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# Cover-up confirmed

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*the continuing story of  
“human errors”  
and the case of  
Samar Alami  
and  
Jawad Botmeh*

*Written by Daniel Guedalla*

*January 2001*

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# INTRODUCTION

IN 1996 at the Old Bailey in London, Samar Alami, a Lebanese-Palestinian woman, and Jawad Botmeh, a Palestinian man from Battir in the West Bank, were convicted of conspiring to cause the 1994 bombings at the Israeli Embassy in Kensington and at Balfour House in Finchley. Samar and Jawad had been living, studying and working in Britain for over ten years. They were both sentenced to 20 years' imprisonment. They are innocent.

In 1999 we published a booklet – *Justice Denied* – with a foreword written by Paul Foot. The short publication that you are now reading — a sequel, if you like — published almost two years later, aims to bring the reader up to date with the staggering events that have been unfolding since then. If you require further details about the case please consult *Justice Denied* which is still available on our website – [www.freesaj.org.uk](http://www.freesaj.org.uk).

The prosecution's continuing use of secret public interest immunity (PII) hearings to suppress vital evidence means that we are still very much in the dark about the true story behind the bombings. But at the Court of Appeal, at the end of October 2000, the prosecution were finally forced to admit that the prosecuting authorities at almost every level – from the Crown Prosecution Service to MI5, MI6 and special branch, and all the way up to the Home Office — have been covering up vital evidence. This evidence points to the fact that a known terrorist organisation with no connections to Samar or Jawad was probably responsible for the bombings.

Despite this revelation, Samar and Jawad remain convicted. The government and prosecution show no signs of either disclosing all the information they have or of agreeing to drop the charges against Samar and Jawad.

Quite how far the cover up goes can only be speculated upon. Leading defence counsel Michael Mansfield, QC, put it like this in the Court of Appeal:

*It is an astonishing and incredible failure in the duty of disclosure by those who are responsible....a catalogue of disasters, errors and failures by at least eight different individuals, at seven different stages, beginning with the domestic security service and going all the way up to the Home Office .... Had it not been for David Shayler, the CPS would still be saying to us that there is nothing further to be revealed.*



*February 2000: the campaign presented a petition of over 200,000 signatures to the prime minister at 10 Downing Street*

Justice by chance, in other words. Despite this development, the vital evidence remains suppressed. The nature of the British justice system means that Samar and Jawad may well remain convicted. That is why we need your support.

In February 2000 the campaign presented a petition of over 200,000 signatures to the prime minister at 10 Downing Street. A week later, Samar and Jawad were both downgraded from their high-security 'category A' prison status. We need to keep up that kind of pressure.

**Please read this booklet, contact your MP, write to the newspapers, write to the Home Secretary and the Director of Public Prosecutions. Please add your voice to those calling for the prosecution to end the charade and release Samar and Jawad immediately.**

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# THE STORY SO FAR

**S**AMAR Alami and Jawad Botmeh were convicted in December 1996 on the basis of circumstantial evidence, most of which related to their activities in support of Palestinians in the occupied territories. None of the evidence connected either of them with any involvement in the Israeli Embassy and Balfour House bombings.

There was clearly a bigger picture. The sophisticated way in which the bombings were carried out in the middle of London without leaving a single trace indicated that they were obviously the work of a professional organisation or government. The prosecution refused to accept this. Instead they alleged that Samar and Jawad — well-known and popular Palestinian student activists — had acted alone with a small British based amateur group with no connections to any large terrorist organisations.

As Palestinians, Samar and Jawad matched all the racist stereotypes the authorities needed — and this is the reason that they may well remain convicted and serve the full term of their imprisonment.

## The police investigation

**M**ANY conflicting theories were put forward in the wake of the July 1994 bombings. It didn't take long for the police to disregard most and, sticking to the tired old racist stereotype, decide that the bombings must have been carried out by Palestinians.

Never mind that the Palestinians were the one group not to benefit from the bombings, that there had been no similar Palestinian actions outside Israel for twenty years, or that the organisation claiming responsibility — the 'Jaffa Unit' or 'Jaffa Team' of the 'Palestinian Resistance' — had never been heard of before, or since.

