

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

Khaled El-Masri,)
)
Plaintiff,)
) Civil Action No.
v.) 1:05cv1417-TSE-TRJ
)
George Tenet, *et al.*,)
)
Defendants.)
_____)

DECLARATION OF KHALED EL-MASRI IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO THE UNITED STATES' MOTION TO
DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT

I, Khaled El-Masri, of Senden, Germany under penalty of perjury under the laws of the United States of America, declare as follows, pursuant to 28 U.S.C. § 1746:

1. I was born in Kuwait on June 29, 1963. Both of my parents are Lebanese. I fled Lebanon in 1985 during the civil war and sought asylum in Germany. Before my asylum application was processed I married my first wife, a German citizen. We lived together for ten years, and were married for seven.
2. In 1995, I renounced my Lebanese citizenship, acquired by virtue of the nationality of my parents, and took up German citizenship. After my first marriage ended in divorce, I re-married in 1996. My second wife is Lebanese. Together we have four young children, ages three, five, seven, and eight years old, and a baby of 7 months.
3. I trained as a carpenter when I first came to Germany. I then began working as a truck driver and subsequently as a car salesman. Around late 2003 and early 2004, I was made redundant from the car dealership. Since then I have been

continuously unemployed and dependent on unemployment assistance.

4. In the last few months of 2003, my wife and I had been experiencing marital problems. These problems were made worse by our living conditions. At this point I was unemployed and was living together with my wife and four young children in a one-room apartment. By December of that year, things had gotten so bad that I felt I just had to leave home for a while to get my head together.
5. I decided to travel to Macedonia. ADAC (a German automobile club, similar to AAA in the United States, I understand) informed me that the cost of living there was inexpensive and that hotel rooms were easy and cheap to come by. I made some initial inquiries with a bus company in Ulm that runs direct connections between Ulm and Skopje, Macedonia.
6. On December 30, 2003, I purchased a round-trip bus ticket from Ulm to Skopje. When I purchased the ticket I had no set plans as to how long I was going to stay there, but I planned on remaining for at least a week before returning home again.
7. The bus left Ulm as scheduled on December 30. We traveled without incident through Germany, Austria, Slovenia, Croatia, and Serbia.
8. Around 3 p.m. on December 31, 2003, the bus arrived at the border between Serbia and Macedonia. As with all other border crossings we made during the trip, at the check point the bus driver collected all the passengers' passports, mine included, to take to the border police for examination. After our papers were checked, everyone, except me, had their passport returned to them. The bus driver approached me and asked me to get off the bus and meet with the border official. The official asked me a few routine questions. First, he asked where

exactly I was going to stay in Macedonia. I replied that I intended to find a hotel once I arrived, and that I had no specific one in mind. He then asked me about the purpose of my stay in Macedonia. I said I was on a tourist trip and had planned to stay for about a week. He told me that as soon as I arrived in Skopje, I should go and see the local police. As I did not speak any Macedonian, a fellow traveler translated for me and for the border official. The translator was tall, slim, and appeared to me to be in his mid to late forties. After these few questions the official instructed me to return to the bus. The bus driver stayed with him for a brief moment before returning to the bus.

9. The bus then drove on towards Skopje. After about 3 kilometers or so, I asked the bus driver if he could return my passport. He told me that he didn't have it and that he thought it must still be with the border officials. The driver turned the bus around and drove back to the border, where I got down off the bus and asked the border official for my passport. The official said that there was a problem with my passport, and resolving it might take some time. He suggested that I remain behind and let the bus continue on. He said that after we had resolved the passport issue, he would drop me off at a hotel in Skopje. The bus drove on without me. I had to then hang around waiting until about 6 p.m.
10. At this time I was taken to a narrow room, about eight meters from the border station. The room had a door and a big glass window facing the street where cars drove by. In the room there was a table, a desk, and a chair. I sat down on the chair with my back to the glass window. The official did not allow me to turn around. He also told me to put every item I carried with me on the table.

Afterwards he searched everything thoroughly. Once he had completed the search, a young man appeared. He was about 1.75 m tall and looked to be in his early 30s.

11. After an hour-long interrogation, another man turned up. He was a little bigger and also appeared to be around 30 years old. He started a second interrogation, mentioning Islamic organizations and groups and asking whether I knew any of them. I said that I had heard of most of them. He then asked if I had anything to do with any of them. I replied that I had no involvement or even contact with any of them. He continued to question me about Ulm, asking me if there were any mosques in the area near where I lived, how many people attended their services, what nationalities they were, and if I had ever invited someone to Islamic activities at the Mosque or if someone had ever invited me to them. I answered no to all these questions. I was asked if there were any other activities in mosques apart from Friday services, and if I knew of any non-Muslims that had converted to Islam. He offered me alcohol, presumably to test whether I drank alcohol. I declined. He asked me if I prayed or fasted. I replied, "sometimes."
12. The interrogation ended around 10 p.m. By this stage, some of the officers had gotten drunk; in less than 2 hours, the New Year would begin.
13. I was eventually taken out of the office and led on to the road leading towards Serbia. I saw three vehicles there, all without license plates. Two of them were VW Golfs: one red, one black. The third car was also black but I cannot remember the make. It was very dark and the fog was thick. The streets and the border station were deserted. My escorts were all dressed in plain clothes and

were armed with guns. On our way, we saw a police barricade. We were allowed to pass quickly through it without stopping when my escort turned on a blue signal light.

14. In Skopje I was taken to a hotel. I subsequently discovered the name of the hotel: The Skopski Merak. The hotel has a website: <http://www.skopskimerak.com.mk/>, which I have looked at.
15. My escorts quickly walked me inside the hotel, and over to the elevator, situated a few meters away on the left side of the entrance. The elevator was very small. It could fit only two people at a time. One of my escorts and I took the elevator. The rest of the men took the stairs.
16. The hotel building had four or five floors. We exited on the top floor and walked into the room located opposite the elevator. Immediately on the left side of the entrance to the room was the bathroom. It had a window, approximately eighty by forty cm, and a Jacuzzi. Between the sink and the Jacuzzi was the toilet. On the right side of the room was a double bed next to a large window with a view toward the inside of the hotel. Opposite the entrance there was a large table with a computer and an internet connection. To the left of it was a television mounted to the ceiling. There was a second window with a view onto the slightly damaged chimney of a tall building. Behind this building was another building and to the left, there was a view of a mountain with a cross visible on its summit. This window was always locked and covered by heavy blue curtains; between this window and the bed stood a small table with four chairs.
17. From the hotel website photographs, I can identify the actual room where I was

held. From another, I even recognize one of the waiters who served me food during my detention there.

18. After entering the hotel room, three of my escorts remained with me. They locked the door. I asked them why they didn't leave. They said that they were going to be staying with me even when I was sleeping. I thought they just wanted to accompany me to my hotel and then leave me there as they said they would when I was detained at the border. I asked them if I was under arrest and they said that I wasn't, asking me if I saw any handcuffs on my wrists. They carried out another search of all my belongings. After this, three of them began interrogating me again. These interrogations were conducted in English despite the fact that I have only a very basic grasp of the language. The three men asked many questions all at once, speaking at me and firing questions from all sides of the room. The interrogation lasted until at least 3 a.m. the next morning.
19. The men conducted similar such interrogations for the next three days. They observed my every move at all times. Even when I went to the toilet they asked me to leave the door open, although it was located in the same room where I was staying. When I was exhausted and tired of answering their questions and after having been locked in this hotel room all this time, I demanded a translator, as I hardly spoke any English. Then I asked to call the German Embassy, a lawyer, and my family. All my requests were refused. At one point I became so angry that I demanded to be released and attempted to leave the room by force. During this particular incident, we all raised our voices, each of us speaking in our own language. Communication was clearly impossible. One of the men pulled out his

firearm and held it level with my head; the other two placed their hands on their holsters in a threatening manner.

20. The watch was divided between nine men; they changed shift every six hours. On the fifth day, a man with a bag appeared. He had sheets of paper and finger-print ink. He also had a camera and took a few photographs of me: right profile, left profile, and then frontal.
21. After about seven days, another official turned up. He appeared to be of a much higher rank than any of my guards. He looked to be around fifty-five years old. He had a large build and brought an assistant with him. He was very respectful. He asked me about my condition and how the food was. He told me that I could order food from any restaurant if I didn't like the food that was being served. He also asked if the guards had treated me well. I thanked him and said that so far I was fine. He then told me that he wanted to and could end my current situation, and that he had a deal to offer me. I asked him what kind of a deal. He replied that if I admitted that I belonged to the Al-Qaeda organization they would send me back to Germany with a police escort. I refused and he subsequently left.
22. Two or three days later, his assistant showed up again and presented me with a list of allegations. He told me that he was certain that these allegations were true. He added that based on these allegations the case against me was no longer within their control, and that it had been referred to the Macedonian president. He said that the president had made a decision regarding my continued detention.
23. I was surprised by this turn of events and asked again to meet with the German ambassador or any other German authority. He told me that the German

government did not want anything to do with me, and that I was wanted by them as well. One of the specific allegations against me was that my passport did not belong to me, and that I was wanted by both the Egyptian and German governments because I had been seen in Jalalabad, Afghanistan. After presenting me with these allegations, he left.

24. On the thirteenth day after my seizure, I began a hunger strike to protest my situation. A week later, I was told they would soon send me to the airport to fly me back to Germany. I did not eat again for the remaining ten days of detention in Macedonia.
25. At around 8 p.m. on the twenty-third day of my captivity, January 23, 2004, a video recording was taken of me. I was instructed to state my full name, that I had been treated well, and that I would shortly be flown back to Germany. I was then accompanied out of the hotel. Once outside, two men approached me. They grabbed hold of my arms and a third man then handcuffed and blindfolded me.
26. Before being blindfolded, I saw a white minivan, and in front of it, a black jeep. I also saw many people in plain clothes waiting around. I was placed in the jeep and it drove off. By the manner in which it was being driven, I think that it was following another car.
27. After about half an hour, the vehicle came to a halt. I was taken out of the vehicle and made to sit down on a chair, where I sat for about another one and a half hours. At this point, I heard the voice of the assistant who had come to see me with the high-ranking official. I was told that I would soon be taken into a room for a medical examination before being returned to Germany.

28. As I was led into this room, I felt two people violently grab my arms, one from the right side and the other from the left. They bent both my arms backwards. This violent motion caused me a lot of pain. I was beaten severely from all sides. I then felt someone else grab my head with both hands so I was unable to move. Others sliced my clothes off. I was left in my underwear. Even this they attempted to take off. I tried to resist at first, shouting out loudly for them to stop, but my efforts were in vain. The pain from the beatings was severe. I was terrified and utterly humiliated. My assailants continued to beat me, and finally they stripped me completely naked and threw me to the ground. My assailants pulled my arms back and I felt a boot in the small of my back. I then felt a stick or some other hard object being forced in my anus. I realized I was being sodomized. Of all the acts these men perpetrated against me, this was the most degrading and shameful. I was then pulled to my feet and pushed into the corner of a room. My feet were tied together, and then, for the first time since the hotel, they took off my blindfold. As soon as it was removed, a very bright flashlight went off and I was temporarily blinded. I believe from the sounds that they had taken photographs of me throughout.
29. When I regained my vision, I saw seven to eight men standing around me, all dressed in black, with hoods and black gloves.
30. I was dressed in a diaper, over which they fitted a dark blue sports suit with short sleeves and legs. I was once again blindfolded, my ears were plugged with cotton, and headphones were placed over my ears. A bag was placed over my head and a belt around my waist. My hands were chained to the belt. They put

something hard over my nose. Because of the bag, breathing was getting harder and harder for me. I struggled for breath and began to panic. I pictured myself like the images I had seen in the media of the Muslims that were brought to Guantánamo.

31. They bent me over, forcing my head down, and then hurried with me to a waiting car and then on to a waiting aircraft. They walked so fast that the pain at my joints was getting worse, as the iron of my shackles chaffed against my ankles. When I tried to slow down they almost dislocated my shoulder. In the airplane, I was thrown down onto the floor and my arms and legs were spread-eagled and secured to the sides of the plane.
32. During the flight I received two injections, one in the left arm and one in the right arm, at different times. They put something over my nose. I think it was some kind of anesthesia. It felt like the trip took about four hours, but I don't really remember. However, it appeared to be a much longer trip than one to Germany.
33. I was mostly unconscious for the duration. I think the plane touched down once and took off again. When the plane landed for the final time I was fully conscious, although still a little light-headed. I was taken outside the aircraft. I could feel dry, warm air and knew immediately that the place where the plane had landed couldn't possibly be Europe.
34. I later learned that aviation documents show that a Boeing business jet owned and operated by some of the defendants in this case, then registered by the FAA as N313P, took off from Palma, Majorca, Spain on January 23, 2004, and landed at the Skopje airport at 8:51 p.m. that evening. The jet left Skopje more than three

hours later, flying to Baghdad and then on to Kabul, the Afghan capital. I believe I was on that plane. Attached hereto as Exhibit A are true and correct copies of the aircraft logs for January 23, 2004.

35. After being removed from the aircraft, I was thrown down into what felt like the trunk of a vehicle. The vehicle drove for about ten minutes. I was then dragged out of the trunk and down a flight of stairs. My arms were raised high behind my back. I was marched so quickly that at times my feet hardly touched the ground. They pushed and shoved me against the walls of the building. Finally I was thrown to the ground. They beat me and kicked my head. Someone stepped on my head and neck with his feet, then removed my chains and my blindfold. I heard them leave and the door being pulled hard and locked behind them.
36. After adjusting my eyes to the light, I could see that I was lying in a small, filthy, concrete cell. The walls were covered in crude Arabic, Urdu, and Farsi writing. In place of a bed there was one dirty, military-style blanket and some old, torn clothes bundled into a thin pillow. It was cold and dark. Through a small opening near the roof of the cell I could see the red, setting sun. It was only then that I realized that I had been traveling for some 24 hours.
37. Through a small grille on the metal door of the cell I could see a man dressed in Afghan clothes standing in front of the cell. I was very thirsty at this point and called out to the man for some water. The man pointed to a small bottle in the corner of my cell. It was a very old plastic bottle, dirty outside as well as in. The color of the water was greenish-brown. It stank. I could smell the water from the other side of the cell. After I held the bottle, the smell stayed on my hands for

quite some time. I was extremely thirsty but when I tried to drink the water, it caused me to vomit. It was impossible for me to drink from this bottle.

38. That night, four masked men in black uniforms came to my cell, dragged me outside, and pushed me into a room close by. The room was bare apart from a table and some chairs. Three men in masks were sitting in the room when we arrived. Two wore the same uniform as my four escorts, the third was dressed in shirt and jeans.

39. Speaking in Arabic with a Palestinian accent, one of them instructed me to strip naked as a doctor was going to examine me. I undressed, but left on the diaper. I was instructed to remove this as well and complied. I was left standing naked.

40. I was then photographed, and blood and urine samples were taken by one of the masked men. I think he may have been a doctor.

41. The “doctor” wore a tight-fitting mask covering his head and extending down his neck. From his eyes, the grey hair that was visible, and the tone of his voice, he appeared to me to be around 40 or 50 years of age. He was dressed casually in jeans and a blue checked shirt. I complained to him about the unhygienic cell and the filthy water. He told me that the Afghans were responsible for the conditions of my confinement. He then asked whether I preferred Islamic or non-Islamic food. I told him I wanted Islamic food. Later I found out that he had made fun of me for this request since the Afghan food was nothing more than the leftovers of the Afghan guards. All it consisted of was chicken bones and skin.

42. After the examination, which lasted about ten minutes, I dressed and was accompanied back to my cell. I had to search for the bed because the cell was so

dark. There was no lighting. I found it almost impossible to sleep because it was so cold and I was in so much pain from being strapped to the unpadded floor of the airplane. I could not sleep on my right or left sides. Only after ten days was I able to sleep on my front or back. My discomfort was made worse by the nighttime cold in Kabul at this time, and I only had one blanket.

43. On the second night, four masked men came to my cell, bound my hands and feet, and dragged me into the interrogation room again. Seven other men were in the room. All of them were masked and wearing black matching uniforms. One of them yelled at me to come forward. He spoke Arabic with a South Lebanese accent. The man asked if I knew why I had been detained; I said that I did not. He then told me that I was in a land where there were no laws, and that nobody knew I was there.
44. On the desk in front of him was a file. He said that the file contained information about me and was the reason I had been detained in Skopje and flown to Afghanistan. He said that the file contained evidence that I had attended a terrorist training camp here in Afghanistan, that my passport was forged. He interrogated me about these issues and my alleged association with important terrorists like Muhammed Atta, Ramzi Bin Al-Shibh and other alleged extremists based in Germany.
45. I said that I had only heard of these individuals in the media, adding that if they wanted to determine whether I had ever trained in Afghanistan and whether my passport was a fake, all they had to do was speak with the German authorities who would prove that I was a German citizen and that I had never been to Afghanistan.

I repeatedly asked him to contact the German government. I also asked why I had been taken to Afghanistan, when I was a German citizen, and had no ties to this country. My interrogator did not answer.

46. In total, I was interrogated on three or four occasions, each time by the same man, and each time at night. In one of these interrogations, I was asked about telephone calls to Sudan. My interrogations were always accompanied by threats, insults, pushing, and shoving. Two of the men who participated in these interrogations identified themselves as Americans. During each interrogation, I demanded that I meet with a representative of the German government. My demands, however, were ignored.
47. In March, together with several other inmates with whom I had been communicating through the cell walls, I commenced a hunger strike. We refused to eat or drink and demanded to see an American commander or representative to complain and demand our basic human rights. Initially, there was no response to our demands. After six days, I became very weak and felt close to death. I started to drink again, but still refused to eat.
48. On the eighth day, one of the inmates met with an American official and handed him a note detailing some of our demands, including that our captors respect our most basic human rights, afford us access to a court to challenge our continued detention, inform our relatives of our whereabouts, and give us reading materials. None of our demands were met.
49. On March 13, I was interrogated by three unmasked American officials and a psychologist who also functioned as the prison's Arabic interpreter. This

interpreter had a Syrian accent. The interrogation focused on my alleged associations with Dr. El-Attar, Dr. Yousif, his son Omar, and Mr. Reda Seyam. I was also asked about people associated with the multicultural center “Multi Kultur Haus” in Ulm and the Islamic Information Center (IIZ) in Ulm.

50. On March 31, after twenty-seven days without food, I noticed people standing outside of the house and I shouted to them. I was taken to an interrogation room. After my hands and feet were shackled, I met with two unmasked Americans. One described himself as the prison director; the other was a more senior official whom some of the other inmates referred to as “the Boss.” In addition, the Afghan prison director and the Arabic translator with a Palestinian accent were both present.

51. I was asked why I was on hunger strike. I replied that I was protesting my abduction from Macedonia and my detention in Afghanistan. I said that I was also protesting against my continued detention without charge or trial, their refusal to allow me access to a lawyer or my family or government, and the inhumane conditions of my confinement.

52. The American prison director demanded that I end my hunger strike. I responded that I would not unless I was released, brought before a court, or permitted immediate access to a German government official. The only other circumstance that would bring my hunger strike to an end was death. The American prison director said that I was innocent of any crime, and that he would take that matter up with his superiors in Washington, D.C., but that he could not release me without their authorization. After this conversation I was taken back to my cell,

and continued my hunger strike. My health continued to deteriorate on a daily basis. I received no medical treatment despite my repeated requests.

53. From media reports, I understand that shortly after I was abducted and transferred to detention in Afghanistan, senior personnel within the CIA as well as the State Department knew that they had the wrong man and that I was being detained unlawfully. Attached hereto as Exhibit B are true and correct copies of media reports substantiating this fact.

