trail more recently was at odds with his government's foreign policy.

He was a man of great determination, and he was a man of great courage and that is why FDD has established an award in his memory. Through this award, through a new website, AlbertoNisman.org and through our work uncovering Iran's illicit activities that endanger the Western Hemisphere and beyond, we are committed to keeping alive the work of his investigation.

Today, it is our privilege to present the first Alberto Nisman Award for Courage to another relentless fighter for justice, the Honorable Robert M. Morgenthau. Mr. Morgenthau served for 35 years as Manhattan District Attorney, continuing a tradition of remarkable government service that spans three generations. Many of you know that his grandfather, Henry Morgenthau, Sr. served as President Woodrow Wilson's ambassador to the Ottoman Empire as World War I broke out. There he received steady reports of Armenian Christians being deported by rail to camps and then massacred. Henry Morgenthau, Sr. protested to both Turkish and U.S. officials and to the Secretary of State at the time, William Jennings Bryan. But he was repeatedly rebuffed and ultimately recalled from his post as U.S. Ambassador. His son, Henry Jr., Robert's father, would also find himself in a position of receiving information and acting on reports of genocide. Henry Jr. was serving as FDR's Treasury Secretary when a friend, the nationally renowned and well-respected Rabbi Stephen S. Wise, brought him a cable reporting that the Nazis were sending Jews to concentration camps and exterminating them. Rabbi Wise told him that he

had been sending such reports to the State Department for months, but there had been no response.

Henry Morgenthau, Jr. investigated the matter and then presented his findings to President Roosevelt. The report was titled, "Report to the Secretary on the Acquiescence of this Government to the Murder of the Jews." Six days later, FDR created the War Refugee Board, which is credited with saving at least 200,000 Jews from their deaths. I imagine that some of those in this room today and their children, your children, are no doubt here today because of your father.

During the war, Robert Morgenthau, to whom we pay tribute today, was also serving his country. In 1944, he was stationed in the Mediterranean on board a U.S. destroyer when it came under German torpedo fire. At that time, Mr. Morgenthau has recounted, "I made a little deal with the Almighty, saying that if I get out of this alive, I'm going to do something good with my life." Mr. Morgenthau has made good on that pledge many times over.

As District Attorney, he is credited with dramatically reducing Manhattan's homicide rate and cracking down on organized crime. But he believed that the DA's Office's job to be a beat cop was not only for the Manhattan city streets but also for its financial markets and institutions. As such, Mr. Morgenthau played a very instrumental role in following the money trail, uncovering and ultimately destroying the financial networks that enable terrorists, criminals and weapons merchants that do business.

One of his first big targets many of you may remember is BCCI, the Bank of Commerce and Credit. The bank operated black markets for nuclear weapons development, drug kingpins like Pablo Escobar and Abu Nidal. Over the CIA's objection, Mr. Morgenthau pressured the Federal Reserve to act, eventually winning an indictment in what, at the time, was the largest bank fraud in history.

Mr. Morgenthau also was the central player in the enforcement of U.S. sanctions against Iran. His office went after banks that stripped the tracing information from the bank transfers to evade the Iranian source. One of them was Lloyds, which enabled the transfer of hundreds of millions of dollars on behalf of Iranian banks. Lloyds ultimately paid \$350 million in

finances and another one was Credit Suisse that was fined \$536 million after admitting its role in evading sanctions against Iran.

Under Mr. Morgenthau's guidance, the D.A.'s office began a two-year investigation into the Alavi Foundation. What it found was that this was an Iranian government front, using its money to pay Iranian agents around the world via Iran's government-controlled bank, Bank Melli. Bank Melli is sanctioned by the U.S. It's sanctioned by the United Nations. It's sanctioned by the European Union for its ties to the regime's nuclear and missile programs. The U.S. government seized \$500 million of the foundation's assets and also a building on Fifth Avenue.