Also ignored was the obvious likelihood of a connection with the explosion the week before at a Jewish centre in Buenos Aires, Argentina in which a hundred people were killed. Following that Buenos Aires attack, theories abounded that the London bombings were connected and had been carried out by the same group as part of the secret war between Israel and Iran. Similar attacks had also taken place in Argentina and Panama in 1992 and 1994. But the police and the prosecution claimed that there was no intelligence information to support such a theory, so they proceeded to concentrate on proving

that a 'home-grown' Palestinian group in London had been responsible.

The police then swooped in on various members of Britain's Palestinian community. A series of arrests began at dawn on 17 January 1995. The police focused their attention on a group of people and their associates, their friends, even their landlords. Those who ended up being charged were Jawad Botmeh, his friend Samar Alami, their friend Mahmoud Abu-Wardeh, and Mrs Nadia Zekra, a middle-aged woman whom Jawad knew slightly because he sometimes used to play football with her son.

## Old Bailey trial

**A**LL the defendants were remanded into custody. The trial finally took place almost two years later, from October to December 1996, at the Old Bailey in London.

Only Samar and Jawad were convicted. They were convicted because evidence of their political activities in support of Palestinians was portrayed as evidence of involvement in terrorism. None of the evidence showed that either of them had any involvement whatsoever in either of the London bombings, merely that they had had the misfortune to come across someone who certainly was.

Of primary concern was evidence which had been left with them by a recent acquaintance, Rida Mughrabi. It is now clear that Rida was involved in the bombings and was instrumental in setting them up. He had gone to a couple of car auctions with Jawad. At the second of these, in June 1994, Rida bought the Audi which later exploded outside the Israeli Embassy. There were fingerprints on documents relating to the car purchase: they were not Jawad's fingerprints.

Also in June 1994, shortly before the bombings, Rida gave Samar a box of chemicals that she thought might be of use with some experiments she and Jawad had been dabbling with to try and give Palestinians in the occupied territories some basic self-defence against Israeli attacks.

None of the prosecution evidence against Samar and Jawad has ever connected them with either of the London bombings, or indeed any bombings anywhere, but as Palestinians they were left with a mountain to climb in order to explain their political activities and prove their innocence.

Mahmoud ended up spending over a year in prison on remand before he was acquitted by the jury at the end of the trial. The so-called evidence against him was simply that he had been a friend of Jawad and Samar.

The evidence against Nadia was so disgracefully poor that the judge threw out the case halfway through the trial. Nadia was the only one of the four defendants who was charged with carrying out either any bombings – that at the Israeli Embassy – whereas the others were all alleged to have somehow been involved in the vague ‘conspiracy’. She spent five months in prison on remand before the trial.

The fact that a middle aged housewife like Nadia, with no political connections, was charged and put through that appalling ordeal, on the flimsiest of evidence, despite the security services knowing all along that a known terrorist organisation had been looking to bomb the Israeli Embassy demonstrates just how determined the authorities were to proceed on the basis of their blinkered and racist assumptions about the case.

While all of these innocent people have spent time in prison, the real bombers are still on the loose — and the police are not looking for them!

## Prosecution case starts to crumble

**T**HE PROSECUTION accepted that Samar and Jawad had no links to any large terrorist organisations. To get around this obstacle, the prosecution decided that the bombings were carried out by a small, previously unheard-of, amateur group of disgruntled British-based Palestinians, including Samar and Jawad, with no connections to any larger organisations in Britain or abroad. According to the prosecution, it must have been such a small, independent British group because British intelligence had not received any information prior to the bombings to suggest that any large foreign terrorist organisations had been involved.

Anti-terrorist branch officers even gave evidence at the trial claiming that they had been working in an “intelligence vacuum”. This, we now know, was a lie.

## The true story?

**I**T was always obvious that there was a bigger picture because the London bombings bore all the hallmarks of a professional, well-resourced, sophisticated organisation, not a couple of young student activists.

Some expert commentators, such as Robert Fisk, thought it highly unusual that such meticulously and professionally planned bombings

in the middle of London had not led to any fatalities at all. They wondered if this might indicate some Israeli involvement, perhaps as part of an attempt to persuade the British to increase security provisions. The British government had ordered the closing of the Mossad station in Britain in 1987; pinning bombings such as these on

### **Whether Iran or Israel was behind the bombings, it was not Samar or Jawad**

the Palestinians would enable the Israelis to perpetuate their ‘victim’ image, whilst simultaneously playing on the popular racist stereotype of the Palestinians as violent enemies of peace. And then there were the theories that the bombings were related to those shortly beforehand in Argentina and Panama, that they were somehow connected to the secret Israel-Iran war.