54. By April 8 I was so weak that I was unable to leave my bed, not even to use the toilet. On April 9 some Afghans came to see me and tried to convince me to end my hunger strike, as they had noticed how much my health had deteriorated. By April 10 I had been on hunger strike for exactly thirty-seven days.

55. On the night of April 10, thirty-seven days into my hunger strike, hooded men entered my cell, dragged me from my bed, and bound my hands and feet. They dragged me into the interrogation room, sat me in a chair, and tied me to it. One of the men then grabbed my head. A tube was stuffed up my nose and some sort of liquid was forced directly into my stomach. After this procedure, I was given some canned food as well as some books to read. I noticed that the food boxes had blue and white labels, and listed sodium and potassium as part of their contents. I could also make out "USA" written on these boxes. I was also weighed at this time. The scale showed that since the time of my initial detention in December 2003, I had lost more than sixty pounds.

56. Around April 8, 2004, I distinctly recall feeling an earth tremor. After my return to Germany, my lawyers obtained records online from the Geological Survey.

These records show that on February 14 and April 15, 2004, there were indeed two tremors recorded in the vicinity of Kabul. Attached hereto as Exhibit C is a true and correct copy of these records.

57. Thirty hours after this force-feeding, I became extremely ill and suffered excruciating pain in my stomach. A doctor visited me in my cell in the middle of the night and administered medication on which I could read the name "Cipro." I remained in bed thereafter for several days, during which time my health gradually improved.
58. Around the beginning of May, the Afghan prison director took me to the interrogation room where I met with an American who identified himself as a psychologist as well as a female interpreter. The psychologist told me he had come all the way from Washington, D.C. to check on me and ask me some questions. At the end of our conversation, he promised that I would be released from the facility very soon.
59. Some days later, on May 16, the American prison director, together with a man in military uniform, arrived. The man in the military uniform spoke German and identified himself only as "Sam." "Sam" was about 180cm tall, slim, and had light brown hair. His skin was very tanned. He wore glasses and a cap. He told me that he wanted to talk honestly with me about everything I knew. I said that I was more than happy to share everything I knew with him, but before I did I wanted to know who from the German government had sent him. Before answering he turned to the two Americans beside him (one was the prison director) and spoke with them in English. I could not understand exactly what

they were talking about, but after speaking with the director he told me in German that he could not respond to the specific questions I had raised. I then asked him if anyone in the German government knew I was here. Again he refused to respond. I then asked him if my wife knew where I was. To this, he replied no. I noticed that whenever he spoke he searched for his words. He seemed very nervous while the Americans stood beside him. After my questions, “Sam” began to interrogate me.

60. He asked more or less the same questions that I had previously been asked, in Macedonia and by the Americans as well, regarding my alleged associations with extremists in Neu-Ulm, Germany and people who attended or preached at the multicultural center in Neu-Ulm. In all, the conversation lasted for about two to three hours.
61. From our very first meeting I was convinced “Sam” was a German citizen and from his accent, from the North of the country. At one point he told me that his wife used a “Metro-Card,” a particular card for the “Metro” supermarket that is generally used only by self-employed people, and it was clear to me from this conversation that he knew Germany intimately. Following my return home, I identified “Sam” twice: once on January 1, 2006, from a photograph in the online newspaper “Saar-Echo” (after I was notified of the article by its author, Frank Kruger), and again on February 20, 2006 from a police line-up. His name is Gerhard Lehmann and he is an officer from the German BKA (Bundeskriminalamt). I am ninety percent certain that the “Sam” I met in Afghanistan and the man I identified in this line-up one and half years later are

one and the same. Attached hereto as Exhibit D is a true and correct copy of a New York Times article reporting on my identification of “Sam.”

62. “Sam” met with me three more times. On May 20, he told me that it might take them another week to assess whether or not I could be released. Upon hearing this I became angry and told him that they kept promising my release and always postponed it. I said that I would begin my hunger strike again the next day.
63. On May 21 I began my second hunger strike. In the evening that same day, the American prison director appeared together with “Sam” and an American doctor. “Sam” asked that I end my hunger strike and assured me that I would be on my way to Germany within the next eight days. He said that they were just clearing the security formalities for my transfer from Afghanistan to Germany. He explained that the flight would not go directly to Germany and that it would take many hours. He asked that I remain calm, not worry, and that I would be home soon.
64. I recall distinctly all of the dates mentioned in this declaration because I dutifully counted them from the first day of my detention. When I didn’t have any paper or pencil to record the dates, I scratched the days off on the wall of my cell. Then, when I was issued paper and a pencil I wrote them down. When the other inmates warned me that the guards would keep any papers in my cell when I left, I committed the dates to memory.
65. On the evening of May 27, the American doctor and the American prison director came to my cell. The doctor examined me. The director then said that I was to be flown back to Germany the next day. He went on to explain some of the details

of the transfer from my cell to the airport. The doctor requested that I not eat or drink after that night, as I wasn't going to be permitted to use the bathroom during the flight.

66. The next morning, May 28, the doctor and the American prison director arrived in my cell. I was handcuffed, shackled, and blindfolded before being led outside and put inside a jeep. I was driven for about ten minutes and then taken inside a large empty shipping container. They sat me down in a chair so that I was unable to see out and was forced to face the wall. From this position, I could hear the sound of an approaching aircraft.

67. Shortly thereafter, my blindfold was removed and I was handed the suitcase that had been taken from me in Skopje. I was also given two t-shirts. I removed the clothes I had been wearing and changed into some of the clothes that I had in my suitcase and one of the t-shirts.

68. My hands were cuffed again. My ears were plugged and headphones were placed over my ears. I was blindfolded again and led back to the jeep. We drove a short distance to the waiting airplane. Once inside I was chained to the seat.

69. The plane was much smaller than the one that had flown me from Macedonia. It had leather seats. I wasn't administered any injections before taking off. "Sam" accompanied me. I could also hear American accents around me. Although they were muffled, it sounded to me like there were at least two or three different people.

70. At one point during the flight, I asked if I could remove the headphones. "Sam" obliged and they remained off for the remainder of the flight.

71. After telling me that there was a new President in Germany, “Sam” explained that we would eventually land in a European country but that it would not be Germany itself. When he told me this, it heightened my persistent fear that I was not going to be flown home, but rather taken to another country and executed. The flight took about six to seven hours.
72. When the plane landed, “Sam” told me that we would part company there and some other people would make sure I got back to Germany safely. I was blindfolded and handcuffed the whole time. I was then bundled out of the plane and placed in the backseat of what I sensed to be a Japanese-made minivan-type vehicle. Specifically, I sensed that it was a Toyota F-model, by the sound it made when it drove over bumps. I had driven an identical model myself when I was back in Germany.
73. I was driven in the car, up and down mountains, on paved and unpaved roads for more than three hours. The vehicle came to a halt and I was aware of the three men in the car getting out, closing the doors and then three men climbing in to the vehicle. All of them had South European/Slavic accents, but said very little.
74. The vehicle proceeded to drive for another three hours, again up and down mountains and on paved and unpaved roads. Eventually, the vehicle was brought to a halt. I was taken out of the car and before my blindfold was removed, one of my captors turned me around. He then removed the blindfold, sliced the cuffs from my wrists, gave me my suitcase and passport, and directed me to walk down a path without turning back.
75. I heard the car leave and began to walk as instructed. It was dark. No one was

around. As I walked I feared that I was about to be shot in the back and left to die.

76. As I came round a corner in the road, I came across three armed men. They immediately asked for my passport. When they saw that my German passport had no Albanian visa, they said I was illegal and asked me what I was doing in Albania without the necessary authorization. I had no idea I was even in Albania. We walked together a short distance until we came upon an old one storey building. The building had an Albanian flag on it.

77. Some time later another man appeared. He seemed to be a superior officer. He went through my bags and asked me what I was doing in Albania. He said that from my appearance (I had grown long hair and a beard) I looked like a terrorist. When I told them the story of my arrest in Macedonia, transport to and imprisonment in Afghanistan, and eventual transport to Albania, they all laughed and said that no one would believe my story. The officer instructed me not to tell my story to anyone.

78. I asked if they could take me to the German Embassy. The officer in charge said that was unnecessary; they would take me to the airport and put me on a flight to Germany.

79. The whole time I was with them, I sensed that they had been expecting me; that our chance encounter on the road was not an accident at all but rather planned. One fact that seems to confirm this for me is that the bread, chips and cheese that I was given to eat during the road trip through Albania were in the same plastic bag that I got when I ate these very snacks at the border station, and they tasted

exactly the same.

80. The three men drove me to the Mother Theresa Airport in Tirana. We arrived at around 6 a.m. One of the men took my passport and 320 Euros from my wallet and went in to the airport building. When he returned some fifteen minutes later, he instructed me to go through a door. On the other side, I was met by another man who accompanied me through customs and immigration controls and on to the airplane. Apart from an exit stamp in my passport, I went through these controls without further inspection. Only after the plane was airborne did I finally believe that I was going home.
81. Attached hereto as Exhibit E is a true and correct copy of relevant pages of my passport showing Macedonian entry and exit stamps as well as an exit stamp from Albania.
82. The plane landed at Frankfurt International Airport at 8.45 a.m. on May 29, 2004. I went through customs and immigration controls. By this time, I had lost a great deal of weight, something like sixty pounds, my hair was long and unkempt, and my beard had not been shaved since I arrived in Macedonia. Consequently, I looked nothing like the picture in my passport. The immigration officer questioned whether I was the same man, but after substantiating my identity with other documentation in my possession, he let me through.
83. From Frankfurt I traveled to Neu-Ulm and from there to my home village, Senden. I knew before I entered my house that no one was there and that no one had been there for some time. I went from my home to the Cultural Center in Neu-Ulm where I asked after my wife and children. I was told that my wife and

children were all safe and well and that they had all relocated to her family's place in Lebanon. I called my wife and she returned to Germany with our four children one week later. On July 31, 2005, our fifth child, Sirin was born.

84. On June 3, 2004, I met with my German lawyer Manfred Gnidjic. Initially skeptical of my account of what had happened to me, he asked that I write down a complete version of events and make drawings of the hotel in Macedonia where I had been detained for twenty-three days and the prison in Afghanistan. Attached hereto as Exhibit F are true and correct copies of my statement together with a plan of the hotel in Skopje and the prison in Afghanistan
85. Mr. Gnidjic also requested that I hand over all the items that I had with me in Macedonia and Afghanistan. Among other things, I gave Mr. Gnidjic my passport, which was stamped with entry and exit stamps for Macedonia and an exit stamp for Albania, my boarding pass for the flight from Tirana to Frankfurt, and the two t-shirts which had been given to me in Afghanistan.
86. On June 20, 2005, I met with Steven Watt of the American Civil Liberties Union (ACLU) in Ulm. I retained the ACLU to represent me in legal proceedings in the United States. On December 3, 2005, together with my German lawyer, Mr. Gnidjic, I attempted to travel to the United States to meet with my U.S. lawyers and to attend a press conference.
87. On December 3, 2005, we attempted to enter the United States in Atlanta. Although Mr. Gnidjic was permitted to enter the country, I was denied entry. No reasons were given for my refusal. I was sent back to Germany via France that same day. Attached hereto as Exhibit G is true and correct copy of the denial of

entry.

88. On December 8, 2005, the ACLU wrote on my behalf to the U.S. Department of State and the Department of Homeland Security seeking an explanation for my denial of entry to this country. Both the State Department and Department of Homeland Security responded that should I decide to enter the U.S. on some future occasion, they would facilitate the process. Attached hereto as Exhibit H are true and correct copies of this correspondence.

* * * *

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 6 day of April 2006.

A handwritten signature in black ink, appearing to read 'Khaled El-Masri', is written over a horizontal line.

Khaled El-Masri

DECLARATION OF KHALED EL-MASRI

EXHIBITS

Aircraft logs of N313P A

Lisa Myers & Aram Roston, *CIA Accused of Detaining Innocent Man: If the agency knew he was the wrong man, why was he held?*, MSNBC, (April 21, 2005);
David Johnston, *Rice Ordered Release of German Sent to Afghan Prison in Error*, NEW YORK TIMES, (April 23, 2005)..... B

United States Geological Survey, *Significant Earthquakes of the World*, (2004) C

Don Van Natta Jr., *Germany Weighs if it Played Role in Seizure by U.S.*, NEW YORK TIMES, (February 21, 2006) D

Khaled El-Masri's Passport E

Khaled El-Masri's statement, with English translation;
Sketch Plan of Hotel in Skopje;
Sketch Plan of Prison in Afghanistan F

Transcript of Department of Homeland Security Denial of Entry [Khaled El-Masri] G

Correspondence between A.C.L.U. and U.S. Department of State;
Correspondence between A.C.L.U. and U.S. Department of Homeland Security H

EL-MASRI DECLARATION EXHIBIT A

All AFTN messages concerning call sign N313P
between 22/01/04 and 24/01/04

Received from KSFOXLDI on date : 23/01/04 time : 0842

(FPL-N313P-IG
-B737/M-SDIGHURWY/S
-LEPA1745
-N0455F390 DCT MORSS UM603 KAS UW44 PEP
-LWSK0216 LGTS
-EET/LFFF0019 LIRR0040 LIBB0123 LAAA0143 LGGG0153 LWSS0200
REG/N313P SEL/APRS
RMK/MACEDONIA LNDG PMT: 11/02
SKOPJE ARR SLOT: 2000Z
E/0516 P/13 R/UV S/M J/LF D/3 25 C YLW
A/WHT/BLU/RED
C/FAIRING)

Received from LFPYZMFP on date : 23/01/04 time : 1529

(FPL-N313P-IG
-B737/M-SDGHIRUWY/S
-LEPA1745
-N0455F390 MORSS UM603 KAS UW44 PEP
-LWSK0216 LGTS
-EET/LFFF0019 LIRR0040 LIBB0123 LAAA0143 LGGG0153 LWSS0200 REG/N313P
SEL/APRS RMK/MACEDONIA LNDG PMT: 11/02 SKOPJE ARR SLOT: 2000Z
DOF/040123 ORGN/KSFOXLDI)

Received from LFPYZMFP on date : ~~23/01/04~~ time : 1749

(FPL-N313P-IG
-B737/M-SDGHIRUWY/S
-LWSK2130
-N0462F410 RUGAS UN128 PEREN UM603 EKI DCT GOTAN VAA BKZ UVW702 INB
VW90 SIN DT711 SARPI/N0457F410 UG67 BARUS UM747 DUKAN/K0837S1210 B449
RJ A240 AFGAN L750 MARAD/K0835S0820 L750 BANAHA/N0478F270 V838 VELDT
V338 KABUL DCT
-ZZZZ0458 OPRN
-EET/LGGG0012 LTBB0033 LTAA0100 UGGG0159 UBBB0221 UTAA0259 UTAA0323
OAKK0414 REG/N313P SEL/APRS RMK/TURKEY O/F PMT / CAT 608
TURKMENISTAN O/F PMT / GC/94/145/180104 AFGHANISTAN LNDG PMT / YA
056/2004 DOF/040123 ORGN/KSFOXLDI)

Sended by LWSKZPZX on date : 23/01/04 time : 1951
(ARR-N313P-LEPA-LWSK1951)

Sended by LWSKZPZX on date : 23/01/04 time : 2155
(DLA-N313P-LWSK2220-ZZZZ)

Sended by LWSKZPZX on date : 23/01/04 time : 2219
(DLA-N313P-LWSK2330-ZZZZ)

Sended by LWSKZPZX on date : 23/01/04 time : 2300
(RQP-N313P-LWSK-ZZZZ)

Sended by LWSKZPZX on date : 23/01/04 time : 2307
(RQP-N313P-LWSK2130-OAKB)

Received from LFPYZMFP on date : 23/01/04 time : 2309

(FPL-N313P-IG

-B737/M-SDGHIRUWY/S

-LWSK2130

-N0462F410 RUGAS UN128 PEREN UM603 EKI DCT GOTAN VA4 BKZ UVW702 INB
VW90 SIN UT711 SARPI/N0457F410 UG67 BARUS UM747 DUKAN/K0837S1210 B449
RJ A240 AFGAN L750 MARAD/K0835S0820 L750 RANAH/N0478E270 V838 VELDT
V338 KABUL DCT

-OAKB0458 OPRN

-EET/LGGG0012 LTBB0033 LTAA0100 UGGG0159 UBBB0221 UTAK0259 UTAA0323

OAKX0414 REG/N313P SEL/AFRS RMK/TURKEY O/F PMT / CAT 608

TURKMENISTAN O/F PMT / GC/94/145/180104 AFGHANISTAN LNDG PMT / YA
056/2004 DOF/040123 SRC/RQP ORGN/KSFOXLDI)

Sended by LWSKZPEX on date : 23/01/04 time : 2311

(DLA-N313P-LWSK2330-OAKB)

Received from LFPYZMFP on date : 23/01/04 time : 2312

(DLA-N313P-LWSK2330-OAKB)

Received from LFPYZMFP on date : 24/01/04 time : 0016

(CNL-N313P-LWSK2330-OAKB)

Received from LFPYZMFP on date : 24/01/04 time : 0016

(FPL-N313P-IG

-B737/M-SDGHIRUWY/S

-LWSK0030

-N0462F390 RUGAS UN128 PEREN/N0462F410 UM603 EKI VG12 YAA VG8 BAG
UL614 GEM VG8 SRT VR21 KABAN/N0460F410 R784 RAMPI L417 BGD DCT

-ORBI0253 ORMM

-EET/LGGG0011 LTBB0033 LTAA0059 ORBB0210 REG/N313P SEL/AFRS

RMK/TURKEY OVERFLT PMT CAT608 DOF/040124 ORGN/KSFOXLDI)

Received from LFPYZMFP on date : 24/01/04 time : 0016

(CNL-N313P-LWSK0030-ORBI)

Sended by LWSKZPZX on date : 24/01/04 time : 0045

(FPL-N313P-IG

-B737/M-SDGHIRUWY/S

-LWSK0125

-N0462F390 RUGAS UN128 PEREN/N0462F410 UM603 EKI VG12 YAA VG8 BAG
UL614 GEM VG8 SRT VR21 KABAN/N0460F410 R784 RAMPI L417 BGD DCT

-ORBI0253 ORMM

-EET/LGGG0011 LTBB0033 LTAA0059 ORBB0210 REG/N313P SEL/AFRS

RMK/TURKEY OVERFLT PMT CAT608 DOF/040124)

Received from LFPYZMFP on date : 24/01/04 time : 0046

(FPL-N313P-IG

-B737/M-SDGHIRUWY/S

-LWSK0045

-N0462F370 RUGAS UN128 PEREN/N0462F390 UM603 EKI VG12 YAA VG8 BAG
UL614 GEM VG8 SRT VR21 KABAN/N0460F390 R784 RAMPI L417 BGD DCT

-ORBI0423 ORMM

-EET/LGGG0011 LTBB0033 LTAA0100 ORBB0210 REG/N313P SEL/AFRS

DOF/040124 ORGN/KSFOXLDI)

Sended by LWSKZPZX on date : 24/01/04 time : 0050
(DLA-N313P-LWSK0125-ORBI)

Received from LFPYZMFP on date : 24/01/04 time : 0051
(DLA-N313P-LWSK0125-ORBI)

Sended by LWSKZPZX on date : 24/01/04 time : 0135
(DEP-N313P-LWSK0135-ORBI)

EL-MASRI DECLARATION EXHIBIT B

CIA accused of detaining innocent man If the agency knew he was the wrong man, why was he held?

