

# Spain: Commission of Inquiry into Madrid bombings allows right-wing to regroup

Paul Stuart, Paul Bond  
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The Congressional Commission of Inquiry into the March 11 train bombings in Madrid has entered its second and penultimate month. Intended as a damage limitation exercise, the commission has failed to contain the problem. Already right-wing forces are calling into question the legitimacy of the election which ousted the right-wing Popular Party (PP) government of Jose Maria Aznar.

On March 11, ten bombs detonated on commuter trains travelling into Madrid, killed 191 people and injured 1,900 others. With a general election just days away, the PP government sought to exploit the atrocity to retain political power.

Before any official investigation had begun, Aznar had denounced the bombings as the work of the Basque separatist group ETA. Even as evidence mounted of Al Qaeda involvement, Aznar continued to insist that ETA was responsible, so as to prevent the population drawing any connection between his governments support for the US-led war against Iraq and the Madrid attack.

As evidence of Aznar's lies begun to emerge, mass protests erupted outside the PP's headquarters, denouncing his attempt to steal the elections. The elections saw the Socialist Party (PSOE) swept to power in a popular revolt against the PP. Just days later incoming PSOE Prime Minister Jose Luis Zapatero announced that Spain would withdraw its troops from Iraq.

Elected to power on a wave of hostility against the PP, Zapatero's government has no fundamental differences with the right-wing policies of its predecessor. And, through the Commission of Inquiry, the PSOE has sought to repair the damage done by the PP to the stability of bourgeois rule, and bury evidence of how it sought to subvert democratic rights.

The commission's remit has been strictly limited to investigating the "breakdown in communications" between difference branches of the security services. Comprising five members from the PSOE and the PP, and one for every other party in Congress, the commission established its parameters and witness requirements behind closed doors.

The pro-PSOE *El Pais* newspaper has insisted that the Madrid inquiry must follow the same lines as the whitewash Washington commission into the September 11 bombings, and that there should be no investigation into the allegations of criminal conspiracy by the PP government. The Washington inquiry did not, "waste a minute on analysing outlandish theories... which attributed to an absurd Israeli conspiracy the responsibility of knowing that an attack on the twin towers was going to happen". Those who did not support this approach were threatening the prestige of Congress, the newspaper stated.

*El Pais* went further in recognising what was at stake for both

parties, and why a bipartisan agreement on the terms of the commission was necessary. The PP needed to stave off criticism of its role prior to March 11, and the PSOE needed to vindicate its election victory, without the public feeling that parliament had let them down. The truth was essential in allaying public unrest, but this should not be allowed to go too far, hence the need for the two parties to collaborate in strengthening the state apparatus.

The commission should not carry out "some kind of witch-hunt", the newspaper said, and both major parties, "have the obligation to protect the police and the intelligence services from the kind of excessive scrutiny that might endanger them from carrying out their jobs."

Even within such a framework, however, problems began to arise. Not least among them was that Aznar's claims that his government had been unaware of an Al Qaeda threat are untenable.

The most explosive discovery before the commission opened were reports leaked to *El Pais* from Madrid's Anti-Terrorist Brigade. Aimed at deflecting criticism from the security services, the internal reports described how the perpetrators of the bombings had been under direct surveillance since February 2003. This surveillance continued, according to *El Pais*, until two weeks before the bomb blasts.

The unit was photographing the suspects, tapping their telephones and monitoring their homes. One of those under surveillance was Sharhane Ben Abdel Majid Fakhel, leader of the group that carried out the bombings, and Jamal Zougam arrested for placing the bombs on the train.

The report asserted that in the weeks before the bombings the unit was removed from the case, and transferred to provide security for the wedding of Crown Prince Felipe to ex-TV anchorwoman Letizia Ortiz in May. If true, the removal of surveillance has all the hallmarks of an official stand-down that gave Al Qaeda a free reign in Madrid.

Still the PSOE continued to cover for the PP. On July 1 the PSOE government refused to release some of the reports requested by the commissioners, including a 150-page report on the investigation between March 11 to April, 57-pages of which detail the immediate actions taken and decisions made after the blast.

But the reports that have been released confirm that the Spanish authorities received repeated warnings that Al Qaeda was targeting Spain. As a result the commission requested 38 documents relating to national and foreign intelligence, which was again turned down by the PSOE. Deputy Prime Minister Maria Tereza Fernandez de la Vega said that such documents would not even be made available for parliamentary scrutiny.

In all 19 national intelligence documents and six foreign intelligence

documents have been declared out of bounds to the commission. *El Pais* reports that the documents contain intelligence from US, British and Israeli sources identifying Al Qaeda activity in Spain.