Mr. Morgenthau has been reported as saying that it's "pretty easy" to figure out what the right thing to do is. "Always do the right thing and you'll never have regrets." Alberto Nisman also did the right thing and paid for it with his life. It is only fitting that this first award for courage in his honor go to a fellow prosecutor, the Honorable Robert M. Morgenthau, who has relentlessly pursued criminals, terrorists and those who enable them and who has never been afraid to stand up for what is right.

Mr. Morgenthau, may I ask you to join me?

(APPLAUSE)

MORGENTHAU:

OK, I've got it.

(UNKNOWN)

Got it? Perfect.

MORGENTHAU:

Great, thanks.

(APPLAUSE)

DESHOWITZ:

On behalf of FDD, and all those committed to the pursuit of justice, we honor you.

MORGENTHAU:

Thank you.

(APPLAUSE)

Thank you very much. What a wonderful introduction. I must say, I'm a little bit -- I'm almost a little bit embarrassed by it because the recognition I'm getting should be shared by the terrific team of young men and women who work so hard on -- on these cases. And I must say I attribute my success to luck and longevity.

(LAUGHTER)

If you stick around long enough, a lot of things come your way...

(LAUGHTER)

...that you probably don't deserve.

There's an old saying that eternal vigilance is the price of liberty and history has certainly shown that, whether 9/11 or Pearl Harbor. And this organization, the Foundation for the Defense of Democracies, plays an extremely important role in keeping the public and government officials focused on the dangers that the United States and the world faces from terrorism.

I had the occasion to meet Alberto Nisman -- Nisman, I'm sorry, in 2008 or 2009. He was visiting New York, and we were in the midst of a lot of Iranian work. The bank stripping cases were in full force, and we had recently, turned the Alavi investigation over to federal prosecutors for a federal forfeiture case. We met with Nisman to explore our mutual interest in the threat posed by Iran. We shared information and exchanged notes.

He struck me at the time as a forceful and independent prosecutor, following evidence wherever it led, unafraid to take on powerful interests.

Nisman recognized Iran for the threat it is, and I certainly saw it the same way. I learned long ago to recognize the face of the enemy and its skill and never to turn your back on it.

My office took on Iran head on. We used our lawful authority and investigative abilities to expose Iranian influence wherever we could. It was a little bit easier in those days because the bad guys hadn't woken up to the fact that their emails could be retrieved. So, we were -- we were ploughing some unused fields.

We exposed the control of the Alavi Foundation in New York, leading to a successful federal forfeiture case that also led to the successful prosecution for bank stripping of Lloyds, Credit Suisse, and Barclays for helping Iran evade U.S. sanctions. Information developed in those cases led to the successful investigations of Paribas, Commerze Bank and HSBC. We exposed the web of shell companies used by the Iranian shipping line IRISL to hide its activities, and we secured the indictment of a proliferator in China who was sending materials used in weapons of mass destruction to Iran.

Our work in the bank cases in particular changed the practices of international banking practices and put real teeth in the sanctions enforcement. We also worked out of the public view, helping expose financial conduits used to bring WMD materials to Iran and to send funds to terrorist organizations. We traced money from the jungles of Paraguay to the dusty streets of Ramallah, and shared that information to interdict terrorist activities.

Adam Kaufmann, who has played a key role in those investigations is here with us today. Many of those actions never received publicity, but we helped stop funding of terrorist operations and helped set back Iran's efforts to produce missiles and centrifuges and acquire centrifuges. We also tracked and fought against Iran's efforts to establish a sphere of influence in the Western Hemisphere.

I came to Washington in September of 2009 to speak about some of the evidence my office gathered demonstrating the growth of Iran's influence in the West, specifically Venezuela. We try to remember -- remind people of the Monroe Doctrine. Subsequent events have shown Iran's deep

entrenchment in Venezuela. For example, in 2009, my office uncovered evidence that the Iranians were supplying manned drones to Venezuela, information we shared with our intelligence services. Time has again proven us right, with public reports in 2012, 2013, confirming the presence of Iranian drones in Venezuela.