Whether Iran or Israel was behind the bombings, it was not Samar and it was not Jawad.

The Israelis have confirmed that they received an early warning of a bomb. The Israeli Embassy is protected around the clock. Security cameras and armed police guards are constantly on patrol. Yet somehow the Audi carrying the bomb was driven up the heavily-guarded road and parked outside, and the driver walked off, without any problem at all. The Israelis claim that the security cameras on the embassy building were not working, thus conveniently thwarting any attempts to actually see who carried out the bombing.

Indeed, the identity of the bombers remains a mystery. Both explosions were so expertly carried out, and with such high performance explosives, that not a trace was left behind, leaving no clue as to what kind of explosive was used. Israeli teams came and took away samples from the bomb crater, but no one will reveal who they were, what they took, or what the results of their tests were.

The role that Israeli government agents played in examining the scene of the blast at the Israeli Embassy is still unknown. As Michael Mansfield explained to the court: “Somebody undoubtedly did come from Israel. For some reason nobody knows who they were, what they took away from the scene or what conclusions they came to.”

## **Secret hearings to withhold evidence**

**T**HE SINISTER background was indicated by the many secret public interest immunity (PII) hearings that the prosecution held with the judge (the defence were excluded) in order to withhold large amounts of evidence on national security grounds, both before, during and after the trial.

We knew there was a bigger picture, and that Samar and Jawad

were merely convenient scapegoats — but how could we get hold of the evidence to prove it?

It was to come from a most unlikely source.

## **‘New’ evidence leaks out**

**A**T the end of 1997, a year after Samar and Jawad were convicted, an ex-MI5 officer called David Shayler blew the whistle. He revealed that before the bombings the security service MI5 had received specific warning from a reliable source of an impending attack on the Israeli Embassy, but had buried the information and failed to pass it on to anyone. Shayler also said that a senior MI5 manager believed that the Israelis had been involved, but that this evidence had also been held back.

Shayler’s revelations blew a hole through the prosecution case and went a long way to confirming that Samar and Jawad were innocent. Throughout the trial the defence had been told that no such intelligence information from before the bombings existed. If the security services had been warned about the bombings, they might have an idea about who had really carried them out.

At the very least what Shayler said went seriously to contradict the basis of the prosecution case against Samar and Jawad. There had clearly not been an intelligence vacuum, and a known terrorist organisation was suddenly and verifiably in the frame. As for Shayler’s other revelation that a senior MI5 manager believed the Israelis were involved, that might explain the many mysterious circumstances surrounding the bombings and subsequent successful get-away of those who carried them out, whoever they might have been.

What Shayler referred to seemed to be just the kind of evidence Samar and Jawad needed to prove their innocence. But at this point, the British government intervened to suppress the information. In May 1998, Jack Straw, the Home Secretary, signed a public interest (PII) certificate to authorise the withholding of the evidence in question on national security grounds.

The withholding of the Shayler-identified material was subsequently confirmed by a secret sitting of the Court of Appeal, with only the prosecution in attendance, in May 1999. However, the prosecution’s failure to disclose that evidence to the trial judge for him to rule on the issue of disclosure meant that the trial had been unfair and so the appeal court granted Samar and Jawad leave to appeal against their convictions.

That appeal started almost a year and a half later, on 24 October 2000.

# THE APPEAL

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**W**HAT took place at the Court of Appeal during those four days at the end of October confirmed that Samar and Jawad are the unwitting victims of a major set-up. This set-up has turned out to involve not only whatever organisation was responsible for the bombings, but also extends to Israeli intelligence and the British government, security services and courts, who have all consistently covered up vital evidence in the case and disregarded the law — either to protect those really responsible and/or to cover for the British security services’ failure to prevent the bombings.

