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Jewish Federation of Metropolitan Chicago

Pls let  
Wright

June 22, 2001

Mr. David P. Schippers  
Schippers & Bailey  
20 North Clark Street  
Suite 3600  
Chicago, IL 60602

Dear Mr. Schippers:

Per your request, I am enclosing non-classified materials involving two cases brought before the military prosecutor in the State of Israel. One involves the case of Mahmad Mahmud Hassan Abu-Tier. The other involves the case of Jamil Salam Saliman Sarsour (could also be spelled Tzastzur).

It is my understanding that these materials are intended to be utilized by your client, Robert Wright, in a personal capacity, as research documents for a book which he intends to have published in the future regarding terrorism in the Middle East, with emphasis on the terrorist group Hamas.

I am enclosing both the Hebrew originals of these documents as well as English language translations.

I hope this is helpful.

Sincerely,

Michael C. Kotzin  
Executive Vice President

MCK:jm

Enclosures

TAB 6

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A Beneficiary of the Jewish United Fund of Metropolitan Chicago  
A Member of the United Way of Chicago and United Way of Suburban Chicago

IDF Military Court  
Lod

The State of Israel (through the military prosecutor)

Vs

Mahmad Mahmud Hassan Abu-Tier  
b. 1951, Um Tuba Jerusalem  
(arrested since 9.21.98)

The accused is charged with perpetrating the following crimes:

Article 1:

Membership in an unauthorized group, crime according to code 85 (1) (A) of the defense statutes – 1945

Particulars:

The accused, beginning in 1993, or close to it, and until his arrest was a member of an unauthorized group,

1) The accused acted as a member and was active in the operations of the Hamas within different prisons, and even aided Hamas activists that were released from jail to return to operations.

2) With his release from jail on 2.1.98, the accused held a very senior position within the leadership of the military organization of the Hamas – "Az Adin Al-Kassam, acting together with Edal Awadallah, head of the military arm of the Hamas in the West Bank, Imad Awadallah, thr right-hand man of Edal, Sheik Muhmad Natshe, from the Hamas Command, and other military units.

(sections 2 – 4 are crossed out)

Article 5:

Charge: Possession of explosive material, a crime according to article 59 (a) to the defense statutes – 1945

Particulars

1. In June '98, the accused assisted in the purchase of explosives between an arms dealer on the West Bank and the Hamas. The accused transferred the sum of \$5000 US and 5000 Jordanian Dinars to the arms dealer and the arms dealer transferred in exchange kalatchnikof rifles, M-16 rifles and pistols to a messenger ?????

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2. The accused, in July '98, or close to it, possessed firearms, ammunition, explosives, grenade or detonator without authorization. The accused received from Sulaman Abu-Aaid a report that a man by the name of El Wahidi was interested in selling an uzi. The accused turned to Mahmud Natshe and received from him the amount of 3500 Jordanian Dinars, with which he purchased the uzi from Sulaman and appropriate magazines. The accused got the firearm and magazines from Sulaman and transferred them from Bidu village to the Hebron area, and gave them to Mahmud Natshe that then gave them to Edal Awadallah.

Article 6:

Charge: Possession of explosive material, a crime according to article 59 (a) to the defense statutes – 1945

Particulars: The accused, in the middle of 1998, had in his possession firearms, ammunition, a bomb, grenade or detonator without authorization, also, the accused received a promise from Musa Dudin, imprisoned on a life sentence in Israel, that he will receive from him a pistol 14 as a gift, and the accused actually received the pistol with magazines and bullets from Musa's brother, Aaid Dudin.

The accused possessed the pistol until the day of his arrest.

Article 7:

Charge: Performing a service for an unauthorized group, a crime according to article 85 (1) (g) to the defense statutes – 1945

Particulars: The accused, during '98, or close to it, performed services for an unauthorized group,

1. In his responsibilities within the Hamas Command, the accused transferred funds between the Hamas organization and Edal Awadallah.
2. The accused met over three periods with a Hamas activist, a US resident, by the name of Jamil Tzartzur, and received from him \$10,000 US, \$5,000 US and \$3,000 US accordingly.
3. These funds were transferred by Mahmud Natshe and from there to Edal Awadallah. The accused kept for himself the last amount.

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STATE OF ISRAEL

VS

Mahmad Mahmud Abu-Tir

VERDICT

By his confession the accused is convicted of the following:

A. Membership in an unauthorized group, according to article 85 (1) (a) of the defense code (state of emergency) 1945

B. Two articles of possession of explosive materials, under article 59 (a) of the stated code.

C. Performing a service for an unauthorized group, under article 85 (1) (g) of the stated code.

Everything is detailed in the revised affidavit.