By Lisa Myers, Aram Roston & the NBC Investigative Unit

Updated: 7:48 p.m. ET April 21, 2005

Last year, the CIA thought it had an important al-Qaida terrorist in custody. CIA agents secretly detained him in Europe and flew him to a secret CIA prison in Afghanistan, in a so-called "rendition." But now senior U.S. officials tell NBC News that CIA realized early on, it had the wrong man — but kept him in prison anyway. They say he was kept in the primitive prison for more than a month after CIA director George Tenet was informed of the case, while officials tried to figure out a way to fix their mistake.

On New Year's Eve 2003, German citizen Khaled El-Masri says he was kidnapped in Macedonia, and then flown by U.S. officials to Afghanistan where he was held in secret in harsh conditions until May. The mysterious events were seen as a case study in "renditions," or secret CIA operations to move terrorist suspects to third countries, outside U.S. legal authority.

Many of El-Masri's claims have been confirmed, but until now it was not known what had actually gone wrong. Now NBC News has learned key details of the CIA operation, how the mistake was discovered, and how top officials in the US government, including Tenet and Condoleezza Rice were briefed.

Among the details NBC News has learned:

- Macedonian officials arrested El Masri first and told the CIA that El-Masri's German passport was fake. His name set off bells because it matched someone who had trained in Osama bin Laden's camps.
- A CIA "black renditions" team swept into Macedonia and then flew El-Masri to a prison in Afghanistan nicknamed the "Salt Pit."
- In February, CIA officers in Kabul began to suspect he was the wrong man, and they raised the red flag. They sent his passport back to the agency's headquarters in Langley, Va. In March, sources say, the CIA finally finished checking his passport and found it was not a fake. The Macedonians had been wrong. The CIA realized it had the wrong man, a genuine German citizen, in custody.

El-Masri told NBC News that back in Afghanistan, in the prison, one American was frustrated over what was happening.

"He seemed to get mad about the situation and shouted, 'I don't think you belong here, I will once more call Washington,'" El-Masri says.

But in Washington, sources say, in mid April, officials called a special meeting at the CIA to brief director George Tenet. An officer quotes Tenet as saying, "You've got an innocent guy in the Salt Pit?" Tenet said El-Masri should be released.

By May, sources say National Security Council Director Condoleezza Rice learned of the mistake and ordered El-Masri's immediate release. She said as well that the German government should be told of the incident, for diplomatic reasons. But that didn't end the case. About two weeks later, Rice learned El-Masri was still being held and ordered him released again.

In late May 2003, he finally was freed.

"It's very deeply troublesome," says former CIA general counsel Jeffrey Smith, when NBC News told him of the story. Smith says el-Masri should have been released as soon as the CIA learned he was the wrong man.

"It's wrong morally, it's wrong legally," he says. "And it violates the basic principles of the United States."

The American Civil Liberties Union has been investigating the CIA's use of "renditions" on suspected terrorists.

"Use of rendition," says Steven Watt, an ACLU lawyer, "puts America in a legal black hole. But when it's used to hold a man that the United States knows to be innocent, that puts us in a moral black hole as well."

Watt says this incident shows incompetence on the part of the CIA. "They denied a man his freedom, simply to avoid potential criticism or embarrassment," he adds.

The CIA, Tenet and Rice had no comment. Intelligence sources say the CIA inspector general is investigating, and the German government says prosecutors in Munich are also looking into El-Masri's charges.

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URL: <http://www.msnbc.msn.com/id/7591918/>

April 23, 2005

Rice Ordered Release of German Sent to Afghan Prison in Error

By **DAVID JOHNSTON**

WASHINGTON, April 22 - A German citizen detained for five months in an Afghan prison was released in May 2004 on direct orders from Condoleezza Rice, then the national security adviser, after she learned the man had been mistakenly identified as a terror suspect, government officials said Friday.

The officials, who confirmed an account of Ms. Rice's decision that was first reported by NBC News, said that when Khaled el-Masri was taken from a bus on the Serbian-Macedonian border on Dec. 31, 2003, the Macedonian and the American authorities believed he was a member of Al Qaeda who had trained at one of Osama bin Laden's camps in Afghanistan.

But within several months they concluded he was the victim of mistaken identity, the officials said. His name was similar to a Qaeda suspect on an international watch list of possible terrorist operatives, they said.

By then, Mr. Masri, 41, a car salesman who lives in Ulm, Germany, had been flown on a C.I.A.-chartered plane to the prison under a secret American program of transferring terror suspects from country to country for interrogation, officials said. At the prison in Kabul, Mr. Masri said, he was shackled, beaten, photographed nude and injected with drugs by interrogators who pressed him to reveal ties to Al Qaeda.

For reasons that are unclear, he remained for months at a prison known locally as the "Salt Pit." The case reached Ms. Rice in May 2004, officials said, and twice, over several weeks, she ordered him immediately freed. He was released in Albania on May 29, 2004.

The American officials acknowledged Friday that the detention had been a serious mistake and that he had been held too long after American officials realized their error.

In an interview on Friday, Mr. Masri said that he was gratified that "the truth has finally come out" and that he expected an apology. "I hope that America will in the future respect the rights of people," he said.

The disclosure of the decision to free Mr. Masri shed new light on the transfer of suspected Qaeda operatives around the world. Until now, it was believed that the transfers were carried out by the C.I.A. under presidential directives issued after the Sept. 11, 2001, attacks.

Ms. Rice's involvement suggests that the White House may have played a more hands-on role than was previously known. The officials who discussed the matter on Friday suggested that she had intervened as needed, but would not describe the extent to which national security officials at the White House were in charge.

In January, Mr. Masri's account of his ordeal was the subject of an article in The New York Times. At the time, officials at the C.I.A. and F.B.I. would not confirm or deny the details of his case, although they acknowledged that they had been contacted by the German authorities investigating his allegations of mistreatment.

Don Van Natta contributed reporting from London for this article, and Souad Mekhennet from Frankfurt.

EL-MASRI DECLARATION EXHIBIT C

United States Geological Survey's (USGS)



EQ Facts & Lists Significant Earthquakes of the World for 2004

October 6, 2005

Earthquake Lists

SIGNIFICANT EARTHQUAKES OF THE WORLD, 2004

Earthquakes of magnitude 6.5 or greater or ones that caused fatalities, injuries or substantial damage. BRK--Berkeley. PAS--Pasadena.

DATE UTC	ORIGIN TIME UTC		DEPTH	MAG	SD	NO. STA USED	GEOGRAPHIC COORDINATES		REGION, ADDITIONAL MAGNITUDES AND COMMENTS				
	HR	MIN					SEC	LAT		LONG			
JAN 01	20	59	31.9	8.310	S	115.788	E	45	5.8	1.0	119	BALI REGION, INDONESIA. MW 5.8 (GS), 5.8 (HRV). mb 5.5 (GS). MS 5.4 (GS). Mo 6.6*10**17 Nm (HRV), 5.6*10**17 Nm (GS). At least one person killed, 22 injured and 2,000 buildings damaged on Lombok. At least seven people injured and 4,000 buildings damaged on Bali. Felt (VI) at Karangasem, Bali and (V) at Mataram, Lombok.	
JAN 03	16	23	21.0	22.253	S	169.683	E	22	G	7.1	1.1	597	SOUTHEAST OF THE LOYALTY ISLANDS. MW 7.1 (HRV), 6.8 (GS). mb 6.4 (GS). MS 7.1 (GS). ME 7.1 (GS). Mo 5.9*10**19 Nm (HRV), 1.6*10**19 Nm (GS), 8.2*10**19 Nm (PPT). Es 8.7*10**14 Nm (GS). Felt on Mare and at Noumea, New Caledonia.
JAN 10	18	38	14.8	36.852	N	3.418	E	10	G	4.5	1.0	190	NORTHERN ALGERIA. mb 4.5 (GS). MS 4.4 (GS). ML 4.6 (LDG). Three hundred people injured and additional damage to buildings in the Algiers-Boumerdes area previously weakened by the event of May 21, 2003.
JAN 25	11	43	11.8	16.850	S	174.196	W	130	D	6.7	0.8	732	TONGA. MW 6.7 (GS), 6.7 (HRV). mb 6.4 (GS). ME 6.6 (GS). Mo 1.1*10**19 Nm (GS), 1.1*10**19 Nm (HRV). Es 1.6*10**14 Nm (GS). Felt in the Vava'u Group.
JAN 28	22	15	30.7	3.120	S	127.400	E	17	6.7	1.1	243	SERAM, INDONESIA. MW 6.7 (GS), 6.7 (HRV). mb 6.0 (GS). MS 6.5 (GS). ME 7.0 (GS). ML 6.7 (DJA). Mo 1.2*10**19 Nm (GS),	

FEB 04	11 59 47.6	8.358 N	82.877 W	29 D	6.1	0.9	465	1.1*10**19 Nm (HRV), 9.1*10**18 Nm (PPT). Es 6.4*10**14 Nm (GS). Felt (V) at Namlea, Buru and (II) on Ambon. A local tsunami was observed at Namlea.
FEB 05	21 05 02.8	3.615 S	135.538 E	17	7.0	1.0	367	PANAMA-COSTA RICA BORDER REGION. MW 6.1 (GS), 6.1 (HRV). mb 5.6 (GS). MS 5.9 (GS). ME 6.8 (GS). Mo 1.6*10**18 Nm (HRV), 1.5*10**18 Nm (GS). Es 3.1*10**14 Nm (GS). Four people injured, three houses damaged and a bridge collapsed in Chiriqui, Panama. Felt in Bocas del Toro, Panama. Felt strongly in southern Costa Rica, the Valle Central and at Limon.
FEB 07	02 42 35.2	4.003 S	135.023 E	10 G	7.3	1.0	390	PAPUA, INDONESIA. MW 7.0 (HRV), 6.8 (GS). mb 6.1 (GS). MS 7.1 (GS). ME 6.7 (GS). Mo 3.4*10**19 Nm (HRV), 1.8*10**19 Nm (GS), 7.2*10**19 Nm (PPT). Es 2.8*10**14 Nm (GS). At least 37 people killed, 682 injured, 2,678 buildings damaged or destroyed and nine bridges damaged in the epicentral area. The airport runway was damaged and power outages occurred in the Nabire area. Felt (VI) at Nabire, (V) at Enarotali and (IV) at Manokwari. Also felt at Tembagapura.
FEB 08	08 58 51.8	3.665 S	135.339 E	26	6.7	1.1	256	NEAR THE SOUTH COAST OF PAPUA, INDONESIA. MW 7.3 (GS), 7.3 (HRV), 7.1 (OBN). mb 6.2 (GS). MS 7.5 (GS). ME 7.5 (GS). Mo 9.7*10**19 Nm (GS), 1.0*10**20 Nm (HRV), 7.2*10**20 Nm (PPT), 5.0*10**19 Nm (OBN). Es 4.0*10**15 Nm (GS). Additional damage in the Nabire area.
FEB 11	08 15 03.8	31.675 N	35.551 E	27 D	5.3	0.9	386	PAPUA, INDONESIA. MW 6.7 (HRV), 6.5 (GS). mb 5.7 (GS). MS 6.9 (GS). ME 6.6 (GS). Mo 7.2*10**18 Nm (GS), 1.2*10**19 Nm (HRV). Es 1.5*10**14 Nm (GS). Felt (VI) at Nabire.
FEB 14	10 30 22.1	34.774 N	73.216 E	11 G	5.5	0.9	353	DEAD SEA REGION. MW 5.3 (HRV). mb 5.1 (GS). MS 4.8 (GS). ML 5.2 (GII). Mo 1.1*10**17 Nm (HRV). Four people injured in western Jordan and a landslide occurred at Ma'in. Minor damage to buildings at Jerusalem, Fatah-Tiqwa, Tel Aviv and in the Nablus area. Felt from Cairo, Egypt to Lebanon.
FEB 14	11 56 57.5	34.798 N	73.206 E	11 G	5.4	0.8	369	PAKISTAN. MW 5.4 (GS), 5.3 (HRV). mb 5.4 (GS). MS 5.2 (GS). Mo 1.9*10**17 Nm (GS), 1.6*10**17 Nm (HRV). At least 24 people killed, including 14 by landslides, and about 40 injured in the Balakot-Batgram-Mansehra area. More than 1,420 buildings collapsed, 5,379 damaged and roads cracked and blocked by landslides in the area. About 20 percent of water wells damaged in Manshera. Felt throughout the North-West Frontier Province. Power and telephone cables damaged at Srinagar, Kashmir. Also felt at Gulmarg, Kashmir and Kabul, Afghanistan.

1.2*10**17 Nm (GS), 1.1*10**17 Nm (HRV). Casualties and damage included with the event at 10:30 UTC.

FEB 16 14 44 39.9 0.466 S 100.655 E 56 5.1 0.9 199 SOUTHERN SUMATRA, INDONESIA. MW 5.1 (HRV). mb 5.2 (GS). MS 4.5 (GS). Mo 4.6*10**16 Nm (HRV). At least 5 people killed, 7 injured and more than 100 houses damaged in the Padangpanjang area. Felt (V) at Padangpanjang; (IV) at Batusangkar, Bukittinggi and Padang; (II) at Pekanbaru.

FEB 21 02 34 42.7 58.425 S 14.963 W 10 G 6.6 1.3 102 EAST OF THE SOUTH SANDWICH ISLANDS. MW 6.6 (GS), 6.6 (HRV). mb 6.0 (GS). MS 6.5 (GS). Mo 9.5*10**18 Nm (HRV), 8.4*10**18 Nm (GS), 1.5*10**19 Nm (PPT).

FEB 22 06 46 27.0 1.559 S 100.488 E 42 G 6.0 0.8 611 SOUTHERN SUMATRA, INDONESIA. MW 6.0 (GS), 6.0 (HRV). mb 6.3 (GS). MS 5.7 (GS). ME 6.3 (GS). Mo 1.3*10**18 Nm (GS), 1.2*10**18 Nm (HRV). Es 6.6*10**13 Nm (GS). One person injured, four houses badly damaged and many houses slightly damaged in Pesisir Selatan. Felt (V) at Padang and (III) at Bengkulu, Bukittinggi, Kapahiang and Padangpanjang. Felt on Singapore.

FEB 24 02 14 34.0 3.393 S 29.558 E 10 A 4.7 1.0 71 BURUNDI. mb 4.7 (GS). Three people killed and at least 24 houses destroyed at Ruyaga. Felt strongly at Bujumbura. Also felt at Bukavu, Congo; Kigali, Rwanda; Kabanga, Tanzania.

FEB 24 02 27 46.2& 35.142 N 3.997 W 0 G 6.4 786 STRAIT OF GIBRALTAR. MW 6.4 (GS), 6.4 (HRV). mb 6.2 (GS). MS 6.4 (GS). ME 6.9 (GS). Mo 4.8*10**18 Nm (GS), 3.9*10**18 Nm (HRV). Es 5.9*10**14 Nm (GS). At least 628 people killed, 926 injured, 2,539 homes destroyed and more than 15,000 people homeless in the Al Hoceima-Imzourene-Beni Abdallah area, Morocco. Maximum intensity IX in the Imzourene-Ait Kamra area. Ground cracks and landslides were observed between Ajdir and Beni Abdallah and maximum horizontal acceleration of 0.24g was recorded near Imzourene. Felt from Tetouan to Nador and as far south as Fes. Felt (V) at Melilla and (III) in many parts of southern Spain from Algeciras to Roquetas de Mar. Felt (II) at Cordoba, Granada, Huelva, Jaen and Madrid. Also felt in Gibraltar. Several aftershocks killed at least three people and destroyed previously weakened buildings. This earthquake occurred near the eastern end of the Rif mountain belt, which is part of the diffuse boundary between the African and Eurasian plates. The moment tensors and pattern of surface cracks indicate left-lateral strike-slip faulting on a buried NE-SW trending fault. This quake occurred near the epicenter of the magnitude 6.0 Al Hoceima earthquake of May 26, 1994, that injured one person and caused significant damage to adobe buildings. Special reports for this earthquake are available on the website <http://www.emsc-csem.org>.

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FEB 25	12 44 57.4	35.278 N	4.113 W	10 D	5.3	1.1	283	STRAIT OF GIBRALTAR. MW 5.3 (HRV). mb 4.9 (GS). MS 4.9 (GS). Mo 8.9*10**16 Nm (HRV). Casualties and damage are included with the event at 02:24 UTC. Felt (III) at Melilla and (II) at Estepona, Spain.
FEB 26	12 07 04.2	35.233 N	4.182 W	11 D	5.0	1.1	272	STRAIT OF GIBRALTAR. MW 5.0 (HRV). mb 4.8 (GS). MS 4.5 (GS). Mo 3.1*10**16 Nm (HRV). Casualties and damage are included with the event at 02:24 UTC. Felt (III) at Melilla and (II) at Benalmedena, Spain.
MAR 01	23 55 19.0&	38.058 N	38.277 E	5 G	3.8		6	EASTERN TURKEY. MD 3.8 (ISK). At least six people killed and two injured at Celikhan.
MAR 07	06 37 52.2&	35.036 N	4.022 W	0 G	5.1		274	STRAIT OF GIBRALTAR. MW 5.1 (HRV). mb 4.8 (GS). MS 4.7 (GS). Mo 4.7*10**16 Nm (HRV). Casualties and damage are included with the event of February 24, 2004 at 02:24 UTC. Felt (V) at Al Hoceima, Morocco. Felt (III) at Melilla and (II) at Malaga, Spain.
MAR 24	01 53 49.4	45.382 N	118.256 E	19 D	5.5	0.9	447	EASTERN NEI MONGOL, CHINA. MW 5.5 (GS), 5.4 (HRV). mb 5.6 (GS). MS 5.2 (GS). ME 5.5 (GS). Mo 1.9*10**17 Nm (GS), 1.3*10**17 Nm (HRV). Es 3.8*10**12 Nm (GS). At least 100 people injured and 38,000 buildings damaged in the Bayan Ul Hot-Uliastai area. Felt at Chaoyang, Chengde and Baicheng. Damage from this earthquake and the aftershocks estimated at 74 million U.S. dollars.
MAR 25	19 30 49.0	39.930 N	40.812 E	10 G	5.6	1.1	237	EASTERN TURKEY. MW 5.6 (GS), 5.6 (HRV). mb 5.0 (GS). MS 5.4 (GS). Mo 3.3*10**17 Nm (HRV), 2.4*10**17 Nm (GS). At least ten people killed, 46 injured and 45 buildings damaged or destroyed in Erzurum.
MAR 28	03 51 10.0&	39.847 N	40.874 E	5	5.6		509	EASTERN TURKEY. MW 5.6 (HRV), 5.5 (GS). mb 5.3 (GS). MS 5.3 (GS). ML 5.3 (ISK). Mo 2.8*10**17 Nm (HRV), 2.1*10**17 Nm (GS). At least 12 people injured, more than 50 buildings in 10 villages damaged or destroyed and many livestock killed in the Askale area.
APR 03	23 02 00.8	36.428 N	141.008 E	31 G	6.0	0.7	528	NEAR THE EAST COAST OF HONSHU, JAPAN. MW 6.0 (HRV), 5.9 (GS). mb 5.7 (GS). MS 5.6 (GS). ME 5.6 (GS). Mo 8.9*10**17 Nm (GS), 1.0*10**18 Nm (HRV). Es 5.8*10**12 Nm (GS). At least one person slightly injured at Naka. Felt strongly in Chiba, Fukushima, Ibaraki, Miyagi, Saitama and Tochigi Prefectures. Felt in much of east-central Honshu. Recorded (4 JMA) in Ibaraki and Tochigi; (3 JMA) in Chiba, Fukushima, Gumma, Miyagi, Saitama and Tokyo; (2 JMA) in Iwate, Kanagawa, Nagano, Niigata, Shizuoka, Yamagata and Yamanashi; (1 JMA) in Akita and Aomori Prefectures.