The appeal has been adjourned for a few months so that the defence can make enquiries into the astonishing scraps of ‘new’ — in other words, previously suppressed — evidence that have now been thrown their way. It is not necessary to be concerned with technicalities of the case at the appeal hearing. Essentially it hinges around very simple issues: the British justice system’s refusal to admit its mistakes combined with a desperation to cover up evidence at the behest of the security services, ably assisted all along by the Israelis, and the racism which, regardless of the facts, permits all Palestinians to be portrayed in the west as mindless terrorists.

But some of the legal goings-on do bear explaining, if only as a means of demonstrating the breathtaking and unashamedly self-serving dishonesty and corruption of the British prosecution and legal system in this case. This is what needs to be publicised far and wide if Samar and Jawad are to have any chance of freedom.

The prosecution are continuing to contest the appeal, despite the information that we now know MI5 had before the bombings. What the prosecution are asking the court to accept is that a known terrorist organisation was about to bomb the Israeli Embassy — but that Samar and Jawad somehow nipped in there first and beat them to it.

That is how farcical the authorities’ attempt to uphold the convictions has become. Unfortunately, it may be enough.

## Human rights?

**O**N 2 October 2000, the Human Rights Act 1998 incorporated the European Convention on Human Rights (‘the Convention’) into British law. Thus, in Samar and Jawad’s case, the three appeal court judges found themselves amongst the first to sit in a British



court bound to follow the laws of the European Convention on Human Rights. They didn't like it. So they tried to get around it.

The Convention case law does allow the judge and the prosecution to conduct secret public interest immunity (PII) hearings to decide whether to withhold evidence from the defence on the grounds of national security. But if evidence is going to be withheld in that manner, then in order to ensure that the accused has as fair a trial as possible, the procedure has to be conducted by the trial judge during the trial. The judge who rules on the PII hearing must be the judge who hears the substantive case: how else can the question of disclosure be decided with regard to the specifics of the case being heard.

If, later on, the Court of Appeal conducts the secret PII procedure with the prosecution, in respect of information that was never laid before the trial judge, that will compound the earlier unfairness at trial. The only way to remedy that unfairness is for the Court of Appeal either to order all the 'new' evidence to be disclosed, or to order a retrial so the material can be placed before the trial judge to rule on the issue of disclosure. That is the clear legal position.

But in this case the Court of Appeal effectively chose to disregard that law and the fair trial provisions of the new Human Rights Act.

First they tried to get leading defence counsel, Michael Mansfield QC, to join them in their secret hearing, on the proviso that he agree not to disclose any of the evidence that he heard to his clients or their solicitor, Ms Gareth Peirce. An attempt to divide and conquer, one might say, with the court's sole purpose being to reduce the unfairness of the procedure so they could proceed to dismiss the appeal. When defence counsel refused to go along with this outrageous suggestion, the court went ahead and sat in secret with the prosecution, viewed the evidence, heard only what the prosecution had to say about withholding it, and chose to reveal two snippets of it to the defence. The bulk and the details remain undisclosed, and hidden away.

Thus the prosecution and the court concocted ways of bending the rules in order to keep the evidence covered up and uphold Samar and Jawad's convictions. With the security services involved, and disclosure failures everywhere you look, the much-heralded Human Rights Act is not so much an obstacle as an irrelevance when it comes to ensuring justice for those, such as Samar and Jawad, who need it most.

The irony is that Rabinder Singh, the prosecution barrister urging the court to circumvent its human rights obligations and dismiss Samar and Jawad's appeal, comes from Matrix Chambers, a recently-established set of barristers supposedly dedicated to upholding human rights. Matrix is headed by Cherie Booth, QC, the wife of prime minister Tony Blair.

What price justice?

## Cover-ups confirmed, evidence denied

**T**HE FRAGMENTS of evidence – the tip of the iceberg – that were given to the defence at the Court of Appeal consisted of a hand written piece of paper which stated that the security and intelligence services had been aware that during the months prior to the 1994 London bombings a terrorist organisation was seeking information about the location and defences of the Israeli Embassy in order to carry out a bombing attack. And also that someone within the security services had decided after the bombings that in fact that organisation had not been responsible.

So not only had there not been an 'intelligence vacuum', but there was information pointing the finger at the much more likely culprits — a known terrorist organisation, with no connection to Samar or Jawad, which had been looking to bomb the Israeli Embassy in the



months before the explosions in July 1994. (This was precisely the period in which Rida Mughrabi was stepping up his contacts with them, buying the car at the auction with Jawad, and then giving Samar the box of chemicals.)