The PSOE is not only engaged in protecting foreign intelligence but Spain's right-wing political forces also. All the available documentation indicates that the PP were well aware of the threat posed by Al Qaeda. A report dated November 28 from the Foreign Information Unit warned that Spain was a target for Al Qaeda. In May 2003, Al Qaeda directly threatened Spain for supporting the US war against Iraq. A Spanish restaurant was bombed in Casablanca in an incident thought to be related to Spain's support for the US and Israel over Palestine.

The PSOE's actions were designed to limit the fallout from the commission. However, the PP quickly made clear that it was not prepared to accept this lifebelt. On July 5, the day before the commission opened in public, Angel Acebes (Interior Minister under Aznar) outlined that the PP would try to force the commission to prove the government had not deliberately misled the public about March 11, and that the investigation after the bombings was directed at uncovering ETA's involvement.

All the evidence that has been heard by the commission points against that conclusion. The Madrid Central Intelligence Unit said its line of inquiry began with the discovery of a white van, used by three Arab men, parked in Alcala de Henares, where the bombers boarded the trains. Inside was a tape of Koranic verses and seven detonators. Goma 2 ECO explosives, which were identified from the blasts, were not known to be used by ETA. The mobile phones used to trigger the bombs were also known from other Al Qaeda cells outside Spain.

Luis Garruda, a doorman at an Alcala apartment block, alerted police to the van. Giving evidence to the commission, he said that police broke into the van and found the material before 1 p.m., on March 11. This is two and a half hours before the discovery time cited in police reports and several hours before Acebes made it public.

The police version of events is that they visually inspected the van, then towed it into a police compound where it was searched and the explosive equipment found. Until then, the police state, they were working on the assumption that this was an ETA attack. But Garruda alleges that a police officer told him "it was not ETA".

On the third day of evidence to the commission, Juan Jesus Sanchez Manzano of the bomb disposal unit Tedax, and chief of the Foreign Information Unit testified that within 48 hours of the blast the line of investigation was "Islamic terrorism". Right up until March 14, however, the PP insisted it was ETA.

On July 9, Deputy Director General of Police Diaz-Pintado claimed that an error had occurred in the chain of command over the nature of the explosives used. The Commissioner for Public Security, Santiago Cuadro had passed on the wrong information from Tedax as to what dynamite was used, which was then passed on to government officials, the police and Civil Guard. Acebes said this had caused the confusion, with the belief that ETA's preferred explosives had been used.

However, *El Pais* pointed out that even if such a "mistake" was made, it was rectified at 5 p.m., on March 11 when Goma 2 dynamite, not used by ETA, was identified as the explosive involved in the bombing. This information was in government hands by 6.30 p.m., but two hours later Acebes held a press conference where he reiterated that ETA was responsible.

The most compelling evidence of the PP's campaign of misinformation came from former National Intelligence director Jorge Dezcallar, who has said that the Secretary of State for

Communications asked him to deny radio reports that investigations were "99 percent on the Islamic trail". Obliging, Dezcallar said that ETA had not been ruled out as responsible for the bombings. But he reported at the time he made this statement that he was unaware that several people had already been arrested in pursuit of Al Qaeda leads.

By trying to force the commission to accept its contention that intelligence focused on ETA, the PP hope to justify its hysterical claim that it was the victim of an electoral putsch.

Since its electoral defeat, the PP has denounced what it describes as a left-wing conspiracy to use the bombings to remove it from office. The PP centres its attack on the mass demonstrations outside its headquarters just before the election. On July 5, Aznar said, "Terrorists had achieved their goal in toppling the government". Aznar continued, "It is difficult to recall another day so profoundly anti-democratic as March 13... Those responsible for the protests are part of the left and they have the worst stains around their necks."

Subsequently, PP spokesman have demanded that the commission be given the telephone numbers of PSOE and United Left members in order to find out if they participated in organising the demonstrations.

During a recent seminar to discuss anti-terrorism Jaime Mayor Oreja, a PP member in the European parliament, argued that in the event of a future terrorist attack, national elections should be suspended. Zapatero, who also spoke at the forum, simply issued a mild rebuke to Oreja's call to suspend democratic rights, saying that the "practice of democracy cannot be put into question by terrorism".

Such contempt for the popular will of the Spanish people must sound a warning. The PSOE's hope that Aznar would accept a public rebuke, thereby keeping a lid on the real implications of the March 11 events, has come to nothing. Not only are the commission hearings degenerating into a vicious faction fight within the political and military establishment but the PP and the far right have made clear that they do not accept the legitimacy of the March election and are seeking to use the commission to overturn its result.



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