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APR 05	21 24 04.0	36.512 N	71.029 E	187 D	6.6	1.0	728	HINDU KUSH REGION, AFGHANISTAN. MW 6.6 (GS), 6.5 (HRV). mb 6.4 (GS). ME 6.4 (GS). Mo 7.5*10**18 Nm (GS), 6.3*10**18 Nm (HRV). Es 8.2*10**13 Nm (GS). At least one person killed in the Shahr-e Bozorg area and two people killed at Kabul. At least five people injured in Pakistan. Felt at Delhi and Curagon, India; Srinagar, Kashmir; Islamabad and Lahore, Pakistan. Felt (IV) at Termez and (III) at Andijon, Fargona, Namangan and Tashkent, Uzbekistan.
APR 09	15 23 35.0	13.174 S	167.198 E	228 D	6.5	1.1	424	VANUATU. MW 6.5 (GS), 6.4 (HRV). mb 5.8 (GS). ME 5.5 (GS). Mo 5.5*10**18 Nm (GS), 5.0*10**18 Nm (HRV). Es 3.4*10**12 Nm (GS).
APR 13	21 47 23.06	40.729 N	31.629 E	5	4.1		116	WESTERN TURKEY. . mb 4.1 (GS). ML 4.6 (ISK). Four people injured jumping from buildings in the Bolu area.
APR 23	01 50 30.2	9.362 S	122.839 E	66 D	6.7	1.1	386	SAVD SEA. MW 6.7 (GS), 6.7 (HRV). mb 6.5 (GS). ME 6.5 (GS). Mo 1.1*10**19 Nm (GS), 1.1*10**19 Nm (HRV), 9.5*10**18 Nm (PPT). Es 1.4*10**14 Nm (GS). Minor damage at Kupang, Timor. Felt (IV) at Maumere and (II) at Rote, Flores; (III) at Sabu, Timor; (III) at Waingapu, Sumba. Felt in much of Timor. Also felt at Darwin, Kununurra and Wyndham, Australia.
MAY 01	07 56 13.6	24.081 N	121.611 E	45	5.2	0.9	191	TAIWAN. MW 5.2 (HRV). mb 5.2 (GS). MS 5.1 (GS). Mo 7.3*10**16 Nm (HRV). At least 2 people killed and 1 injured by a rockslide in Hua-lien County. A bridge collapsed at Taroko Gorge National Park. Felt in most parts of the island. Recorded (7 TAP) in Hua-lien; (5 TAP) in I-lan; (3 TAP) in Nan-t'ou, T'ai-chung and Yun-lin; (2 TAP) in Chia-i, Hsin-chu, Miao-li, T'ai-pei, T'ai-tung and T'ao-yuan; (1 TAP) in Kao-hsiung and T'ai-nan.
MAY 03	04 36 50.0	37.695 S	73.406 W	21 G	6.6	1.3	282	BIO-BIO, CHILE. MW 6.6 (GS), 6.6 (HRV). mb 5.9 (GS). MS 6.5 (GS). ME 6.3 (GS). ML 6.4 (GUC). Mo 8.4*10**18 Nm (GS), 1.0*10**19 Nm (HRV), 8.4*10**18 Nm (PPT). Es 5.9*10**13 Nm (GS). Minor damage (VI) and power outages occurred at Canete. Felt (VI) at Angol, Concepcion, Los Angeles, Talcahuano and Victoria; (V) at Lebu, Lonquimay, Temuco, Valdivia and Villarica; (IV) at Cauquenes, Chillan, Linares and Talca; (III) at Curico, Osorno, Rancagua and San Fernando; (II) at Santiago. Also felt at Chiguayante.
MAY 08	20 11 44.2	30.126 N	67.121 E	10 G	4.5	1.4	58	PAKISTAN. mb 4.5 (GS). At least one person killed, about 30 injured and minor damage to some buildings in the Quetta area.
MAY 28	12 38 44.4	36.290 N	51.610 E	17 G	6.3	0.9	732	NORTHERN IRAN. MW 6.3 (HRV), 6.2 (GS). mb 6.2 (GS). MS 6.3 (GS). ME 6.2 (GS). Mo 3.7*10**18 Nm (HRV), 2.5*10**18 Nm (GS). Es 3.8*10**13 Nm (GS). At least 35 people killed, 400 injured and many buildings damaged in Mazandaran and Qazvin Provinces. Some of the deaths were caused by landslides on the Tehran-Chalus

road. Minor damage reported in Tehran. Felt in much of central and northern Iran. Felt (IV) at Lankaran and (III) at Baku, Azerbaijan. Felt (II) at Makhachkala, Russia.

MAY 29 20 56 09.6 34.251 N 141.406 E 16 G 6.5 1.0 352 OFF THE EAST COAST OF HONSHU, JAPAN. MW 6.5 (GS), 6.3 (HRV). mb 5.6 (GS). MS 6.6 (GS). ME 6.3 (GS). Mo 6.9*10**18 Nm (GS), 3.2*10**18 Nm (HRV). Es 7.4*10**13 Nm (GS). Felt along the coast of eastern Honshu. Recorded (1 JMA) in Chiba, Kanagawa, Miyagi and Shizuoka Prefectures.

JUN 10 15 19 57.7 55.682 N 160.003 E 189 D 6.9 0.8 798 KAMCHATKA PENINSULA, RUSSIA. MW 6.9 (GS), 6.9 (HRV). mb 6.1 (GS). ME 6.5 (GS). Mo 2.9*10**19 Nm (GS), 2.3*10**19 Nm (HRV), 4.1*10**19 Nm (PPT). Es 1.4*10**14 Nm (GS). Felt (IV) at Petropavlovsk-Kamchatskiy.

JUN 28 09 49 47.0 54.800 N 134.250 W 20 G 6.8 772 QUEEN CHARLOTTE ISLANDS REGION. MW 6.8 (GS), 6.8 (HRV), 6.7 (OBN). mb 5.9 (GS). MS 6.8 (GS). ME 6.8 (GS). Mo 1.9*10**19 Nm (GS), 1.9*10**19 Nm (HRV), 2.8*10**19 Nm (PPT), 1.2*10**19 Nm (OBN). Es 3.1*10**14 Nm (GS). Felt strongly on the northern Queen Charlotte Islands. Also felt throughout the rest of the Queen Charlotte Islands and along the northwest coast of British Columbia at Kitimat, Prince Rupert, Stewart and Terrace. Felt (VI) at Craig; (V) at Klawock, Metlakatla and Petersburg; (IV) at Hyder, Juneau and Ketchikan; (III) at Sitka and Wrangell, Alaska.

JUL 01 22 30 09.3 39.766 N 43.979 E 5 G 5.1 1.1 422 EASTERN TURKEY. MW 5.1 (HRV). mb 5.4 (GS). MS 4.8 (GS). Mo 5.6*10**16 Nm (HRV). At least 18 people killed and 21 injured in the Dogubeyazit area.

JUL 12 13 04 07.1 46.296 N 13.641 E 8 5.2 1.0 476 SLOVENIA. MW 5.2 (HRV). mb 5.0 (GS). MS 4.9 (GS). ML 5.7 (STR), 5.6 (LDG), 5.6 (BRG), 5.5 (FBB), 5.5 (EUR), 5.4 (ZAMG), 5.4 (PDG), 4.9 (LJU). Mo 7.1*10**16 Nm (HRV). One person killed and 5 injured by a rockslide in the Bovec area. Some houses destroyed and others damaged at Kobarid. Felt in Ljubljana. Felt in northeastern Italy as far south as Venice and southern Austria as far northeast as Vienna. Also felt at Zagreb, Croatia; Munich, Germany; Prague, Czech Republic.

JUL 15 04 27 14.7 17.656 S 178.760 W 566 D 7.1 0.9 208 FIJI REGION. MW 7.1 (HRV), 7.0 (GS). mb 6.4 (GS). ME 6.6 (GS). Mo 4.8*10**19 Nm (HRV), 4.1*10**19 Nm (GS). Es 2.1*10**14 Nm (GS).

JUL 18 04 22 22.6 38.000 S 176.510 E 5 5.6 92 NORTH ISLAND OF NEW ZEALAND. MW 5.6 (GS), 5.4 (HRV). mb 5.1 (GS). MS 5.1 (GS). Mo 2.5*10**17 Nm (GS), 1.5*10**17 Nm (HRV). One person killed and two injured in the Rotorua-Tauranga area. Five houses heavily damaged at Lake Roto Ma. Landslides occurred on the highway between Lake Rotoiti and Lake Roto Ma.

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JUL 18	08 31 45.8	33.426 N	69.524 E	10 G	5.2	1.4	216	Felt from Tauranga to Whakatane. This is the largest of a series of earthquakes in the Lake Rotoiti area.
JUL 25	14 35 19.0	2.427 S	103.981 E	582 D	7.3	0.9	641	CENTRAL AFGHANISTAN. MW 5.2 (HRV). mb 5.1 (GS). MS 4.8 (GS). Mo 6.7*10**16 Nm (HRV). Two people killed, 40 injured and hundreds of houses destroyed in Paktia Province.
JUL 28	03 56 28.6	0.443 S	133.091 E	13 D	6.5	1.1	305	SOUTHERN SUMATRA, INDONESIA. MW 7.3 (GS), 7.3 (HRV). mb 6.8 (GS). ME 7.4 (GS). Mo 9.8*10**19 Nm (GS), 1.0*10**20 Nm (HRV). Es 3.1*10**15 Nm (GS). Felt (IV) at Bengkulu and (III) at Padangpanjang. Felt (III) at Bandung, Bogor, Sawahan and Sukabumi; (II) at Jakarta, Java. Also felt (III) at Mataram, Lombok. Felt throughout Bali, Java, Lombok and Sumatra. Also felt in southern Johor, Malaysia and in Singapore.
JUL 30	07 14 07.8	39.634 N	43.966 E	5	4.8		132	NEAR THE NORTH COAST OF PAPUA, INDONESIA. MW 6.5 (HRV), 6.4 (GS). mb 6.0 (GS). MS 6.3 (GS). ME 6.4 (GS). Mo 6.3*10**18 Nm (HRV), 4.6*10**18 Nm (GS). Es 9.8*10**13 Nm (GS). Felt (IV) at Manokwari and Sorong.
AUG 04	03 01 07.5	36.833 N	27.815 E	10 G	5.6	1.3	412	EASTERN TURKEY. . mb 4.8 (GS). MS 4.0 (GS). At least one person killed, 5 injured and some houses damaged in the Dogubeyazit area.
AUG 10	01 47 32.8	36.444 N	70.796 E	207 D	6.0	0.9	492	DODECANESE ISLANDS, GREECE. MW 5.6 (HRV), 5.5 (GS). mb 5.1 (GS). MS 5.2 (GS). ML 5.4 (ATH). Mo 2.4*10**17 Nm (HRV), 1.9*10**17 Nm (GS). Fifteen people injured at Hodrum, Turkey. Felt at Akyaka, Datca, Didim, Fethiye, Gocek, Marmaris and Mugla, Turkey. Also felt on Kos and Rhodes.
AUG 10	10 26 14.7	27.266 N	103.873 E	6 *	5.4	1.2	203	HINDU KUSH REGION, AFGHANISTAN. MW 6.0 (GS), 6.0 (HRV). mb 5.3 (GS). Mo 1.2*10**18 Nm (HRV), 1.1*10**18 Nm (GS). At least two people injured in Mansehra, Pakistan. Felt in Balikh, Kabul, Kondo and Takhar, Afghanistan. Also felt at Chitral, Islamabad, Lahore, Peshawar, Rawalpindi and Swat, Pakistan; Gurgaon, India; and Ashgabat, Turkmenistan. Felt (IV) at Pushanbe, Tajikistan. Also felt (IV) at Tashkent, Uzbekistan. Felt (II) at Shymkent, Kazakhstan.
AUG 11	15 48 26.8	38.377 N	39.261 E	7	5.7	1.1	487	SICHUAN-YUNNAN-GUIZHOU REGION, CHINA. MW 5.4 (HRV). mb 5.1 (GS). MS 5.1 (GS). Mo 1.2*10**17 Nm (HRV). At least 4 people killed, nearly 200 seriously injured, 400 slightly injured, more than 120,000 homeless, 18,556 houses destroyed and 65,601 damaged in Ludian County, Yunnan. Twenty-two reservoirs damaged in Yunnan Province.
								EASTERN TURKEY. MW 5.7 (HRV), 5.6 (GS). mb 5.3 (GS). MS 5.5 (GS).

Mo 3.6*10**17 Nm (HRV), 2.8*10**17 Nm (GS). One person killed, 11 people injured and several houses damaged in the Elazig-Sivrice area.

AUG 28 13 41 25.6& 35.173 S 70.525 W 5 6.5 349 MAULE, CHILE. MW 6.5 (GS), 6.5 (HRV). mb 6.1 (GS). MS 6.3 (GS). ME 5.9 (GS). ML 6.2 (GUC). MD 6.2 (SJA). Mo 7.2*10**18 Nm (HRV), 6.7*10**18 Nm (GS), 9.0*10**18 Nm (PPT). Es 1.8*10**13 Nm (GS). Power outages occurred at Cauquenes, Curico, San Javier and Talca. Felt (VI) at Curico, Romerol, Talca and Vichuquen; (V) at Cauquenes, Linares, Quillota, Rancagua, Santiago, Valparaiso and Vina del Mar; (IV) at Chillan, Concepcion, Los Andes, Quilpué and San Felipe; (III) at Cabildo; (II) at Los Angeles. Also felt (IV) at General Alvear and San Rafael; (III) at Mendoza, Neuquen and Santa Rosa; (II) at Buenos Aires and Cordoba, Argentina.

SEP 05 10 07 07.8 33.070 N 136.618 E 14 G 7.2 0.9 643 NEAR S. COAST OF WESTERN HONSHU, JAPAN. MW 7.2 (HRV), 7.0 (GS), 7.3 (ORN), 7.2 (NIED). mb 6.7 (GS). MS 7.0 (GS). ME 7.5 (GS). Mo 7.8*10**19 Nm (HRV), 4.0*10**19 Nm (GS), 8.8*10**19 Nm (ORN), 7.5*10**19 Nm (NIED), 5.2*10**19 Nm (PPT). Es 3.7*10**15 Nm (GS). At least four people injured in the Kyoto area. Felt in much of southwestern Japan and as far northeast as Tokyo. A local tsunami was generated with maximum recorded wave heights (peak-to-trough) of 63 cm on Kozu-shima and 34 cm at Kushimoto. Recorded (5L JMA) in Mie, Nara and Wakayama; (4 JMA) in Aichi, Gifu, Hyogo, Kyoto, Osaka and Shiga; (3 JMA) in Chiba, Fukui, Hiroshima, Kanagawa, Nagano, Okayama, Shimane, Shizuoka, Tokyo, Tottori and Yamanashi; (2 JMA) in Gumma, Ishikawa, Saitama, Tochigi, Toyama and Yamaguchi; (1 JMA) in Ibaraki, Miyagi and Niigata Prefectures. Recorded (3 JMA) in Kagawa, Kochi and Tokushima; (2 JMA) in Ehime Prefectures, Shikoku. Recorded (1 JMA) in Kagoshima, Kumamoto, Miyazaki and Oita Prefectures, Kyushu. Also recorded (3 JMA) on Kozu-shima, Nii-jima and O-shima; (2 JMA) on Hachiyo-jima, Mikura-jima and Miyake-jima; (1 JMA) on Dogo and in the Dozen Islands.

SEP 05 14 57 18.6 33.184 N 137.071 E 10 G 7.4 0.9 594 NEAR THE SOUTH COAST OF HONSHU, JAPAN. MW 7.4 (GS), 7.4 (HRV), 7.5 (NIED). mb 6.2 (GS). MS 7.1 (GS). ME 7.4 (GS). Mo 1.5*10**20 Nm (HRV), 1.2*10**20 Nm (GS), 1.7*10**20 Nm (NIED), 1.1*10**20 Nm (PPT). Es 3.3*10**15 Nm (GS). About forty people injured in the Kyoto area. Felt in much of southwestern Japan and as far northeast as Tokyo. A local tsunami was generated with maximum recorded wave heights (peak-to-trough) of 93 cm on Kozu-shima and 86 cm at Kushimoto. Power outages occurred at Wakayama and fire occurred at Sakai. Recorded (5L JMA) in Wakayama and Mie; (4 JMA) in Aichi, Fukui, Gifu, Hyogo, Kyoto, Nara, Osaka, Shiga and Tottori; (3 JMA) in Chiba, Hiroshima, Ishikawa, Kanagawa,

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Nagano, Okayama, Shimane, Shizuoka, Tokyo and Yamanashi; (2 JMA) in Gumma, Ibaraki, Niigata, Saitama, Tochigi and Yamaguchi; (1 JMA) in Miyagi Prefectures. Recorded (3 JMA) in Kagawa, Kochi and Tokushima; (2 JMA) in Ehime Prefectures, Shikoku. Recorded (1 JMA) in Fukuoka, Kumamoto, Miyazaki, Oita and Saga Prefectures, Kyushu. Also recorded (3 JMA) on Hachijo-jima, Kozushima, Miyake-jima, Nii-jima and Oshima; (2 JMA) on Dogo, Mikura-jima and in the Dozen Islands; (1 JMA) on Sadago-shima.

SEP 06 12 42 59.3 55.372 S 28.976 W 10 G 6.9 1.1 233 SOUTH SANDWICH ISLANDS REGION. MW 6.9 (GS), 6.8 (HRV). mb 6.0 (GS). MS 6.5 (GS). Mo 2.5*10**19 Nm (GS), 1.7*10**19 Nm (HRV), 2.0*10**19 Nm (PPT).

SEP 06 23 29 35.0 33.205 N 137.227 E 10 G 6.6 0.8 478 NEAR THE SOUTH COAST OF HONSHU, JAPAN. MW 6.6 (HRV), 6.5 (GS), 6.5 (NIED). mb 6.4 (GS). MS 6.3 (GS). ME 6.5 (GS). Mo 6.3*10**18 Nm (GS), 1.0*10**19 Nm (HRV), 6.4*10**18 Nm (PPT), 6.0*10**18 Nm (NIED). Es 1.2*10**14 Nm (GS). Felt in southwestern Honshu from Kobe to Tokyo. Recorded (4 JMA) in Osaka, Mie, Shizuoka and Wakayama; (3 JMA) in Aichi, Fukui, Hyogo, Kanagawa, Kyoto, Nara, Shiga, Tottori and Yamanashi; (2 JMA) in Chiba, Hiroshima, Ishikawa, Nagano, Okayama, Saitama, Shimané, Tokyo and Toyama; (1 JMA) in Gumma, Niigata and Yamaguchi Prefectures. Recorded (3 JMA) in Tokushima and (2 JMA) in Ehime, Kagawa and Kochi Prefectures, Shikoku. Also recorded (3 JMA) on Kozushima, Nii-jima and Oshima; (2 JMA) on Aoga-shima, Hachijo-jima, Mikura-jima and Miyake-jima.

SEP 07 11 53 06.1 28.573 S 65.840 W 22 D 6.4 0.8 360 CATAMARCA, ARGENTINA. MW 6.4 (GS), 6.1 (HRV). mb 6.1 (GS). MS 6.1 (GS). ME 6.3 (GS). Mo 4.2*10**18 Nm (GS), 1.7*10**18 Nm (HRV), 1.4*10**18 Nm (PPT). Es 5.8*10**13 Nm (GS). At least one person killed, several people injured and some buildings damaged (VI) at Catamarca. Felt (III) at San Juan. Felt as far east as Buenos Aires and in parts of Chile.

SEP 07 12 15 49.7 34.682 N 103.781 E 10 A 5.2 0.8 108 GANSU, CHINA. mb 5.2 (GS). At least nineteen people injured, 600 houses destroyed and more than 3,800 houses damaged in Gansu Province.