That information has been systematically covered up, via an astonishing catalogue of ‘errors’ which led to it being forgotten about, buried, deliberately concealed, and lied about by people at almost every level of the British government and prosecuting authorities from officers and officials of the security service MI5 to the police, members of the CPS and all the way up to staff in the Home Office who advised the Home Secretary to sign the PII certificate.

The official explanation of “human error” given to the appeal court is a disgraceful display of cynicism which seeks to continue a gross miscarriage of justice.

The mind boggles at how evidence of that importance could have been kept concealed, and indeed is still being kept concealed. But let us make one thing perfectly clear: the Court of Appeal’s action in releasing these fragments may confirm what we have long suspected, but must not be mistaken for anything other than a continuation, by stealth, of the non-disclosure of vital evidence that has beset this case from the outset, and continues to do so.

We have still not been told which terrorist organisation it was that the security services thought was about to bomb the Israeli Embassy.

We do not know who or what the source of that information was; where the information came from; what it was that led the security service to believe afterwards that in fact that organisation had not been responsible; what source that information came from; and whether it was from the same source that tipped them off in the first place.

Are we supposed to take their word for it that that organisation was not responsible? Should we allow the security services to sit as judge and jury, deciding on their own which evidence to disclose and which to withhold, based on their idea of what is best for the country?

How can Samar and Jawad be expected to explore the case further and prove their innocence if they are not given the details of the most vital evidence in the case?

And what of the MI5 manager who believed the Israelis had become involved in bombing their own embassy? Why have we not been given any of the details that led such a senior member of MI5 to take such a view? Does such a view, from an experienced member of the security service, explain why someone else within MI5 thought that

**clear evidence is being covered up for reasons of political expediency**

the terrorist organisation initially believed to have been responsible had in fact not carried out the attacks? Was it because the Israelis infiltrated or somehow intervened in the bombings, thus managing to prevent any fatalities whilst simultaneously maintaining an image of the Israelis as victims in need of increased security? Is there a connection with the secret war being waged between Israel and Iran?

The prosecution's refusal to disclose any of the details of what the security services know about the bombings has extended to a blanket refusal to supply any details about similar, perhaps related attacks, such as the major explosion in Buenos Aires that took place a week beforehand. According to the prosecution, such information is not 'relevant' to the case.

But as Michael Mansfield QC put it in court:

*It is unrealistic for the Crown to dig in like this when similar attacks at a similar time by agents or groups with hostility to Israel must be relevant. We believe there is more information that may link London to Buenos Aires and to a secret war that has been going on between Iran and Israel.*

Not only is there is no evidence to connect Samar or Jawad with any involvement in the bombings, the clear evidence which points to those who were responsible is being covered up for reasons of political expediency.

## A new suspect, another cover-up

**O**N the fourth day of the appeal hearing the defence revealed that the police and the prosecution had been hiding the identity of another possible suspect with no connections to Samar or Jawad. A man called Tim Wise had just got in touch with Gareth Peirce, the defence solicitor, and told her that he had reported to the police his suspicions about a man who had shared his flat in 1994. This man, who gave his name as Mohammed, had kept plans and a hand-drawn map of the Israeli Embassy, along with lists of arms and ammunition. There is even a photograph of him. Tim Wise reported all this to the police around the time of the bombings, and he has even named the two police officers who came and investigated the matter and took away evidence from the flat.

But the prosecution failed to disclose any of this evidence to the defence who, just as with the Shayler material, just happened to learn of it purely by chance some four years after the trial. Even now the defence are still trying to get more details of this evidence out of the police and the prosecution.

## The DPP opts out

**T**HE PROSECUTING service in England and Wales is headed by the Director of Public Prosecutions (DPP). The DPP works under the Attorney-General and is responsible for supervising the operation, institution and conduct of the prosecuting service. In cases such as Samar and Jawad's, where the prosecuting service has been shown to have suppressed vital evidence in a major trial, the usual procedure would be for the DPP to launch an immediate investigation into what happened. Hence those responsible could be identified, as could the reasons for the disclosure failures, and steps could be taken to ensure that all the evidence was now disclosed and that such failures did not take place again.