And Venezuela and Iran have 60 separate agreements covering their business dealings. While we were looking at the ties between the Chavez regime and Iran, Mr. Nisman found evidence of similar dealings in his country as well. Beyond straight corruption, Nisman alleged a link between corruption and terrorism. I'm not privy to the inside of Nisman's investigation, but some of what he described in Argentina bears a striking resemblance to some of what we've found in the Alavi investigation. Not the overt connections to violent terrorism such as the Buenos Aires bombing. We didn't find that in Alavi, but structurally, Nisman described a long-term plan to expand Iran's sphere of influence in the West.

This is exactly what we saw in Alavi. Links between mosques, Islamic culture centers, Iranian -- sorry, links between Iranian culture centers, and Iranian diplomatic corps, with a web of shell companies and accounts to hide funding and transactions from the public.

We tracked hundreds of thousands of dollars from the Alavi foundation through shell companies before ending up with Iranian embassy drivers and security agents. As your chairman -- Jim Woolsey, someone who has dedicated so much of his career to keeping America safe, helped us to piece that together. And according to witnesses we located, the entire Alavi plan was run out of the office of the Supreme Leader of Iran, and was part of a broad plan to lay a foundation of influence, money, and power.

Nisman alleged a corrupt deal between the Kirchner regime and Iran. A deal designed to cover up responsibility for the 1994 bombing of the AMIA Jewish Center in Buenos Aires. A deal written in the blood of terror victims and paid for with cash, kickbacks, and oil.

Nisman found connections between the 1994 attacks in Buenos Aires and the terrorists who bombed it, who blew up the JFK airport oil depot in 2007. Based on this and a world of other criminal activity and terrorism, I see little reason to trust Iran.

It is hard to fathom a government's willingness to cover up the murder of its citizens, but that such a deal was reached between top officials in Argentina and Iran seems clear.

Contrary to the denials that have been issued from Kirchner's inner circle, since the death of Nisman, the existence of some sordid deal was confirmed, perhaps inadvertently, by Iranian officials themselves. In a 2013 interview with then-Iranian foreign minister, now their energy -- atomic energy commissioner, was quoted as saying that, "based on the agreement signed by Iran and the Argentinian government, international police, INTERPOL, must quit issuing red notice for four Iranian officials."

This appears to directly support Nisman's allegation that Argentina and Iran agreed to work to get INTERPOL to lift the red notices as part of their MOU and contradicts recent statements from the, Argentine foreign minister, that Nisman's complaint had no basis in fact.

An agreement between nations to resolve international issues is their sovereign prerogative, but according to Nisman and according to revelations that have come since his death, this was a sordid deal cooked up in back rooms and bedrooms, involving huge transfers of money between Iran, Venezuela, and the Argentine, all at the expense of the innocent men, women, and children who died at the hands of Iranian-backed terrorists.

It is imperative that Nisman's work not be forgotten. Prosecutors and judges in Argentina and elsewhere, I hope, will pick up the mantle of Nisman and search for the truth.

The front of the New York State Supreme Court -- courthouse in Manhattan bears an inscription of a quote attributed to our first president, George Washington. "The True Administration of Justice is the Firmest Pillar of Good Government."

Mr. Nisman's courage and effort speak to the importance of independent and unfettered prosecutors, and nowhere is this more important than the area of public corruption.

Secret deals, self-dealing, and collusion by or between government officials is dangerous. Independent prosecutors, along with an

independent judiciary, strengthen and maintain the rule of law, control abuses of government power. In Wednesday's Wall Street Journal, two distinguished former secretaries of state, Henry Kissinger and George Shultz reminded us of the grave danger Iran poses to democracies. They concluded, "history will not do our work for us. It only helps those who seek to help themselves."

Nisman did the work and made an extraordinary sacrifice. I hope and pray we have the courage and fortitude to follow his campaign.

Finally, Nisman was a courageous and forceful prosecutor. I would have liked to have worked with him. I applaud the Foundation for Defense of Democracies for creating this award in memory of Mr. Nisman, and humbly dedicate it to independent prosecutors around the world.

I am grateful for this recognition of the Foundation, and I dedicate this award to Nisman's work and to prosecutors around the world willing to stand up to powerful interests and do what is right.

Thanks very much for having me.

(APPLAUSE)