SEP 15 08 35 10.8 8.773 S 115.357 E 98 5.4 1.1 157 BALI REGION, INDONESIA. MW 5.4 (HRV). mb 5.2 (GS). Mo 1.3*10**17 Nm (HRV). One person killed and two injured at Denpasar. Felt (V) at Mataram, Lombok and (II) at Banyuwangi, Java.

SEP 21 13 32 30.8 54.841 N 19.912 E 10 A 4.8 1.2 224 POLAND. MW 4.8 (HRV). mb 4.9 (GS). ML 4.8 (CLI), 4.7 (BRG). Mo 1.6*10**16 Nm (HRV). At least three people injured and seventeen houses damaged (VI) at Kaliningrad, Russia. Damage to railroad tracks near Svetlogorsk, Russia. Minor damage occurred at Suwalki, Poland. Felt (II) at Saint Petersburg, Russia. Felt

OCT 06 14 40 39.9 35.950 N 139.919 E 64 D 5.8 0.8 405 throughout Belarus, Estonia, Latvia, Lithuania and northern Poland. Also felt in the areas of Copenhagen, Denmark; Helsinki, Finland; Oslo, Norway; and in southern Sweden.

NEAR THE SOUTH COAST OF HONSHU, JAPAN. MW 5.8 (HRV), 5.7 (GS), 5.7 (NIED). mb 5.5 (GS). Mo 4.8*10**17 Nm (HRV), 4.5*10**17 Nm (GS), 4.5*10**17 Nm (NIED). One person injured and two houses damaged at Temma. Felt in Chiba, Gumma, Ibaraki, Kanagawa, Nagano, Shizuoka and Tokyo Prefectures. Recorded (5L JMA) in Ibaraki, Saitama and Tochigi; (4 JMA) in Chiba, Gumma, Kanagawa and Tokyo; (3 JMA) in Fukui, Nagano, Shizuoka and Yamaguchi; (2 JMA) in Miyagi; (1 JMA) in Aichi, Gifu, Iwate and Yamagata Prefectures. Also recorded (2 JMA) on Oshima and (1 JMA) on Hachijo-jima, Kozu-shima, Miyake-jima and Niijima.

NORTHERN IRAN. MW 5.6 (GS), 5.6 (HRV). mb 5.6 (GS). MS 5.4 (GS). ML 6.0 (THR). Mo 3.2*10**17 Nm (HRV), 3.1*10**17 Nm (GS). At least 60 people injured in Golestan. Felt as far west as Tehran.

SOLOMON ISLANDS. MW 6.8 (GS), 6.8 (HRV). mb 6.1 (GS). MS 6.9 (GS). ME 6.8 (GS). Mo 1.6*10**19 Nm (HRV), 1.5*10**19 Nm (GS). Es 3.7*10**14 Nm (GS).

MINDORO, PHILIPPINES. MW 6.5 (GS), 6.4 (HRV). mb 6.3 (GS). ME 6.4 (GS). Mo 6.6*10**18 Nm (GS), 5.2*10**18 Nm (HRV), 5.1*10**18 Nm (PPT). Es 7.6*10**13 Nm (GS). Power outages occurred in the Manila area, Luzon. Felt (V PIVS) at Puerto Galera. Also felt (V PIVS) at Los Banos, Malolos, San Fernando and Tagaytay; (IV PIVS) at Bucu and Talisay, Luzon. Felt on Mindoro and throughout central and southern Luzon.

NEAR THE COAST OF NICARAGUA. MW 7.0 (HRV), 6.8 (GS). mb 6.0 (GS). MS 7.0 (GS). ME 6.5 (GS). ML 6.8 (SNET). Mo 3.0*10**19 Nm (HRV), 2.0*10**19 Nm (GS), 3.2*10**19 Nm (PPT). Es 1.1*10**14 Nm (GS). Felt at Managua and in much of Nicaragua. Felt (IV) at San Salvador, El Salvador. Felt as far north as Tegucigalpa, Honduras and as far south as San Jose, Costa Rica.

TAIWAN REGION. MW 6.7 (GS), 6.6 (HRV). mb 6.4 (GS). ME 6.3 (GS). Mo 8.7*10**18 Nm (HRV), 1.1*10**19 Nm (GS). Es 7.4*10**13 Nm (GS). Several people injured and buildings damaged in Fao-yuan County. Felt throughout Taiwan. Also felt in much of the Ryukyu Islands, Japan. Recorded (5 TAP) in Hua-lien and I-lan; (4 TAP) in T'ai-chung, T'ai-pei, T'ai-tung, T'ao-yan and Yun-lin; (3 TAP) in Chang-hua, Chia-i, Hsin-chu, Miao-li, Nan-t'ou and T'ai-nan; (2 TAP) in Kao-hsiung and P'ing-tung Counties. Also recorded (5L JMA) on Yonaguni-jima; (4 JMA) on Iriomote-jima and

OCT 07 21 46 20.3 37.125 N 54.477 E 35 D 5.6 0.8 526

OCT 08 08 27 53.5 10.951 S 162.161 E 36 G 6.8 0.9 545

OCT 08 14 36 06.1 13.925 N 120.534 E 105 G 6.5 0.9 526

OCT 09 21 26 53.6 11.422 N 86.665 W 35 G 7.0 1.1 441

OCT 15 04 08 50.2 24.530 N 122.694 E 94 6.7 0.9 698

OCT 18 22 11 44.9 25.073 N 99.169 E 30 4.8 0.6 87 YUNNAN, CHINA. mb 4.8 (GS). MS 4.4 (GS). Twelve people injured and more than 20,000 houses damaged or destroyed in the Baoshan area. Felt strongly in Changning, Longling, Shidian and Tengchong Counties.

OCT 23 08 56 00.8 37.226 N 138.779 E 16 G 6.6 1.1 782 NEAR THE WEST COAST OF HONSHU, JAPAN. MW 6.6 (HRV), 6.4 (GS), 6.7 (OBN), 6.6 (NIED). mb 6.4 (GS). MS 6.3 (GS). ME 6.5 (GS). Mo 8.6*10**18 Nm (HRV), 3.8*10**18 Nm (GS), 7.5*10**18 Nm (NIED), 2.4*10**19 Nm (PPT), 1.3*10**19 Nm (OBN). Es 1.4*10**14 Nm (GS). At least 40 people killed, 3,183 injured and 6,000 buildings destroyed or damaged in Niigata Prefecture. A high-speed train derailed; several roads, bridges and rail lines damaged; at least 1,300 landslides and 11 fires occurred; several gas, water and power lines damaged in Niigata Prefecture. Felt in Chiba, Fukushima, Gumma, Kanagawa, Miyagi, Saitama and Tokyo Prefectures.

OCT 27 01 40 50.2 37.284 N 138.885 E 14 D 6.0 0.9 499 NEAR THE WEST COAST OF HONSHU, JAPAN. MW 6.0 (GS), 5.9 (HRV), 5.8 (NIED). mb 5.7 (GS). MS 5.4 (GS). ME 5.8 (GS). Mo 8.6*10**17 Nm (HRV), 1.2*10**18 Nm (GS), 6.3*10**17 Nm (NIED). Es 1.3*10**13 Nm (GS). At least five people injured; one building destroyed and some others damaged; water and gas lines broke in Niigata Prefecture. Felt in Gumma, Kanagawa, Nagano, Saitama and Tokyo Prefectures. Recorded (6L JMA) in Niigata; (4 JMA) in Fukushima, Gumma and Saitama; (3 JMA) in Ibaraki, Ishikawa, Kanagawa, Miyagi, Nagano, Tochigi, Tokyo, Toyama, Yamagata and Yamanashi; (2 JMA) in Chiba, Gifu and Shizuoka; (1 JMA) in Aichi, Akita, Aomori, Osaka and Shiga Prefectures. Also recorded (4 JMA) on Sadoga-shima, (2 JMA) on Awa-shima and (1 JMA) on Hegura-jima and Tobi-shima.

NOV 02 10 02 12.8 49.277 N 128.772 W 10 G 6.7 1.2 459 VANCOUVER ISLAND, CANADA REGION. MW 6.7 (GS), 6.6 (HRV), 6.6 (EGC). mb 5.8 (GS). MS 6.4 (GS). ME 6.9 (GS). Mo 8.6*10**18 Nm (HRV), 1.1*10**19 Nm (GS), 1.1*10**19 Nm (PPT), 1.0*10**19 Nm (PGC). Es 5.9*10**14 Nm (GS). Felt at Alert Bay, Bamfield, Port Alice, Vancouver and Victoria.

NOV 03 23 57 28.1 37.434 N 138.752 E 10 G 5.3 0.7 193 NEAR THE WEST COAST OF HONSHU, JAPAN. MW 5.3 (HRV), 5.1 (NIED). mb 5.4 (GS). MS 4.5 (GS). Mo 8.7*10**16 Nm (HRV), 5.6*10**16 Nm (NIED). One person injured at Nagaoka. Felt in Niigata Prefecture. Recorded (5U JMA) in Niigata; (3 JMA) in Fukushima, Gumma, Ishikawa and Nagano; (2 JMA) in Ibaraki, Miyagi, Saitama, Tochigi, Toyama and Yamagata; (1 JMA) in Shizuoka and Tokyo Prefectures. Also recorded (3 JMA) on Sadoga-shima.

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NOV 08 02 15 58.8 37.396 N 138.862 E 10 G 5.5 0.7 382 NEAR THE WEST COAST OF HONSHU, JAPAN. MW 5.5 (GS), 5.5 (HRV), 5.5 (NIED). mb 5.6 (GS). MS 5.0 (GS). Mo 2.3*10**17 Nm (HRV), 2.0*10**17 Nm (GS), 2.2*10**17 Nm (NIED). At least eight people injured and a landslide occurred in Niigata Prefecture. Felt at Tokyo. Recorded (5U JMA) in Niigata; (4 JMA) in Fukushima; (3 JMA) in Gumma, Ibaraki, Ishikawa, Nagano, Saitama and Yamagata; (2 JMA) in Kanagawa, Miyagi, Tochigi, Tokyo, Toyama and Yamaguchi; (1 JMA) in Akita, Chiba and Shizuoka Prefectures. Also recorded (2 JMA) on Sadoga-shima and (1 JMA) on Hegura-jima.

NOV 09 18 43 08.4 37.368 N 138.825 E 10 5.1 0.8 211 NEAR THE WEST COAST OF HONSHU, JAPAN. MW 5.1 (HRV), 5.1 (NIED). mb 5.2 (GS). MS 4.6 (GS). Mo 4.4*10**16 Nm (HRV), 4.4*10**16 Nm (NIED). One person injured at Mitsuake. Felt in northern Honshu. A minor landslide occurred near Tochio. Recorded (5L JMA) in Niigata; (3 JMA) in Fukushima; (2 JMA) in Gumma, Ibaraki, Ishikawa, Nagano, Saitama and Yamagata; (1 JMA) in Miyagi, Tokyo and Tochigi Prefectures. Also recorded (2 JMA) on Sadoga-shima.

NOV 09 23 58 23.6 11.150 S 163.706 E 13 G 6.9 1.0 405 SOLOMON ISLANDS. MW 6.9 (GS), 6.9 (HRV). mb 6.6 (GS). MS 6.7 (GS). Mo 2.8*10**19 Nm (HRV), 2.2*10**19 Nm (GS), 5.4*10**19 Nm (PPT).

NOV 11 17 34 52.0 11.128 S 162.208 E 10 G 6.7 1.1 233 SOLOMON ISLANDS. MW 6.7 (GS), 6.6 (HRV). mb 5.8 (GS). MS 6.6 (GS). ME 6.1 (GS). Mo 1.2*10**19 Nm (GS), 1.0*10**19 Nm (HRV), 7.6*10**18 Nm (PPT). Es 3.7*10**13 Nm (GS).

NOV 11 21 26 41.1 8.152 S 124.868 E 10 G 7.5 1.1 301 KEPULAUAN ALOR, INDONESIA. MW 7.5 (HRV), 7.4 (GS). mb 6.5 (GS). MS 7.3 (GS). ME 7.4 (GS). Mo 2.1*10**20 Nm (HRV), 1.6*10**20 Nm (GS), 6.6*10**19 Nm (ORN), 1.7*10**20 Nm (PPT). Es 3.2*10**15 Nm (GS). At least 34 people killed, 400 injured, 781 buildings destroyed and 16,712 damaged on Alor. Landslides blocked roads in some areas. Felt (VIII) at Kalabahi. Felt (V) as far away as Dili, East Timor.

NOV 15 09 06 56.5 4.695 N 77.508 W 15 G 7.2 0.9 708 NEAR THE WEST COAST OF COLOMBIA. MW 7.2 (GS), 7.2 (HRV). mb 6.6 (GS). MS 7.1 (GS). ME 7.4 (GS). Mo 7.6*10**19 Nm (HRV), 6.6*10**19 Nm (GS), 4.6*10**19 Nm (PPT). Es 2.8*10**15 Nm (GS). Two people seriously injured, four others slightly injured, at least 154 buildings destroyed and 290 damaged in Bajo Bando. Seven people injured and at least 67 houses destroyed or damaged at Buenaventura. One person injured and some buildings damaged at Cerrito. Buildings damaged at El Cairo, Jamundi and Restrepo. Some damage and power and telephone service interrupted at Cali. Power interrupted at Bogota. Felt at Armenia, Quibdo and in much of western and central Colombia. Felt lightly by people in tall buildings at Quito, Ecuador. Earthquake lights observed in the

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NOV 17	21 09 13.1	20.068 S	178.710 W	623 D	6.6	1.0	510	area. FUJI REGION. MW 6.6 (GS). mb 6.5 (HRV). mb 5.9 (GS). ME 5.7 (GS). Mo 8.4*10**18 Nm (GS). 7.2*10**18 Nm (HRV). 5.5*10**18 Nm (PPT). Es 6.8*10**12 Nm (GS).
NOV 20	08 07 22.0	9.602 N	84.172 W	16 G	6.4	0.9	530	COSTA RICA. MW 6.4 (GS). 6.4 (HRV). mb 6.2 (GS). MS 6.3 (GS). ME 6.4 (GS). Mo 4.8*10**18 Nm (GS). 4.6*10**18 Nm (HRV). 5.5*10**18 Nm (PPT). Es 9.2*10**13 Nm (GS). Eight people killed and several injured; 526 buildings damaged or destroyed; many roads and bridges damaged; some landslides occurred in the San Jose area. Water lines broke at Parrita and power outages occurred at Quepos. Felt (VII) at Parrita and Quepos; (VI) at Damas, Failles and Jaco; (V) at Alajuela, Monterrey, Naranjo, Funtarenas, San Isidro, Turrialba and Zapote; (IV) at Batan, Bribri, Limon, Los Chiles, Nicoya, Palmar Sur and Upala. Felt in much of Costa Rica.
NOV 21	11 41 07.7	15.679 N	61.706 W	14 G	6.3	1.0	672	LEeward ISLANDS. MW 6.3 (GS). 6.3 (HRV). mb 6.3 (GS). MS 6.1 (GS). ME 6.4 (GS). Mo 3.4*10**18 Nm (HRV). 3.2*10**18 Nm (GS). 7.1*10**18 Nm (PPT). Es 7.6*10**13 Nm (GS). One person killed, at least two injured and several houses destroyed or damaged at Trois-Rivieres; one person injured at Capesterre-Belle-Eau; ten people slightly injured on Les Saintes; at least eight houses destroyed and twenty-five damaged on Terre-de-Bas, Guadeloupe. At least twenty houses damaged and power outages occurred in northern Dominica. Felt in Antigua and Barbuda, Saint Kitts and Nevis and as far as Saint Lucia.
NOV 22	04 01 30.4	33.297 N	47.977 E	36 D	5.0	1.1	268	WESTERN IRAN. MW 5.0 (HRV). mb 5.0 (GS). MS 4.0 (GS). Mo 3.7*10**16 Nm (HRV). Several people slightly injured and several vehicles damaged by rockslides on the road between Khorramabad and Fole Dokhtar. Some houses slightly damaged in the Fole Dokhtar area.
NOV 22	20 26 23.9	46.676 S	164.721 E	10 G	7.1	1.1	585	OFF WEST COAST OF THE SOUTH ISLAND, N.Z. MW 7.1 (HRV), 7.0 (GS). mb 6.4 (GS). MS 7.1 (GS). ME 6.9 (GS). Mo 5.6*10**19 Nm (HRV), 3.4*10**19 Nm (GS), 5.5*10**19 Nm (PPT). Es 4.5*10**14 Nm (GS). Minor damage at Invercargill and in the Southland-Otago area. Felt in much of the South Island and as far north as Hamilton on the North Island.
NOV 24	22 59 40.0	45.626 N	10.559 E	17	5.1	1.1	529	NORTHERN ITALY. MW 5.1 (HRV). mb 5.3 (GS). MS 4.6 (GS). ML 5.5 (FEB), 5.5 (LDG), 5.5 (GRF), 5.3 (STF), 5.1 (FUR), 5.0 (ZAMG). Mo 4.5*10**16 Nm (HRV). At least nine people injured and many buildings damaged in the Brescia area. Felt as far west as Torino, as far south as La Spezia and as far east as Venice. Also felt at Bern, Switzerland.