The Attorney General has recently published new guidelines on the disclosure of evidence. He says that police officers and prosecution lawyers who fail to comply with these new disclosure guidelines should face disciplinary action. The purpose of these guidelines is to try and end miscarriages of justice, which the Attorney General describes as a "travesty" of the criminal justice system.

The Attorney General even said he would be disappointed if police officers and prosecution lawyers who committed "gross" breaches of

the guidelines were not disciplined. Unfortunately, that is not going to happen in Samar and Jawad's case. One of the reasons for that is that the current DPP is David Calvert-Smith QC, who, in his previous incarnation, was the lead prosecution counsel at Samar and Jawad's trial. He prosecuted them. They were convicted. He was promoted to DPP. And since evidence of the cover-ups has emerged, he has ducked out of his responsibilities as DPP and has declined to have any more involvement in the case or to explain what went on.

**the current DPP was personally involved in the appalling disclosure failures which led to Samar and Jawad being wrongfully convicted**

The DPP is supposed to be there to supervise the conduct of the prosecuting service, thus providing a valuable safeguard against prosecution malpractice. But the current DPP was personally involved in the appalling disclosure failures which led to Samar and Jawad being wrongfully convicted. This closing of ranks at the highest level means that Samar and Jawad will now not have the benefit of a DPP-headed enquiry into the disclosure failures which have resulted in the foul-ups that led to them being wrongfully convicted and losing twenty years of their lives.

Perhaps we should not be surprised. The junior prosecuting counsel at Samar and Jawad's trial and at the appeal, Mr Boyce, also appeared for the prosecution in the notorious case of Judith Ward. She was wrongfully convicted for allegedly being involved in the M62 coach bombings in 1974. She served 18 years in prison before her conviction was finally quashed after it was revealed that the prosecution had failed to disclose mountains of vital evidence in the case. The furor in the wake of those revelations led the courts completely to overhaul the disclosure system. Yet judging by what is happening to Samar and Jawad, it seems that the prosecution have still learned nothing from past 'mistakes'.

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# HANGING IN THE BALANCE

**W**E are now in the midst of the adjournment requested by the defence on the fourth day of the appeal hearing. The defence requested the adjournment so that they could have time to investigate the possible further avenues that may have been opened up by the few partial fragments of ‘new’ evidence that the prosecution have now thrown their way.

Make no mistake: when the defence requested the adjournment the court was attempting to rush the defence into explaining what specific effect the tiny and vague fragments they have now been given would have had on the jury’s guilty verdicts if it had been disclosed at the trial. After that, it was clear that the appeal court was intending to comply with prosecution requests and dismiss the appeal.

The wait for the case to be re-listed will be an agonising one for Samar and Jawad. It may be obvious that they are innocent, but they do not seem to be any nearer to securing justice, let alone freedom. The government, the prosecuting authorities and, unfortunately, the courts, will bend over backwards to protect the security services rather than admit a mistake, and would prefer to keep two innocent Palestinians in prison for 20 years than let the well-founded criticisms of MI5 whistle-blower David Shayler seem to have been justified.

In these circumstances, is there any hope for Samar Alami and Jawad Botmeh — or will they forever be made to suffer as pawns in this ridiculous game?

The phrase ‘crushing a butterfly on a wheel’ was never more appropriate.

**For more information  
please contact Freedom and Justice for Samar and Jawad  
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# WHAT THE PAPERS SAY

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**T**HE MEDIA finally seems to have cottoned on to the scale of the blatant injustice being perpetrated against Samar and Jawad. Here are some excerpts from the press coverage of the case at the appeal court. If you would like copies of the complete articles please contact us at the campaign.

