

Article

Spain: Madrid Bombings Trial Will Aggravate Political Infighting ☐

OFFICE OF RUSSIAN AND EUROPEAN ANALYSIS

Some center-right politicians, with an eye toward the national election expected next year, are likely to use the trial starting today of 29 defendants accused of perpetrating the 11 March 2004 Madrid train bombings to discredit the Spanish Socialist Workers Party (PSOE) government. Vocal members of the opposition center-right Popular Party (PP) persist in blaming the Basque terrorist group ETA for the bombing and in pursuing conspiracy theories about the 11-M attacks, as they are called in Spain, even though the investigative judge dismissed any ETA connection in his 1,500-page report that served as the basis for the charges, and Spanish police and judicial officials ☐ have seen no evidence to back PP claims. Most observers judge the PP lost the last election—held just three days after the 2004 attacks—in part because it was determined to fault ETA.

- Some PP members and conservative media sources allege the PSOE government or its supporters in law enforcement and intelligence mishandled or suppressed evidence that points to ETA involvement. Some go so far as to claim the Socialists and their allies in the security services condoned the 11-M plot because it would give PSOE the 2004 election.
- A poll conducted last week by a local firm using sound polling methods showed about 30 percent of Spaniards believe ETA played a role in the attacks and about 30 percent doubt the trial will bring justice to the 11-M case, views that the PP strategy probably has encouraged.
- The trial itself is likely to prolong the controversy and could give new ammunition to PP supporters—media observers speculate defense attorneys will use components of conspiracy theories to muddle the prosecution's case. PP leaders publicly suggested last month that the court's decision to allow three ETA members to testify as witnesses for one defendant validated the party's concerns about the 11-M investigation.

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A review of Spanish media during the past several years indicates that the rancor over the 11-M attacks is poisoning the domestic atmosphere and appears to be polarizing the electorate. Press reports suggest trial arguments will end this summer with a verdict in the fall, but appeals are almost certain to keep the 11-M issue in the public eye through a national election expected no later than March 2008.

- The 11-M issue has been a major source of the pervasive *crispacion*—or bad blood—between the PP and PSOE and probably has contributed to an erosion in Spanish public regard for politicians, which Spanish commentators claim is among the lowest in Europe. They say the parliament's 11-M commission is widely seen as failing to achieve the bipartisanship and independence of the US 9/11 Commission and has contributed to the gulf between politicians and the public.
- Some pundits say the conspiracy theories—some of which implicate the judiciary or law enforcement—are also discrediting state institutions. At the two-year anniversary of 11-M in 2006 even the conservative *ABC* newspaper accused the PP of irresponsible judgment aimed at “delegitimizing” the law.

Spain: Troubled Aftermath of 11 March 2004 Attacks (11-M)



Protesters at an anti-ETA demonstration in December 2006 carried signs and banners casting doubt on the Zapatero government's role in 11-M and the subsequent investigation. The sign in the lower right foreground reads "ETA, Zapatero, PSOE (Spanish Socialist Workers Party), who is behind 11-M?"

Controversy has plagued Spain's attempts to investigate the 11-M attacks.

- The multiparty parliamentary commission formed to investigate the attacks quickly degenerated into a partisan forum that made only minor recommendations in its final report, issued in 2005. The Association of Madrid Bombings Victims boycotted memorial events that year, saying the pain of victims and relatives was being used for political gain.
- Investigative magistrate Juan del Olmo was criticized by some victims and relatives for the slow pace of the judicial process. Moreover, around one-fifth of Spaniards do not trust the investigation by del Olmo and the lead prosecutor, according to a poll conducted last week by a local firm using sound polling methods.
- Although indictments were filed against 29 people in April 2006—after an investigation targeting 116 potential defendants, 80,000 pieces of evidence, and 200 DNA tests—Spanish officials still do not have a full understanding of how the attacks were organized and by whom, [redacted] (The indictment reportedly found that the bombings were inspired by, but had no direct links to, al-Qa'ida.)
- Conspiracy theories abound. In addition to those involving ETA or the PSOE, other theories assert that Moroccan security agencies instigated the bombings in revenge for a conflict between Spain and Morocco over a disputed island in 2003. [redacted]

Spain: Madrid Bombings Trial at a Glance



Terrorists set off bombs on four commuter trains in Madrid on the morning of 11 March 2004, killing 191 and injuring 1,824.

Of the 29 individuals on trial, seven face potential sentences of more than 38,000 years in prison each, although under Spanish law, the maximum time anyone can spend behind bars is 40 years. Spain does not have the death penalty.

- Jamal Zougam, age 33, Moroccan; Abdelmajid Bouchar, age 24, Moroccan; and Basel Ghalyoun, age 26, Syrian, are accused of planting the bombs.
- Rabei Osman el Sayed Ahmed, age 35, Egyptian; Youssef Belhadj, age 30, Moroccan; and Hassan el Haski, age 43, Moroccan, are considered three of the ideologues behind the bombings.
- Jose Emilio Suarez Trashorras, age 30, Spanish, is accused of facilitating the attacks by providing explosives.

The other 22 defendants—comprising suspected Islamic terrorists and Spaniards alleged to have been involved in explosives trafficking—face lesser charges for supporting roles in the attacks.

- One person thus far has been convicted for his role in the attacks: a teenager in 2004 was sentenced to six years in youth detention for the transport of explosives.
- Seven purported ringleaders—one Tunisian, one Algerian, and five Moroccans—blew themselves up, also killing a police officer, when police tried to raid their apartment in April 2004. Three other suspects are believed to have fled Spain, according to press reports, while another is believed to have been killed in Iraq. In early January, Spanish authorities arrested another six individuals who may have collaborated in the Madrid attacks, according to press reports.

A three-judge panel under lead trial judge Javier Gomez Bermudez—who presided over a trial in 2005 that convicted Spanish al-Qa'ida cell leader Imad Eddin Barakat Yarkas and 17 others—will hear the case. There are no juries in Spanish terrorism trials. The trial will begin with statements from the accused, who can be questioned by lawyers. As many as 650 witnesses and 100 experts will then testify.