12/13/02

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NOV 26	02 25 03.3	3.609 S	135.404 E	10 G	7.1	1.2	439	PAPUA, INDONESIA. MW 7.1 (HRV), 7.0 (GS). mb 6.2 (GS). MS 7.2 (GS). ME 6.8 (GS). Mo 5.5*10**19 Nm (HRV), 3.1*10**19 Nm (GS), 4.4*10**19 Nm (PPT). Es 3.5*10**14 Nm (GS). At least 32 people killed, 130 injured, 328 buildings destroyed (VIII), airport and seaport damaged and power outages occurred at Nabire. Damage estimated at 55 million U.S. dollars. Felt (IV) at Serui, Yapen; (III) at Biak, Biak and Timika, Papua.
NOV 28	02 35 13.4	26.525 S	113.834 W	10 G	6.6	1.4	265	EASTER ISLAND REGION. MW 6.6 (HRV), 6.5 (GS). mb 5.6 (GS). MS 6.1 (GS). Mo 9.0*10**18 Nm (HRV), 5.7*10**18 Nm (GS), 1.1*10**19 Nm (PPT).
NOV 28	18 32 14.1	43.006 N	145.119 E	39 G	7.0	0.8	929	HOKKAIDO, JAPAN REGION. MW 7.0 (GS), 7.0 (HRV), 7.4 (OBN), 7.0 (NIED). mb 6.4 (GS). MS 6.7 (GS). ME 7.0 (GS). Mo 3.7*10**19 Nm (GS), 3.7*10**19 Nm (HRV), 4.0*10**19 Nm (PPT), 3.4*10**19 Nm (NIED), 1.6*10**20 Nm (OBN). Es 6.9*10**14 Nm (GS). At least 24 people injured; road damage occurred; power, natural gas and railway service interrupted in the Bekkai-Kushiro-Nemuro area. Minor damage to docks and buildings at Nemuro. A 10 cm tsunami was recorded at Nemuro. Felt at Misawa, Honshu. Felt (IV) at Yuzhno-Kuril'sk, Kunashir and (III) on Shikotan and at Kuril'sk, Iturup. Recorded (5U JMA) in eastern Hokkaido, (4 JMA) in southern Hokkaido, (3 JMA) in southwestern Hokkaido and (1 JMA) in northern Hokkaido. Also recorded (3 JMA) in Aomori, Iwate and Miyagi; (2 JMA) in Akita, Ibaraki and Yamagata; (1 JMA) in Fukushima, Kanagawa, Saitama, Shizuoka, Tochigi and Tokyo Prefectures, Honshu.
DEC 01	17 42 24.7	36.848 N	3.448 E	10 G	4.5	0.9	120	NORTHERN ALGERIA. mb 4.5 (GS). At least 15 people injured, minor damage to some buildings and power outages occurred in the Boumerdas area. Felt at Algiers.
DEC 01	23 17 21.5	3.665 S	135.528 E	10 G	5.5	1.0	96	PAPUA, INDONESIA. MW 5.5 (GS), 5.5 (HRV). mb 5.3 (GS). MS 5.3 (GS). Mo 2.3*10**17 Nm (HRV), 2.0*10**17 Nm (GS). One person killed in the Nabire area. Felt at Jayapura.
DEC 05	08 30 59.5	36.865 N	3.421 E	10 G	4.5	1.0	174	NORTHERN ALGERIA. mb 4.5 (GS). ML 4.7 (ALG). Forty-six people injured in the Zemmouri area. Felt at Algiers.
DEC 06	14 15 11.8	42.900 N	145.228 E	35 G	6.8	0.8	759	HOKKAIDO, JAPAN REGION. MW 6.8 (GS), 6.8 (HRV), 6.8 (NIED). mb 6.5 (GS). MS 6.5 (GS). ME 6.7 (GS). Mo 1.5*10**19 Nm (GS), 1.5*10**19 Nm (HRV), 1.6*10**19 Nm (NIED), 1.0*10**19 Nm (PPT). Es 2.7*10**14 Nm (GS). At least 4 people injured and power outages occurred in the Kushiro area. Felt at Obihiro. Also felt at Misawa and Sendai, Honshu. Recorded (5U JMA) in the Kushiro area; (5L JMA) in the Obihiro area and in eastern Hokkaido; (4

DEC 09	08 49 00.2	24.757 N	92.539 E	35 D	5.4	0.7	236	JMA) in the Chitose-Tomakomai area and in south-central Hokkaido; (3 JMA) in southwestern and central Hokkaido; (2 JMA) in the Shibetsu area; (1 JMA) in northern Hokkaido. Also recorded (3 JMA) in Amori and Miyagi; (2 JMA) in Akita, Iwate and Yamagata; (1 JMA) in Fukushima, Ibaraki, Niigata and Shizuoka Prefectures, Honshu.
DEC 14	05 56 10.0	44.119 N	141.793 E	10 G	5.8	0.9	494	INDIA-BANGLADESH BORDER REGION. MW 5.4 (GS), 5.3 (HRV), mb 5.5 (GS). MS 4.7 (GS). Mo 1.6*10**17 Nm (GS), 1.1*10**17 Nm (HRV). Several people slightly injured at Hallakandi, India. Minor damage in Cachar, India. Felt in much of central and southern Assam, India. Felt in eastern Meghalaya, India. Also felt at Chittagong and in parts of eastern Bangladesh.
DEC 14	23 20 13.3	18.958 N	81.409 W	10 G	6.8	1.0	639	HOKKAIDO, JAPAN REGION. MW 5.8 (GS), 5.8 (HRV), mb 5.8 (GS). MS 5.3 (GS). Mo 6.2*10**17 Nm (GS), 4.8*10**17 Nm (HRV). Two people injured at Obira and one at Haboro. Some buildings, roads and water lines damaged at Tomamae. Felt in northern and western Hokkaido. Recorded (50 JMA) in the Raboro area; (4 JMA) in the Shibetsu-Numata area; (3 JMA) in the Otara area; (2 JMA) in the Mombetsu area and much of western Hokkaido; (1 JMA) in the Obihiro, Shari-Yubetsu and Setana areas. Also recorded (2 JMA) on Rishiri-to.
DEC 14	23 20 12.4	37.042 N	28.206 E	5	5.3	456	CAYMAN ISLANDS REGION. MW 6.8 (GS), 6.8 (HRV), mb 6.2 (GS). MS 6.7 (GS). Mo 2.1*10**19 Nm (GS), 1.8*10**19 Nm (HRV), 1.2*10**19 Nm (PPT). Felt (VI) at Rodden Town and West Bay; (V) at George Town, Grand Cayman. Felt (III-V) in many parts of Cuba. Also felt at Cancun, Mexico and Half Way Tree and New Kingston, Jamaica.	
DEC 20	23 02 12.4	37.042 N	28.206 E	5	5.3	456	WESTERN TURKEY. MW 5.3 (HRV), mb 5.2 (GS). MS 4.7 (GS). Mo 1.1*10**17 Nm (HRV). Three people injured, some buildings damaged and rockslides blocked a highway at Marmaris. Felt at Bodrum, Datca and Izmir.	
DEC 23	14 59 04.4	49.312 S	161.345 E	10 G	8.1	1.1	331	NORTH OF MACQUARIE ISLAND. MW 8.1 (HRV), 8.0 (GS), mb 6.5 (GS). MS 7.7 (GS). ME 8.2 (GS). Mo 1.6*10**21 Nm (HRV), 1.0*10**21 Nm (GS), 5.4*10**20 Nm (PPT). Es 5.2*10**16 Nm (GS). Felt throughout Tasmania, Australia and in much of the South Island, New Zealand.
DEC 26	00 58 53.4	3.295 N	95.982 E	30 G	9.0	1.2	601	OFF THE WEST COAST OF NORTHERN SUMATRA. MW 9.0 (HRV), 8.2 (GS), mb 7.0 (GS). MS 8.8 (GS). ME 8.5 (GS). Mo 4.0*10**22 Nm (HRV), 2.6*10**21 Nm (GS), 2.1*10**21 Nm (PPT). Es 1.1*10**17 Nm (GS). This is the fourth largest earthquake in the world since 1900 and is the largest since the 1964 Prince William Sound, Alaska

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earthquake. In total, more than 283,100 people were killed, 14,100 are still listed as missing and 1,126,900 were displaced by the earthquake and subsequent tsunami in 10 countries in South Asia and East Africa. The earthquake was felt (IX) at Banda Aceh, (VIII) at Meulaboh and (IV) at Medan, Sumatra and (III-V) in parts of Bangladesh, India, Malaysia, Maldives, Myanmar, Singapore, Sri Lanka and Thailand. The tsunami caused more casualties than any other in recorded history and was recorded nearly world-wide on tide gauges in the Indian, Pacific and Atlantic Oceans. Seiches were observed in India and the United States. Subsidence and landslides were observed in Sumatra. A mud volcano near Baratang, Andaman Islands became active on December 28 and gas emissions were reported in Arakan, Myanmar. A detailed summary of this event is given at the end of this publication.

DEC 26	04 21 29.8	6.910 N	92.958 E	39	7.1	1.0	385	NICOBAR ISLANDS, INDIA REGION. MW 7.1 (HRV). mb 6.1 (GS). MS 7.5 (GS). Mo 5.6*10**19 Nm (HRV).	
DEC 26	09 20 01.6	8.879 N	92.375 E	16 *	6.6	1.1	353	NICOBAR ISLANDS, INDIA REGION. MW 6.6 (HRV). mb 6.0 (GS). MS 6.6 (GS). Mo 1.0*10**19 Nm (HRV).	

NOTABLE NORTH AMERICAN EARTHQUAKES

SEP 28	17 15 24.2&	35.819 N	120.364 W	9	6.0	363	CENTRAL CALIFORNIA. . MW 6.0 (HRV), 6.0 (BRK). mb 5.4 (GS). MS 5.8 (GS). Mo 1.1*10**18 Nm (HRV), 9.8*10**17 Nm (BRK). Minor damage (VI) at Parkfield, San Miguel and Shandon. Felt (V) at Avenal, Bradley, Coalinga, King City, Lockwood, Paso Robles and Templeton. Felt in much of California from Sacramento, Santa Rosa and San Francisco south as far as Los Angeles and Orange County. Also felt at Las Vegas and Reno, Nevada.		
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Compiled by Waverly J. Person and Pamela J. Benfield.

Hypocenters will be recomputed for December 2004.

THE SUMATRA-ANDAMAN ISLANDS EARTHQUAKE AND TSUNAMI OF 26 DEC 2004

This is the fourth largest earthquake in the world since 1900 and is the largest since the 1964 Prince William Sound, Alaska earthquake. The earthquake itself caused severe damage and casualties in northern Sumatra, Indonesia and in the Nicobar Islands, India. The earthquake casualties are included with the tsunami statistics below.

The earthquake was felt at the following selected localities:

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Indonesia:	IX at Banda Aceh VIII at Meulaboh IV at Medan and Sampali III at Bukittinggi, Papat and Payakumbuh Felt at Jakarta
India:	VII at Port Blair, Andaman Islands IV at Madras III at Bengaluru and Vishakhapatnam Felt at Bangalore, Bhubaneswar, Calcutta and Kochi
Malaysia:	V at Gelugor Estate IV at Sungai Ara III at Alor Setar, George Town, Kampong Tanjong Bunga, Kuala Lumpur and Kulim
Thailand:	V at Hat Yai IV at Bangkok III at Chiang Mai and Phuket
Myanmar:	IV at Mandalay III at Rangoon
Singapore:	II on Singapore
Bangladesh:	III at Dhaka Felt at Chittagong
Sri Lanka:	II at Kandy and in other parts of Sri Lanka
Maldives:	IV at Male (nearly 2500 km from the epicenter)
Guam:	Felt by people in a high rise building at Hagatna (more than 5400 km from the epicenter)

The tsunami from this earthquake caused extreme destruction in South Asia, was recorded nearly world-wide and killed more people than any tsunami in recorded history. In total, at least 283,100 people were killed, 14,100 are missing and 1,126,900 were displaced by the earthquake and tsunami:

At least 108,100 people were killed, 127,700 are missing and presumed dead and 426,800 were displaced by the earthquake and tsunami in Aceh and Sumatera Utara Provinces, Indonesia. About 70 percent of the small-scale fishing fleet was destroyed. Tsunami runup heights of more than 30 meters were observed along the west coast of Sumatra.

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At least 30,900 people were killed, 5,400 missing and 552,600 displaced by the tsunami in Sri Lanka, where wave heights were estimated to be 5-10 meters. About 66 percent of the fishing fleet was destroyed and 10 of 12 major fishing harbors in the country had some damage.

At least 10,700 people were killed, 5,600 missing and 112,500 displaced in Andhra Pradesh, Kerala, Pondicherry, Tamil Nadu and Andaman and Nicobar Islands, India. Wave heights were estimated to be more than 20 meters in the Andaman Islands and 10 meters on the east coast of India.

At least 5,300 people were killed, 8,400 injured and 3,100 missing along the west coast of Thailand, where wave heights were estimated to be as high as 3-5 meters in the Phuket area.

The tsunami also caused casualties and/or damage in the following countries:

- Somalia: at least 150 people killed and about 5,000 displaced.
- Maldives: 82 people killed, 26 missing and more than 21,600 displaced.
- Malaysia: 68 people killed, 6 missing and about 4,200 displaced.
- Myanmar: 90 people killed, 10 missing and 3,200 displaced.
- Tanzania: 10 people killed.
- Seychelles: 3 people killed.
- Bangladesh: 2 people killed.
- Kenya: 1 person killed.
- Madagascar: about 1,000 people displaced.
- Mauritius: some damage.
- Mozambique: tsunami was observed, but no damage reported.

In Australia, the tsunami caused minor damage at Geraldton and Mangles Bay. A 30 centimeter wave was observed at Penguin Island. People were swept into the ocean at Delambre Island and Geographe Bay, but all survived. The tsunami was observed at Busselton.

Maximum tsunami heights, peak-to-trough in centimeters, were recorded at the following selected tide stations:

Indian Ocean:	
Kochi, India	130
Tuticorin, India	210
Vishakhapatnam, India	240
Diego Garcia, Chagos Archipelago	80
Colombo, Sri Lanka	260
Salalah, Oman	250

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Lamu, Kenya	120
Zanzibar, Tanzania	80
Male, Maldives	210
Port Louis, Mauritius	210
Port Elizabeth, South Africa	273
Richards Bay, South Africa	165
East Ongul Island, Antarctica	75
Cocos Island, Australia	42
Esperance, Western Australia, Australia	80
Hillarys, Western Australia, Australia	90
Portland, Victoria, Australia	85
Mid-ocean, about 5 S, SSE of Sri Lanka (from Jason 1 satellite altimeter)	100 approximate
Pacific Ocean:	
Rosslyn Bay, Queensland, Australia	25
Spring Bay, Tasmania, Australia	60
Chatham Island, New Zealand	35
Jackson Bay, South Island, New Zealand	65
Napier, North Island, New Zealand	30
Timaru, South Island, New Zealand	80
Port Vila, Vanuatu	15
Nukualofa, Tonga	10
Suva, Fiji	11
Pago Pago, American Samoa	10
Nuku Hiva, French Polynesia	5
Noumea, New Caledonia	10
Severo-Kurilsk, Russia	29

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Bella Bella, British Columbia, Canada	9
Tofino, British Columbia, Canada	15
Adak, Alaska, U.S.	21
Sand Point, Alaska, U.S.	28
Crescent City, California, U.S.	61
Point Reyes, California, U.S.	39
Port San Luis, California, U.S.	53
San Diego, California, U.S.	32
Hilo, Hawaii, U.S.	18
Kahului, Hawaii, U.S.	30
Neah Bay, Washington, U.S.	13
Cabo San Lucas, Mexico	24
Manzanillo, Mexico	80
Acajutla, El Salvador	32
Baltra Island, Galapagos, Ecuador	36
Callao, Peru	68
Arica, Chile	72
Puerto Williams, Chile	29
Valparaiso, Chile	18
Atlantic Ocean:	
Cape Town, South Africa	96
Port Nolloth, South Africa	50
Newlyn, United Kingdom	16
Halifax, Nova Scotia, Canada	43
Atlantic City, New Jersey, U.S.	22
Port Canaveral, Florida, U.S.	34
San Juan, Puerto Rico	4
Charlotte Amalie, Virgin Islands	18
Bermuda	12
Imbituba, Brazil	150 approximate
Rio de Janeiro, Brazil	30

K. Abe has computed a tsunami magnitude (Mt) of 9.1 for this event.

Landslides and approximately 2 meters of subsidence were observed in Sumatra. A mud volcano became active near Baratang, Andaman Islands on December 28. Gas emissions were reported in Arakan, Myanmar. Seiches occurred in Jharkhand, Maharashtra, Orissa and West Bengal, India and as far away as Tulsa County, Oklahoma, United States. Water level fluctuations occurred in wells as far away as Florida, Nebraska and Virginia, United States.

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Tectonic Summary:

The devastating earthquake of 26 December 2004 occurred as thrust-faulting on the interface of the India plate and the Burma plate. In a period of minutes, the faulting released elastic strains that had accumulated for centuries from ongoing subduction of the India plate beneath the overriding Burma plate.

In a broad sense, the India and Australian plates move toward the north-northeast with respect to the interior of the Eurasia plate with velocities of about 60 mm/y in the region of the earthquake. In the region of northern Sumatra and the Nicobar Islands, most of the relative motion of India/Australia and the Eurasia plate is accommodated at the Sunda trench and within several hundred kilometers to the east of the Sunda trench, on the boundaries of the Burma plate. The direction in which India/Australia converges toward Eurasia is oblique to the trend of the Sunda trench. The oblique motion is partitioned

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into thrust-faulting and strike-slip faulting. The thrust faulting occurs on the interface between the India plate and the western margin of the Burma plate and involves slip directed at a large angle to the orientation of the trench. The strike-slip faulting occurs on the eastern boundary of the Burma plate and involves slip directed approximately parallel to the trench. The 26 December main shock occurred as the result of thrust faulting on the western Burma-plate boundary, but many strike-slip faulting aftershocks occurred on the eastern plate boundary.

Currently available models of the 26 December main-shock fault displacement differ in many interesting details, but are consistent in implying that fault-rupture propagated to the northwest from the epicenter and that substantial fault-rupture occurred hundreds of kilometers northwest of the epicenter. The data upon which the modeling is based do not permit confident resolution of the extent of rupture beyond about 500 km northwest of the main-shock epicenter. The width of the earthquake rupture, measured perpendicular to the Sunda trench, is estimated to have been about 150 kilometers and the maximum displacement on the fault plane about 20 meters. The sea floor overlying the thrust fault would have been uplifted by several meters as a result of the earthquake.

The zone of aftershocks to the 26 December earthquake is over 1300 km long. Because aftershocks occur on and very near the fault-planes of main shocks, the length of the aftershock zone suggests that main-shock fault-rupture may have extended north of the epicenter by an amount significantly larger than 500 km. However, a great earthquake may also trigger earthquake activity on faults that are distinct from the main-shock fault plane and separated from it by tens or even hundreds of kilometers. We will not know until further analysis how much of the 26 December aftershock zone may correspond to activity in the immediate vicinity of the main-shock rupture, and how much may correspond to activity remote from the main-shock rupture.

Since 1900, earthquakes similarly sized or larger than the 26 December earthquake have been the magnitude 9.0 1952 Kamchatka earthquake, the magnitude 9.1 1957 Andreanof Islands, Alaska, earthquake, the magnitude 9.5 1960 Chile earthquake, and the magnitude 9.2 1964 Prince William Sound, Alaska, earthquake. All of these earthquakes, like the one on 26 December, were mega-thrust events, occurring where one tectonic plate subducts beneath another. All produced destructive tsunamis, although deaths and damage from the 26 December tsunami far exceed those caused by tsunamis associated with the earlier earthquakes.

EL-MASRI DECLARATION EXHIBIT D

February 21, 2006

Germany Weighs if It Played Role in Seizure by U.S.

By DON VAN NATTA Jr.

This article was reported by Don Van Natta Jr., Souad Mekhennet, and Nicholas Wood, and was written by Mr. Van Natta.

MUNICH, Feb. 20 — For more than a year, the German government has criticized the United States for its role in the abduction of a German man who was taken to an American prison in Kabul, Afghanistan, where he said he was held and tortured for five months after being mistaken for a terrorism suspect.

German officials said they knew nothing about the man's abduction and have repeatedly pressed Washington for information about the case, which has set off outrage here. At a meeting in Berlin last December, Chancellor Angela Merkel demanded an explanation from Secretary of State Condoleezza Rice over the incident.

But on Monday in Neu-Ulm near Munich, the police and prosecutors opened an investigation into whether Germany served as a silent partner of the United States in the abduction of the man, Khaled el-Masri, a German citizen of Arab descent who was arrested Dec. 31, 2003, in Macedonia before being flown to the Kabul prison.

The action came after a two-and-a-half-hour meeting at police headquarters in which Mr. Masri told the police that he was "90 percent" certain that a senior German police official was the interrogator who had visited him three times inside the prison in Kabul but had identified himself only as "Sam." The German prosecutors said Monday that they were also investigating whether the German Embassy in Skopje, Macedonia, had been notified about Mr. Masri's kidnapping within days of his capture there, but then had done nothing to try to help him.

Mr. Masri's case has come to symbolize the C.I.A. practice known as extraordinary rendition, in which terror suspects are sent to be interrogated in other countries where torture is commonly used. In broadening its criminal inquiry into the abduction of Mr. Masri to the activities of its own government, German prosecutors are trying to determine whether the German government worked secretly with the United States in the practice.

"I feel deceived and betrayed by my own country," Mr. Masri, a 42-year-old unemployed car salesman from Neu-Ulm, said in an interview.

The German police official identified as "Sam" denied that he had visited Mr. Masri in Afghanistan and said he was "on holiday" at the time in Germany, but that he could not remember exactly where. The man was present on Monday at the police station, where Mr. Masri picked him out of a 10-person lineup. After speaking with him, Mr. Masri said that his voice was similar but that his hair style was different.