## PALESTINIANS' APPEAL OVER EMBASSY BOMBING BEGINS

*The appeal against the convictions of two Palestinians for their involvement in the 1994 bombing of the Israeli Embassy in London began yesterday with the Home Secretary being accused of suppressing information which could free the pair....The case of Alami and Botmeh, both serving 20-year prison sentences, had become an international cause celebre, with allegations of involvement of the Israeli and Iranian intelligence services in the attacks.....Petitions in the Middle East had attracted 200,000 signatures, while 60 members of the Palestinian legislature as well as British MPs had joined the campaign on their behalf. Amnesty International also expressed concern the charges against the two might have been politically motivated.*

 *The Independent*, 25 October 2000

## MI5 'HID' REPORTS ON EMBASSY BOMBING

*Confidential intelligence agency reports may show the car bombing of Jewish targets in London six years ago was part of a secret 'tit for tat' war between Israel and Iran and had nothing to do with two Palestinian students convicted at the Old Bailey, the court of appeal heard yesterday...revelations in a Sunday newspaper three years ago by the former MI5 officer David Shayler cast doubt on prosecution speculation that the bombing of the Israeli embassy, and a second blast at the offices of Jewish charities in north London, had been down to 'home grown' Palestinian extremists, working on their own. Shayler's information pointed to a much larger and more sophisticated organisation being responsible for the bombings...*

 *The Guardian*, 25 October 2000

## **SHAYLER WAS RIGHT OVER BOMB AT ISRAELI EMBASSY**

*The Crown Prosecution Service was forced by the Court of Appeal yesterday to admit that the former MI5 officer, David Shayler, was right in saying that the security services were warned before the 1994 car bombing of the Israeli embassy in London that the building was being targeted by a terrorist organisation. The terrorist group was unconnected with the two young Palestinians eventually convicted of the bombing... [Shayler] also referred to suspicions that the Israeli secret service, Mossad, carried out the bombing to provoke the UK into tightening its security.*

 *The Independent*, 27 October 2000

## **WITNESS CASTS DOUBT ON BOMB CONVICTIONS**

*...the witness claims to have passed information and documents to police prior to the bombing that cast doubt on the prosecution case. Samar Alami and Jawad Botmeh, two students, have always protested their innocence. At their trial the prosecution accepted that they had acted alone and were not connected to any terrorist group. The conviction was initially brought into question after David Shayler, the former MI5 officer, revealed that the security service had received warning of an attack by a terrorist organisation. Later, Jack Straw, the home secretary, used public interest immunity certificates (PIIs) to prevent MI5 material being used in court.*

 *The Sunday Times*, 29 October 2000

## **DRAMATIC NEW LINK TO ISRAELI EMBASSY BOMB**

*Tim Wise, an Australian freelance cameraman who worked for the BBC and Channel 4, said he had reported his flatmate 'Mohammed' to the police in July 1994, a week after a car bomb exploded outside the embassy in Kensington, injuring 14 people. Wise claims that he found several documents in Mohammed's room, plus a list of ammunition and arms including AK-47 assault rifles and two expertly drawn maps of London. One was a plan of the area surrounding the*

embassy, including its security defences. 'It was like he was casing it out', he said. No mention was made of Mohammed in the trial, although it is inconceivable anti-terrorist officers would not have been told about the documents.... Last week the prosecution finally admitted that former MI5 officer David Shayler was correct to claim that the security services had received intelligence of a terrorist attack on the embassy several months before the bombing. They confirmed that the foreign terrorist group involved had no connection to the two suspects. The original trial judge had not been informed of the warning and the jury was told there was an 'intelligence vacuum'.

 **The Observer**, 29 October 2000

## **SAD VICTIMS OF A USEFUL DISEASE FAILURE OF DISCLOSURE HAS LEFT TWO IN JAIL, BUT IT CAN ALL BE EXPLAINED**

*From this grim catalogue [of errors] there are only two possible conclusions. The first is that both sections of the security services are no hopelessly disorganised that they cannot follow elementary rules of disclosure...The second is that in this case MI5, MI6 and special branch conspired not to disclose information which might damage the prosecution of Samar and Jawad.*

 **The Guardian**, 31 October 2000

## **EMBASSY BOMBING APPEAL ADJOURNED FOR NEW EVIDENCE**

*The appeal hearing of the two Palestinians convicted of the 1994 bombings of London's Israeli embassy and Balfour House was halted abruptly last Friday to allow for the consideration of fresh evidence. Michael Mansfield QC, representing Samar Alami and Jawad Botmeh told the Appeal Court judges that the defence needed time to investigate evidence of possible new suspect.*