Given 9/8/99

CLOSING STATEMENTS

Prosecutor: The sides agreed to ask the court to sentence the accused to 10 years in prison, 7 years from his arrest on 8/21/98 and 3 years probation. The accused has spent most of his adult life in various prisons in Israel. The background is very clear, we are talking about ideological actions with Hamas. This is the fourth time the accused is in court for basically the same crimes. He was given probation in the Ramallah court, a condition that we cannot apply in this court. The accused was brought before the court for senior membership in the Hamas and a close relationship with top wanted people. During his association with the organization he was active in the activities of those senior people. The accused was intensely active in arms trading, both for his own purposes within the organization and an uzi for Edal Awadallah, the accused did not stop during his time in prison nor after his release when he dealt in the transfer of money several times. The military prosecutor requests to honor the plea bargain, that may be light. The prosecution would like to add that during contacts with the sides and during the proceedings in court, there were many evidentiary problems, which led to the agreement and requests the court to honor it.

Defense: It is obvious that the agreement saves the court time and that we are dealing with a case, that if the proceedings would have gone to disclosure of evidence would have wasted a lot of time. This case could have disclosed investigators of the GSS, and that was avoided by the plea bargain, it should also be stated that the accused underwent

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illegal interrogations. In regards to the crimes, the accused has already been prosecuted of membership and possession of weapons. The accused has never been prosecuted for crimes against persons or attacks, rather for membership for which he has already served many years in prison. Any punishment beyond the punishment that was agreed here will create difficulties for the accused in starting a new life, and we're not speaking of a young man. I also think that this punishment will also be difficult for the accused to rehabilitate from.

### SENTENCING

The accused, Mahmad Mahmud Hasan Abu-Tir, was convicted by his confession, after going back on his plea of innocence and within the framework of a plea bargain, in the following crimes:

Beginning in 1993 the accused was an active member in the operations of the Hamas which operated within various prisons and aided activists of the organization that were released from detention to return to activity. With his release from jail in February '98, the accused held a senior position in the leadership of the military arm of the Hamas, Az Adin Al Kassam, working together with senior leaders of the organization, Edal and Imad Awadallah, Muhmad Natshe and others. The accused passed between the organizations leaders gifts and participated in discussions that occurred between them.

In June '98, the accused aided in the sale of firearms between an arms dealer and the Hamas. In this regard, the accused transferred a large sum of money to the dealer who in turn sent rifles and pistols to the organization.

In July '98 the accused received a report that there is a person interested in selling an uzi. The accused turned to Muhmad Natshe, received a sum of money, and with that bought the weapon and magazines. The accused transferred the weapon to Muhmad Natshe that than gave it to Edal Awadallah.

In the middle of '98 the accused received a pistol with ammunition that he kept until the day of his arrest. Among his responsibilities in the Hamas Command, the accused was used as a messenger for the transfer of money between the organization to Edal Awadallah. The accused met on three different occasions with a Hamas activist, got from him large amounts of cash that he then gave to Muhmad Natshe, who transferred them to Edal Awadallah. The last amount the accused kept himself.

In the years '95 and '96 the accused organized the transfer of a large amount of cash through his mother to a Hamas activist by the name of Muhmad Netzer, to aid him in returning to activities within the organization after his release from jail.

The accused, 48 years old, to his name prior convictions from this court and from the military court in the West Bank, all dealing with his membership and activities in illegal organizations.

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The sides agreed to request a sentence of 7 years jail time and probation time. The reason for the agreement is due to the evidentiary difficulties that became apparent by the prosecution in trying to prove the accusations against the accused.

There is no doubt that the crimes that the accused is convicted of, in light of his rich past, is worthy of a much heavier sentence than that agreed upon by the two sides. We are referring to a senior member of a murderous organization, that acted to advance in different ways the objectives of the organization and to help its leaders. With that, we were brought to understand by the sides that due to the evidentiary difficulties it was better to ask for a sentence that has been detailed and that court time was saved as well as the need to divulge interrogation methods of the GSS.

For those reasons, and after we felt that the sentence agreed upon is meaningful, we find that the plea-bargain is fair and we find for it. The accused is thereby sentenced to: 10 years in prison, from that, 7 years active service from the date of arrest 9/21/98. The remaining three years on probation where he is forbidden from committing crimes for which he has been convicted.

9/8/99

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