Martin Hofmann, a prosecutor in Munich, said Monday that his office would not "assume that this man is Sam" but would "go forward with our investigation."

A senior German official familiar with the case said that Mr. Masri was "at best mistaken" and that the police official "cannot be Sam."

The New York Times is withholding the official's name at the request of Germany's intelligence services because he often does undercover intelligence work. He frequently gets "sensitive" assignments and helps clean up "dirty work" for the German foreign intelligence service, said one of his longtime colleagues, who spoke on condition of anonymity.

A senior Macedonian government official who was directly involved in Mr. Masri's detention told The Times that not long after Mr. Masri's capture, Macedonian officials notified the German Embassy in Skopje. C.I.A. officers in Macedonia conducted the interrogation of Mr. Masri, according to Macedonian officials.

August Stern, the Munich-based federal prosecutor who is leading Germany's criminal investigation of Mr. Masri's kidnapping, said his investigators were trying to determine whether the German Embassy had been told about Mr. Masri's capture, and then sent a German agent to the American prison in Kabul to talk with him. Mr. Stern and other senior police officers and prosecutors said they would try to interview the officials in the embassy in Skopje in coming weeks.

August Hanning, secretary of state for the Ministry of the Interior, denied in an interview that any member of Germany's secret services had visited Mr. Masri while he was held captive. "He has never been to Afghanistan," Mr. Hanning said of the German police official.

Two senior German officials, who spoke on condition of anonymity because of the case's sensitive nature, denied that Germany's Embassy had been told about Mr. Masri's capture. "The German Embassy in Skopje was not informed by Macedonian authorities while German citizen el-Masri was in custody in Macedonia," a Foreign Office spokesman said. Another official said Germany did not learn about Mr. Masri's detention until May 31, 2004, when the American ambassador to Germany at the time, Daniel Coats, informed German officials about Mr. Masri's capture and eventual release.

"According to our investigation, I am convinced that German officials did not have any knowledge before his release," the official said.

Later this week, the German government is expected to turn over a report to Parliament about Mr. Masri's case.

Meanwhile, investigators at the Council of Europe, led by Dick Marty, a Swiss lawmaker, are looking into whether there was quiet cooperation between the C.I.A. and its counterparts in European countries, including Germany, Italy and Sweden, where suspected terrorists were kidnapped and sent to third countries for interrogation.

In Italy, the authorities in June charged 23 C.I.A. agents with the abduction of a terrorism suspect from the streets of Milan. Italian officials insist that they did not know about the procedure, but some elected officials in Italy said the Americans must have tipped off their counterparts in the Italian intelligence agency.

European officials have been sharply critical of the C.I.A.'s rendition program. In particular, German officials have rebuked the United States for playing a role in the abduction of one of their citizens and then transporting him to Afghanistan on a chartered C.I.A. plane.

"I have no explanation for the whole case," a senior German official said. "To bring such a man like el-Masri from Europe to Afghanistan and to ask him some questions and six months later, the explanation is that it's a terrible error is not very convincing. To me there are still a lot of questions."

Manfred R. Gnjidic, Mr. Masri's lawyer, said he is convinced that Germany "stood by like a little school boy, watching what was going on with my client and doing nothing."

After more than five months in captivity, the United States released Mr. Masri without filing charges. His case was first disclosed in The Times in January 2005.

At the meeting last December in Berlin between the German chancellor and Ms. Rice, the kidnapping of Mr. Masri was discussed privately, but the two leaders seemed to disagree about the substance of that conversation afterward.

Ms. Merkel said the Bush administration had admitted that it had mistakenly abducted Mr. Masri. But Ms. Rice declined to discuss with reporters anything about the case. She said only that she had pledged to Ms. Merkel, "When and if mistakes are made, we work very hard and as quickly as possible to rectify them."

In Washington, a senior State Department official said Monday that the department would not comment on Mr. Masri's

case, noting that it was a matter of litigation in both Germany and the United States. In late 2003, Mr. Masri left his family in Ulm for a trip to Macedonia. Macedonian and German officials said he was arrested at a border checkpoint on Dec. 31, 2003, because his name was on an Interpol terror watch list. But they said the name referred to another Khaled al-Masri.

Mr. Masri was then held in a hotel in Macedonia for several weeks, where he was questioned by the C.I.A., according to senior Macedonian and American officials. A senior Macedonian official said the German Embassy was notified about Mr. Masri within days of his capture. "Unofficially, they knew," the official said of the Germans.

A C.I.A. spokesman declined to comment.

Two senior Macedonian officials said the Americans had asked to have Mr. Masri detained in Macedonia for 23 days. "We consider the Americans as our partners," a senior Macedonian official said. "We cannot refuse them."

Mr. Masri said he had pleaded with his captors to let him go. "Call the German Embassy," Mr. Masri said he had repeatedly told them. "I'm a German citizen. Please tell them I am here!"

"They don't want to talk to you," he said one of his captors had replied.

In a recent interview, Mr. Masri said: "I thought it was strange that they kept telling me the Germans didn't care about me. Now I know why they said that — because it was true."

At the hotel, Mr. Masri said he had been asked whether he was a member of Al Qaeda. But he was struck by the many questions he was asked about his time in Germany. He said the questions had led him to suspect that the Germans were cooperating with the Macedonians.

A German official disputed that assertion, saying Germany often shared information with their American counterparts about suspected terrorists. But the official acknowledged that the German police had not considered Mr. Masri to be an "important" suspect.

Publicly, Macedonia has denied that Mr. Masri was held illegally. "There is nothing the ministry has done illegally," Hari Kostiv, the minister of interior at the time and later the prime minister, said in an interview. "The man is alive and back home with his family. Somebody made a mistake. That somebody is not Macedonia."

By late January 2004, Mr. Masri was sent to Afghanistan, where he said he was held and beaten over the next five months.

For Mr. Masri, one of the biggest mysteries was the identity of the interrogator who identified himself as Sam, and who spoke fluent German. He visited three times during Mr. Masri's final month at the Kabul jail.

During the first meeting, Mr. Masri said he had asked the man if he was from Germany, but the man declined to answer. Mr. Masri said he had asked him, "Do the Germans know I'm here?"

"He said he did not want to answer," Mr. Masri said. "I asked him if my wife knew I was there. Sam said she doesn't know. He then said, I shouldn't ask questions, I should only answer them."

During their second meeting, the man was no longer belligerent, Mr. Masri said, bringing him cookies, chocolates and a copy of the German newsmagazine Focus. The man also asked if Mr. Masri wanted "anything from Germany."

"I said, 'Nothing, thank you,' " Mr. Masri said.

In their last meeting, a week before Mr. Masri's release, the man told him that he would be returning home soon. The last time Mr. Masri saw Sam, the interrogator was speaking with a man who he believed was an American. Soon afterward, Mr. Masri was released.

On Dec. 12, 2005, Mr. Gnjidic, the lawyer for Mr. Masri, received an e-mail message from a German journalist named Frank Kruger, who suggested that Sam might be a German police official. Earlier this month, Mr. Gnjidic said he had obtained a videotape of the police official that convinced Mr. Masri that he was Sam. On Monday, after meeting the man at police headquarters, Mr. Masri said he was 90 percent certain that the police official was Sam.

"The man was very nervous, and he could not look at me into my eyes," Mr. Masri said. "The hair is different, but the voice sounded very similar."

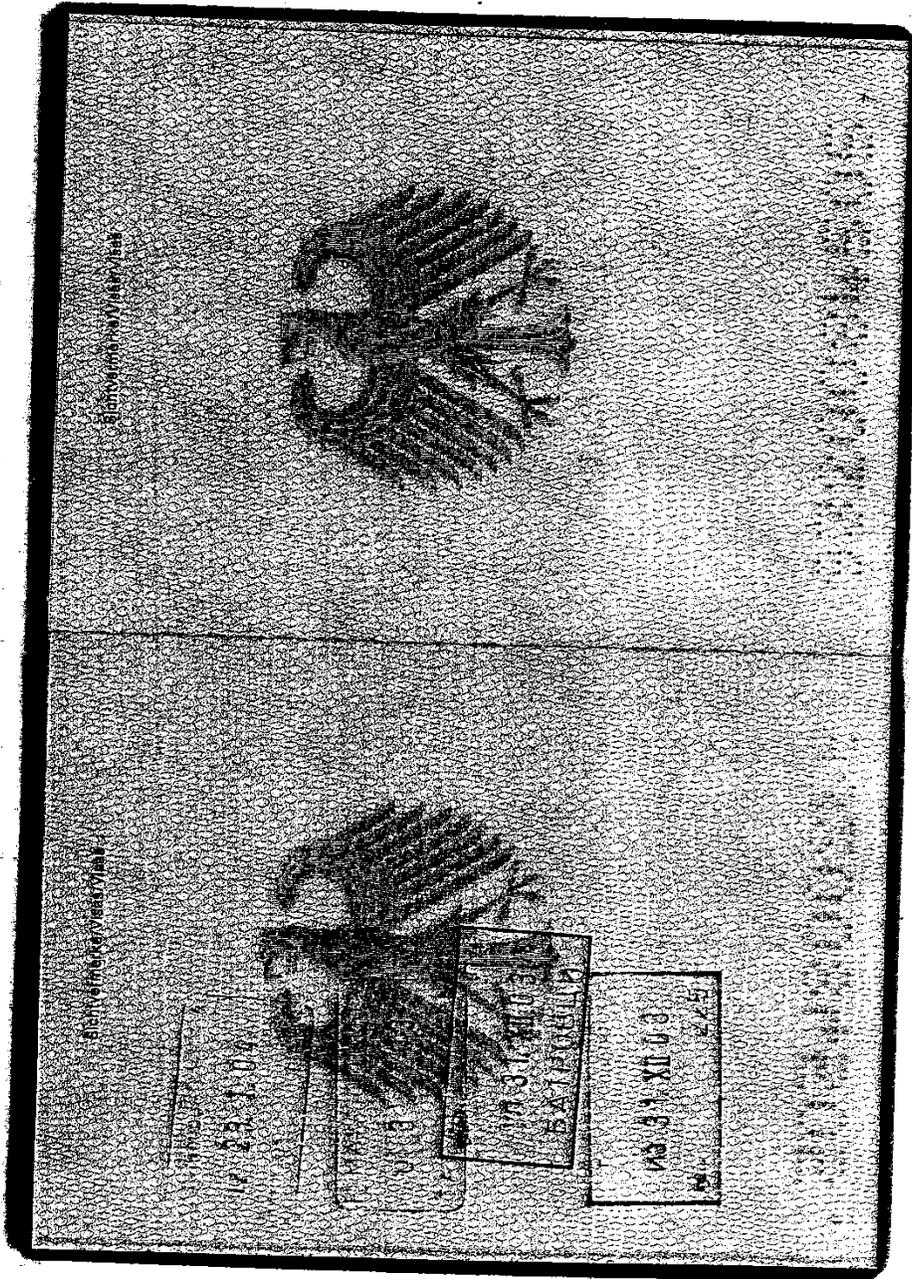
"For me, it is very important that we know who this man was," he said.

Mr. Gnjidic said he found it hard to believe that other than the prosecutors in Munich, no one in the German government has sought Mr. Masri's testimony about his ordeal. "The scandal for me is that the Germans did nothing when they heard a German had been captured," he said. "They should have protested very hard and tried to stop this."

Don Van Natta reported from Munich for this article, Souad Mekhennet from Neu-Ulm and Munich, and Nicholas Wood from Skopje.

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EL-MASRI DECLARATION EXHIBIT E



EL-MASRI DECLARATION EXHIBIT F

Am 31.12.03 kam ich an der Makedonischen Grenze um ca. 15 Uhr an. Der Busfahrer nahm die Reisepässe der Reisenden unter anderem meins zum Grenzposten, um sie checken zu lassen. Wir waren 15 Personen. Nachdem sie unsere Papiere gecheckt haben, bekam jeder seinen Pass zurück. Der Busfahrer bat mich, auszusteigen und den Grenzbeamten aufzusuchen. Der Grenzbeamte fragte mich nach der Adresse, zu der ich in Makedonien gehen werde. Ich sagte, dass ich ein Hotel suchen würde. Es gibt keine feste Adresse, zu der ich gehen will. Er fragte mich dann über den Zweck des Aufenthalts in Makedonien. Ich sagte, dass ich auf einer Touristischen Reise bin und dass ich ca. eine Woche bleiben möchte. Er sagte mir, dass wenn ich in Skopje ankomme, die dortige Polizei aufsuchen soll. Zwischen mir und dem Beamten hat ein Mitreisender übersetzt. Er war groß, schlank und ca. 45 Jahre alt. Dann sagte er ich soll zum Bus zurückkehren. Der Busfahrer blieb bei ihm und kam kurze Zeit später zum Bus zurück. Wir fuhren los in Richtung Skopje. Nach ca. drei km fragte ich den Busfahrer, ob ich meinen Pass zurückbekommen könne. Er sagte mir, dass er es nicht habe. So fuhren wir zurück zur Grenze und erkundigten uns beim Grenzbeamten. Der Beamte sagte mir, dass ich bleiben solle, da sich das Problem in die Länge zieht. Der Bus soll jetzt wegfahren und mich würde dann ein Auto zum Hotel bringen. Also blieb ich und wartete bis um 18 Uhr. Dann brachten sie mich in ein enges Zimmer, welches ca. 8 Meter vom Grenzposten entfernt lag. Das Zimmer hatte eine Tür und ein großes Glasfenster, welches an der Seite der Straße lag, wo die Pkws fahren. Im Zimmer standen ein Tisch, ein Schreibtisch und ein Stuhl. Ich setzte mich auf dem Stuhl mit dem Rücken zum Glasfenster. Der Beamte erlaubte mir nicht, mich umzudrehen. Er verlangte von mir auch, alle Gegenstände, die ich bei mir hatte, auf den Tisch zu legen. Daraufhin durchsuchte er alles sorgfältig. Als er fertig war kam ein junger Mann, etwa 33 Jahre alt und ca. 175 cm groß.

Nach dem einstündigen Verhör kam ein anderer, etwas kräftig und ebenfalls ca. 30 Jahre alt. Er fing ein zweites Verhör an und nannte mir islamische Organisationen, Hilfsorganisationen und Gruppierungen. Er fragte mich dann, ob ich diese Gruppierungen kenne. Ich sagte, dass es sich um allgemein bekannte Gruppen handelt und dass ich von den meisten von ihnen gehört habe. Er fragte mich auch, ob ich irgendetwas mit einen oder mehreren dieser Organisationen zu tun hätte. Ich antwortete ihm, dass ich keinerlei Kontakte mit irgendwelchen Gruppierungen hätte. Er fragte mich weiter, ob es Moscheen gäbe in der Region, wo ich lebe und wie viele Personen besuchen diese Moscheen und welchen Nationalitäten gehören sie an? Und ob ich jemals jemanden zum Islam eingeladen habe oder ob mich jemals jemand zu einer islamischen Aktivität eingeladen hat. Meine Antworten bestanden immer aus Verneinungen und ich fragte ihn, ob es Aktivitäten in den Moscheen gäbe außer der Freitagspredigt? Und ob es Nicht-Muslime gäbe, die zum Islam konvertiert sind? Dann bot er mir Alkohol an um zu testen, ob ich trinke oder nicht. Ich lehnte ab. Er fragte mich, ob ich bete und faste. Ich antwortete: manchmal. Er stoppte das Verhör gegen 22 Uhr. Einige der Beamten betranken sich. In weniger als zwei Stunden fängt das neue Jahr an. Sie nahmen mich dann hinter dem Häuschen auf der Straße in Richtung Serbien. Ich sah drei Fahrzeuge, die keine Kennzeichnung hatten. Zwei von ihnen waren VW Golf. Eine rot, das andere schwarz. Das dritte Auto war ebenfalls schwarz aber ich kann mich nicht mehr erinnern, welches Fabrikat es war. Es war sehr dunkel und der Nebel war dicht. Die Straßen und der Grenzposten waren menschenleer. Meine Begleiter waren alle zivil bekleidet und mit Pistolen bewaffnet. Auf dem Weg sahen wir eine Polizeisperre. Wir aber durften zügig passieren, da meine Begleiter ein blaues Leuchtsignal abgaben. In Skopje brachten sie mich in ein Hotel. Gleich auf der rechten Seite befand sich die Informationstheke. Sie gingen mit mir schnell ein paar Meter vor bis zum Aufzug, welcher auf der linken Seite lag. Der Aufzug war sehr eng und es passten nur zwei Personen rein. Ich und einer meiner Begleiter bestiegen den Aufzug, der Rest stieg die Treppen hinauf. Das Gebäude des Hotels hatte vier oder fünf Stockwerke. Wir stiegen im obersten Stockwerk aus und gingen ins Zimmer, welches direkt

gegenüber vom Aufzug war. Gleich links im Zimmer lag der Waschraum welches ein Fenster hatte ca. 80 cm breit und 40 cm hoch. Im Waschraum war noch ein Massage Whirlpool. Zwischen dem Wasserbecken und dem Pool lag das WC. Im Zimmer auf der rechten Seite stand ein großes Bett und neben dran ein großes Fenster, welches auf das Hotelinnere blickte. Gegenüber dem Eingang stand ein großer Tisch mit PC und Internetanschluss. Links daneben ein Fernseher, welcher an der Decke befestigt war. Im Zimmer gab es auch ein Fenster, welches auf einem beschädigten Schornstein eines hohen Gebäudes blickte. Hinter diesem Gebäude stand ein weiteres Gebäude. Wenn man von diesem Fenster links rausschaut sieht man einen hohen Berg. Dieses Fenster war die ganze Zeit über geschlossen und mit einer blauen Gardine verdeckt. Zwischen diesem Fenster und dem Bett standen ein kleiner Tisch und vier Stühle.

Nachdem wir eingetreten waren, blieben drei Mann von meinen Begleitern bei mir stehend im Zimmer und schlossen die Tür ab. Ich fragte sie, warum sie nicht gegangen sind? Sie sagten wir bleiben hier bei dir. Ich sagte, dass ich gerne schlafen würde. Sie sagten, dass ich auch in ihrer Anwesenheit schlafen könne. Ich dachte, dass sie mich einfach nur zum Hotel begleiten und dass sie wieder gehen würden wie sie mir an der Grenze gesagt haben. Ich fragte sie, ob ich verhaftet bin. Sie antworteten mit nein, siehst du denn irgendwelche Handschellen an deinen Händen? Dann wiederholten sie die genaue Durchsuchung all meiner Sachen. Danach begannen drei Männer von ihnen, mich abermals zu verhören. Diese drei Männer stellten mir so viele Fragen auf einmal und von allen Richtungen bis drei Uhr morgens. Diese Verhöre dauerten vier Tage an. Die Bewachung war lückenlos und sehr streng. Sogar wenn ich ins Bad wollte verlangten sie von mir, dass ich die Türe offen lasse, obwohl sich die Toilette im selben Hotelzimmer befand, in der ich untergebracht war.

Nachdem ich erschöpft und keine Lust auf ihre Fragerei hatte; und nach all dieser Zeit, in der ich in diesem Hotelzimmer gefangen war verlangte ich von ihnen, dass sie mir einen Dolmetscher holen sollen, da ich nur fast kein Englisch sprechen konnte. Dann wollte ich die Deutsche Botschaft, irgendeine andere behördliche Einrichtung, einen Rechtsanwalt und meine Familie anrufen. All das wurde mir untersagt! Ich wurde wütend und ich wollte mit Gewalt aus dem Zimmer rausgehen. Unsere Stimmen wurden lauter, jeder sprach auf seiner Sprache. Eine Verständigung war unmöglich. Daraus entwickelte sich eine handgreifliche Auseinandersetzung und wir schlugen auf uns ein bis einer von ihnen seine Schusswaffe zog, der zweite hatte seine Hand auf dem Halfter.