*...The main ground for the appeal was that the defendants had been denied a fair trial under Article 6 of the Human Rights Act, because information which could have aided their defence was suppressed. The judges had earlier sat 'in camera' to examine intelligence material relevant to the case covered by a government public-interest immunity certificate. They then passed Mr Mansfield*

*a brief note, which he read aloud, confirming defence assertions that the security services had received a prior warning about a possible attack on the embassy that was never revealed during the trial.*

 **Jewish Chronicle**, 3r November 2000

## **DROPPING A BOMB**

*A questionable line of evidence led to the incarceration of two probably innocent people. Now may be the time for the security services to admit mistakes*

*So why has Jack Straw, the minister responsible for the administration of justice...fought tooth and nail to stop this information being disclosed?...it is now clear that Straw...has allowed the security services to mislead, if not lie to, the British public.*

*... we should remember that the two Palestinians continue to languish in prison looking at the wrong end of 20 years for crimes they probably did not commit. Worse still, they languish there because the British state cannot admit its mistakes...In the meantime [Samar and Jawad] will stare, frustrated, at cell walls even though the government, MI5 and the Appeal Court must know in their hearts that their convictions are unsafe.*

 **Punch magazine**, November 2000

# BUT WHAT CAN I DO? ---

- ✓ ***Write to your MP about Samar and Jawad —***  
The House of Commons, London SW1  
*(You can find examples of model letters on the campaign website — see below)*
  
- ✓ ***Write to the Home Secretary***  
Jack Straw, Home Secretary,  
Queen Anne's Gate, London SW1 9AT  
E-mail gen.ho@gtnet.gov.uk
  
- ✓ ***Write to the Director of Public Prosecutions***  
Crown Prosecution Service Headquarters,  
50 Ludgate Hill, London EC4M 7EY  
Tel/fax 00-44-171 273 8098
  
- ✓ ***Write to the Attorney General***  
9 Buckingham Gate, London SW1E 6JF  
Tel 00-44-171 271 2460
  
- ✓ ***Join the campaign — make a donation***  
**Freedom and Justice for Samar and Jawad**  
**PO Box BM FOSA , London WC1N 3XX**  
**Website: [www.freesaj.org.uk](http://www.freesaj.org.uk)**  
**email: [postmaster@freesaj.org.uk](mailto:postmaster@freesaj.org.uk)**
  
- ✓ ***Write to the newspapers***
  
- ✓ ***Sell this booklet to your friends***
  
- ✓ ***Raise the issue in your union branch — get it to affiliate to the campaign***

## **Points to include in your letters**

- x the case was unfairly loaded from the start by the use of PII Certificates**
- x information was withheld from the original trial judge**
- x Jack Straw has continued to sign PIIs**
- x information now revealed shows that a terrorist organisation was seeking information about the location and defences of the embassy for a possible bombing attack**
- x new evidence points to police knowledge of the possible involvement of another suspect**
- x the prosecution was lying about an "intelligence vacuum" around the case**
- x "human error" and "filing problems" cannot explain this repeated non-disclosure**
- x the government seems prepared to see two innocent people paying the price for the "human errors" and demands for secrecy by the security services**
- x the miscarriage of justice must be ended**
- x the appeal must not be contested and Samar and Jawad must be freed.**

# 'The evil pair' – but are they the bombers that never were?

Principle of British justice being violated says judge

## MI5 guards secrets of embassy bombing

Witness casts doubt on bomb convictions

Defendant's right to be presumed innocent was being undermined

There is a lot to suggest that these two Palestinians in jail are innocent

## MI5 report 'mislaidd' at Palestinian trial

Whose Conspiracy? Unanswered questions in the London bombings

## MI5 hid reports on embassy bombing

Shayler was right over bomb at Israeli embassy

David Shayler

Exposés which he revealed that MI5 had known

Failure of disclosure has left two in jail, but it can all be explained

Shayler claims court will be denied key documents

There was a cross-reference which would have led to the document, but it was overlooked: again

## Sad victims of a useful disease

MI5 bury

## Injustice in the air

The case against these two is riddled with inconsistencies

## M15 role in inquiry into Israeli embassy blast under scrutiny

Did the Israelis bomb their own London embassy in 1994?

Straw's reaction — to reach for his gagging orders — is preposterous

## Open these bomb files

1994 attack on Israeli embassy part of 'secret war', court hears