Die Wache war auf 9 Männern aufgeteilt; alle sechs Stunden wechselten sie die Schichten. Am fünften Tag kam ein Mann mit einer Tasche. Er hatte Blätter und Tinte für die Hände und Finger, um Fingerabdrücke zu machen. Dann schoss er mehrere Bilder von mir: rechtes Profil, linkes Profil und frontal.

Nach ungefähr sieben Tagen kam ein Beamter, der offensichtlich hoch angesiedelt war. Er war etwa 55 Jahre alt. Er war etwas kräftig gebaut und brachte einen Assistenten mit sich. Er fragte mich mit allem Respekt nach meinem Befinden und wie das Essen ist. Er sagte mir, dass ich von jedem beliebigen Restaurant Essen bestellen könne falls mir das Essen hier nicht gefallen sollte. Er fragte mich auch, ob die Wächter gut mit mir umgegangen sind. Ich dankte ihm und sagte ihm, dass es mir soweit gut ginge. Dann sagte er mir, dass er dieses Problem jetzt beenden möchte und dass er mir ein Deal vorschlagen wolle. Ich fragte, was es für ein Deal sei. Er antwortete: das wenn ich angebe, dass ich der Al-Qaida Organisation angehöre und dass sie mich dafür mit polizeilicher Begleitung nach Deutschland zurückbringen. Ich lehnte dies ab. Darauf ging er wieder weg.

Zwei oder drei Tage später kam sein Assistent zu mir und präsentierte mir eine Liste voller Anschuldigungen. Er teilte mir mit, dass er sich hinsichtlich dieser Anschuldigungen sicher sei und dass die Sache aus ihren Händen ist und dass sie mein Problem an den Präsidenten weitergeleitet hätten und dass er diesbezüglich einen Beschluss gefasst hat. Ich wunderte mich und verlangte den deutschen Botschafter oder einen Kontakt mit irgendeiner deutschen

Behörde. Er sagte mir, dass die deutsche Regierung nichts mit mir zu tun haben möchte und dass ich mittlerweile ebenfalls von den deutschen Behörden gesucht sei. Die Anschuldigungen, welche er mir präsentierte waren, dass mein Reisepass nicht mein eigener wäre und dass die Ägyptische Regierung mich suche, da ich in Jalalabad / Afghanistan gesehen wurde. Dann ging er.

Am 13. Tag meiner Festnahme startete ich einen ersten Hungerstreik. Am 20. Tag sagten sie mir, dass sie mich zum Flughafen schicken würden und dass ich von dort aus nach Deutschland geflogen werde.

Am 23. Tag um ungefähr 20 Uhr verlangten sie von mir, dass ich vor einer Videokamera spreche und meinen vollen Namen erwähne und dass es mir gesundheitlich gut geht und dass wir jetzt zum Flughafen gehen und von dort aus nach Deutschland reisen werden. Danach gingen wir aus dem Hotel heraus auf die Straße. Dann kamen zwei Personen von rechts und von links und nahmen meine Hand. Dann kam ein dritter hinzu und legte mir Handschellen an. Dann verbanden sie meine Augen. Davor sah ich auf der Straße einen weißen Kleinbus, vor ihm einen schwarzen Jeep und viele Personen, die in zivil gekleidet waren. Sie setzten mich in den Jeep und fuhren los. Ich glaube der Jeep folgte ein anderes Fahrzeug, das bemerkte ich an der Fahrweise des Fahrers. Nach ungefähr einer halben Stunde kamen wir beim Flughafen an. Sie setzten mich auf einen Stuhl. Ich wartete dort anderthalb Stunden etwa. Dann hörte ich die Stimme des Assistenten welcher mit dem hohen Beamten zu mir kam. Er sagte mir, dass ich gleich in ein Zimmer kommen werde, in der mich ein Arzt untersuchen wird, bevor ich die Reise nach Deutschland antrete.

Als sie mich in dieses Zimmer führten griffen zwei Personen gewaltvoll nach meinen armen, einer von rechts und der andere von links und bogen beide Arme nach hinten. Diese gewaltvolle Bewegung bereitete mir sehr starke Schmerzen. Währenddessen schlugen sie von allen Seiten auf mich ein. Ein anderer griff mit beiden Händen nach meinem Kopf, damit ich mich nicht bewegen kann. Andere begannen, meine Kleidung ebenfalls unter Gewaltanwendung mit Scheren und Messer zu zerschneiden. Schließlich wollten sie mir sogar meine Unterwäsche von mir nehmen. Ich wehrte mich vergebens. Sie schlugen auf mich ein bis sie mich völlig auszogen. Sie fesselten meine Füße und nahmen mir den Augenverband weg, um Fotos von mir zu schießen. Ich sah sieben bis acht Mann um mich stehen, welche in schwarz, mit Sturmhauben und schwarzen Handschuhen bekleidet waren. Sie zogen mir Windeln, einen dunklen Sportanzug und Augenband, stopften meine Ohren mit Watte und setzten mir eine Art Kopfhörer auf. Sie stülpten mir eine Tüte über den Kopf und banden um meine Hüfte einen Gürtel, an den sie meine Hände nach hinten fesselten. Ich bekam immer schlechter Luft wegen dieser Tüte. Ich stellte mich so vor wie die Medien über die Muslime, welche nach Guantanamo gebracht wurden berichteten. Sie beugten mich nach vorne und mein Kopf nach unten dann gingen sie mit mir im Laufschrift zum Auto dann zum Flugzeug. Sie gingen so schnell mit mir, sodass die Schmerzen an meinen Gelenken schlimmer wurden da das Eisen meiner Fesseln in die Knochen stieß. Wenn ich langsamer laufen wollte, haben die fast meine Schultern ausgekugelt. Als wir im Flugzeug waren warfen sie mich auf den Boden und befestigten meine Hüfte, Arme und Beine am Boden und an den Seiten des Flugzeugs. Es schien mir als wäre dies ein militärisches Transportflugzeug, in der es keine Sitze gab. Die Geräusche der Triebwerke hörten sich nicht normal an. Während des Fluges spritzte man mir zwei Spritzen. Eine am rechten Arm und die andere am linken zu verschiedenen Zeiten. Sie setzten mir etwas auf die Nase, was ich für eine Art Narkose halte. Ich schätzte, dass die Reise etwa vier Stunden dauerte. Diese Zeit ist sehr viel, wenn die Reise nach Deutschland gehen sollte!

Ich war nicht bei Bewusstsein. Ich glaube, dass das Flugzeug eine Zwischenlandung hatte und dass wir dann weiterflogen. Dann landete das Flugzeug und sie brachten mich aus dem Flugzeug heraus. Als wir draußen gingen spürte ich, dass die Luft trocken und warm war. Es ist unmöglich, dass wir uns in Europa befanden. Sie warfen mich auf eine Laderampe eines Fahrzeugs und fuhren etwa zehn Minuten. Dann zerrten sie mich gewaltvoll von der Laderampe herunter und gingen mit mir wieder im Laufschrift eine Treppe herunter. Sie gingen so schnell, dass ich nicht mithalten konnte und fast gefallen war. Sie hielten meine Arme hintenrum nach oben. Dies bereitete mir sehr starke Schmerzen. Meine Füße berührten den Boden kaum. Sie schoben mich vor ihnen her und manchmal stießen sie mich an die Wand. Schließlich warfen sie mich auf den Boden, stiegen mit ihren Füßen auf mein Kopf und auf mein Hals, nahmen mir die Fesseln ab und das, womit meine Augen verbunden waren, gingen und verschlossen die Tür hinter sich. Nach kurzer Zeit konnte ich meine Augen öffnen und ich konnte was um mich war wahrnehmen. Ich schaute nach oben als ich auf den Boden lag und sah ein kleines Fenster oben in der Zelle. Ich sah die rote Sonne und dachte, dass es vielleicht früh morgens wäre. Später aber wurde es dunkel und es war der Sonnenuntergang, den ich beobachtet hatte. Die Reise dauerte 20 Stunden also! Schon elf Tage vergingen im Hungerstreik.

Auf den Wänden hatten andere Häftlinge in verschiedenen Sprachen geschrieben, welche vor mir in dieser Zelle waren. Es waren Dinge auf Arabisch, Urdu und Farsi geschrieben. Ich konnte Quranversen, Zitate und Daten erkennen.

Auf dem Boden lag ein alter dreckiger Plastikteppich, dessen Farbe man fast gar nicht erkennen konnte da es so dreckig und alt war. Die Farbe und der Putz der Wände schälten ab und lagen ebenfalls auf diesen Teppich rum. Das Bett war alt und bestand aus alten, zerrissenen Kleidungsstücken und war nur ein Zentimeter hoch. Auf dem Bett lag eine dreckige, dünne Militärdecke. Auf dem Bett lagen weitere zerrissene Kleidungsstücke, die vielleicht die Bettlaken darstellen sollten. Ich war sehr müde. Die Tür der Zelle bestand aus gewelltem Eisen und einer 10cm² kleinen Luke. Ich konnte von dieser Luke sehen, dass draußen ein Mann mit afghanischen Kleidern stand, der mich anstarrte. Ich war sehr überrascht und gleichzeitig enttäuscht. Ich konnte glauben, dass ich mich gerade in Afghanistan befand!

Ich war sehr durstig. Ich war noch nie so durstig in meinem ganzen Leben. Ich deutete dem Afghanen draußen, dass ich etwas zu trinken will. Er zeigte mit seiner Hand auf einer kleinen Flasche in einer Ecke der Zelle. Ich dachte er versteht mich nicht und gab ihm abermals zu verstehen, dass ich Trinkwasser möchte. Er deutete wieder auf die Flasche in der Ecke. Er wollte mir sagen, dass es nur dieses Wasser zu trinken gab, entweder ich trinke davon oder gar nicht.

Es war eine uralte Plastikflasche die von Außen und Innen stark verschmutzt war. Die Farbe des Wassers war grünbraun. Das Wasser stank fürchterlich! Der Gestank des Wassers konnte man auf drei Metern von der Ecke riechen. Als ich die Flasche in meiner Hand hielt blieb der Geruch an meiner Hand für eine längere Zeit. Trotz meines starken Durstes konnte ich nicht aus dieser Flasche trinken.

Am Anfang der Nacht kamen vier verummte Männer zu mir mit einer einheitlichen schwarzen Uniform, zerrten mich aus der Zelle und stießen mich vor sich hin bis zu einem Zimmer, dass etwa 15 Meter von meiner Zelle entfernt lag. In diesem Zimmer standen ein Tisch und ein paar Stühle. Drei verummte Männer saßen in einer einheitlichen schwarzen Uniform ein weiterer war mit Hemd und Jeanshose gekleidet. Sie stießen mich in den Raum und meine Begleiter kamen ebenfalls mit rein. Wir waren zu Acht im Raum. Einer von ihnen sagte mir auf arabisch und mit palästinensischem Dialekt ich solle mich ganz ausziehen, denn dies ist ein Arzt, der mich untersuchen wird. Ich zog mich aus, behielt aber die Windeln an, die sie mir zuvor angezogen hatten. Die anderen kamen dann zu mir und wollten Gewalt

anwenden, um mir das letzte, was ich noch anhatte auszuziehen. Sie schossen nochmals Fotos von mir, nahmen Blut ab und entnahm mir eine Urin Probe. Ich beschwerte mich beim Arzt, wegen dem Dreck und das dreckige Wasser. Er sagte mir, dass dies nicht ihr Problem sei und dass sich die Afghanen darum kümmern. Dann fragte er mich, ob ich islamisches Essen oder nicht-islamisches Essen haben möchte. Ich sagte, dass ich islamisches Essen wünsche. Später habe ich erfahren, dass er sich nur lustig machte und dass das islamische Essen aus den Resten von dem, was die Afghanischen Wächter verspeisten. Es bestand aus Knochen und Haut ...

Dann brachten sie mich zu meiner Zelle zurück. Ich suchte nach dem Bett weil es in der Zelle dunkel war. Es gab auch kein Licht. Ich konnte weder auf der rechten noch auf der linken Seite vor den Schmerzen schlafen, da ich so lange auf dem Boden des Transportflugzeugs ohne Unterlage gelegen war. Erst nach zehn Tagen konnte ich auf dem Bauch oder auf den Rücken schlafen. Es war damals kalt in Kabul und ich hatte nur eine Decke.

In der Nacht des zweiten Tages kamen vier vermummte Männer zu mir in die Zelle und fesselten mir Hände und Füße dann stießen sie mich in ein Verhörzimmer, in dem weitere sieben Mann saßen, die ebenfalls vermummt waren und eine einheitliche schwarze Uniform trugen. Einer von ihnen schrie mich an und sagte mir, ich soll vorkommen und sagte weiter, dass ich hier in Afghanistan wäre, in der es keine Gesetze gäbe und dass niemand weiß, wo ich mich befinde. Weißt du was ich meine? Wir können hier mit dir alles machen. Er sprach arabisch mit einem südlibanesischen Akzent. Weißt du, warum du hier bist? Schrie er. Ich antwortete: Das ist meine Frage, die ich euch stellen wollte. Vor ihm auf dem Tisch lag eine Akte. Er sagte: All das sind Informationen über dich, wenn die Beschuldigungen, die da drin aufgeführt sind nicht richtig wären, hätte man dich nicht aus Skopje mit einem extra Flugzeug hergeholt. Ich sagte: Ist das ein Beweis gegen mich, wenn mich ein Flugzeug aus Skopje herbringt? Er sagte: Was glaubst du, warum du hier bist? Ich sagte: weil ich ursprünglich Araber bin und Muslim zugleich. Dann wurde er wütend und schrie noch lauter: Alle hier behaupten das wenn wir anfangen, sie zu verhören aber sie sind keine Muslime. Sie sind Terroristen! Ich sagte ihm: Was sind denn die terroristischen Aktivitäten, die ich begangen habe und die mich hergebracht haben? Er sagte: Du hast hier in Afghanistan eine terroristische Ausbildung durchgemacht, dein Reisepass ist gefälscht und du hast Kontakte mit großen Terroristen in Deutschland gehabt wie Muhammed Atta, Ramzi Bin Al-Shibh und anderen, die ich in Wahrheit gar nicht kannte außer von den Medien. Bezüglich der Ausbildung in Afghanistan und meinem angeblich gefälschten Pass könnt ihr mit den deutschen Behörden sprechen. Die werden euch bestätigen, dass ich deutscher Staatsbürger bin und nicht in Afghanistan war in einer sehr kurzen Zeit. Ich bat ihn sich mit den deutschen Behörden in Kontakt zu setzen. Er lehnte ab. Dann fragte ich ihn, warum sie mich nach Afghanistan gebracht haben, obwohl ich Deutscher bin und meine Eltern keine Afghanen sind. Er wollte nicht antworten. Dieser Beamte führte vier Verhöre binnen vier Tage in einer Woche mit mir durch.

Als ich spürte, wie die Amerikaner mit den Menschen auf eine arrogante Art und Weise umgingen und ohne Beachtung der Gesetze und Menschenrechte und wie sie die Würde der Menschen verachten und ihren Willen brechen; und nachdem die Zeit der Inhaftierung (der Entführung eher gesagt) unter unmenschlichen Bedingungen länger wurde, wurde ich depressiv und ich verlor die Hoffnung. Ich wünschte mir das Rauskommen aus dieser Inhaftierung nur um mich an jedem Amerikaner zu rechen, den ich sehe auch wenn er ein Arzt wäre, der den Menschen hilft, da ich so viel Ungerechtigkeit und Härte erlebt habe. Mein Zellennachbar wurde sogar schwer krank und ich konnte ihn nachts stöhnen hören vor Schmerzen. Er bat immer um eine Arztvisite oder Medikamente, aber er bekam nichts. Ich war sehr wütend und ich verlor die Hoffnung und ich wollte diese Ungerechtigkeit mit allen

mir zur Verfügung stehenden Möglichkeiten zu beseitigen, auch wenn ich dafür mein Leben geben würde.

Am 05.03.04 begannen wir alle auf diesem Flur untergebrachten Häftlinge (9 Personen) einen Hungerstreik vom Essen und Trinken und wir forderten ein Gespräch mit einem Amerikanischen Kommandanten oder Beauftragten, um uns zu beschweren und die Behandlung nach den einfachsten Menschenrechten zu verlangen. Aber ohne Ergebnis! Nach sechs Tagen Hungerstreik wurde ich zu schwach und kam dem Tode nahe. Deshalb fing ich wieder an zu trinken, aß aber nichts. Ich bekam heftige Schmerzen im Kopf. Mehrere Male versuchte ich, im Stehen zu beten und fiel vor Schwäche um. Der siebte Tag seit dem Beginn des Hungerstreiks: Ich fühlte, als ob ich gelegentlich bewusstlos werde. Mir ging es mit jeder Minute schlechter. Ich fragte mich, ob dieser Hungerstreik islamisch gesehen legitim wäre. Wir diskutierten darüber und unsere Meinungen waren verschieden: die einen sagen es wäre erlaubt und die anderen sagen es wäre verboten. Also haben wir nur getrunken und den Hungerstreik aufrechterhalten. Am achten Tag bekam einer der Häftlinge die Chance einen Amerikanischen Beamten zu treffen und übergab ihm ein Zettel, auf dem einige unserer Forderungen aufgeführt waren, auf die wir uns gemeinsam einigten wie die einfachsten Menschenrechte und dass wir vor ein Gericht gestellt sollen, dass unsere Angehörigen benachrichtigt werden und dass wir Bücher bekommen sollen. Keine unserer Forderungen wurde nachgegangen. Die anderen Häftlinge konnten den Hungerstreik nicht mehr aufrechterhalten und haben aufgehört da sie schon länger nichts Richtiges gegessen haben. Einige von ihnen saßen schon ein oder zwei Jahre! Ich und ein anderer Häftling, der halb Pakistanisch halb Amerikanisch war und in Pakistan festgenommen wurde und Anfang 2003 an den Amerikanern ausgeliefert. Er hielt bis zum 24. Tag durch dann bekam er von den Amerikanern Bücher und sie versprachen ihm, in ein anderes, besseres Gefängnis untergebracht zu werden. Später wurde er auch tatsächlich verlegt.

Am 13.03. Wurde ich von Amerikanischen Beamten verhört und es wurde hauptsächlich über folgende Personen gefragt: Dr. El-Attar, Dr. Yousif, sein Sohn Omar, Herrn Reda Seyam, das Multi Kultur Haus Neu-Ulm und das Islamische Informations Zentrum (IIZ) Ulm.

Am 28.03 wurden die Schmerzen unerträglich und meine Wut brach aus. Ich begann am kleinen Fenster so laut ich konnte „Allahu Akbar“ (Allah ist am Größten) zu schreien und bat die Afghanen, falls einer von ihnen Muslim ist und mich hört, dass er sich für uns einsetzen soll und diese Ungerechtigkeit bekämpfen soll. In den oberen Stockwerken des Gefängnisgebäudes lagen Büroräume, in denen Afghanische Angestellte arbeiten. Das Gebäude bestand aus vier Stockwerken. Einige der Vorbeigehenden vor meinem Fenster stehen und hörten sich an, was ich sagte aber sie verstanden nicht alles. Sie verstanden aber, dass ich hier leide und meine Rechte fordere. Einer der Afghanischen Angestellten ging ins Gefängnis um von mir mehr zu verstehen. Ich bat ihn, die Afghanischen Behörden über uns und über die Ungerechtigkeit zu informieren und dass ich unbedingt mit einem Amerikanischen und einen Afghanischen Beamten reden möchte.

Nachdem 27 Tage des Hungerstreiks vorüber waren (am 31.03) wurde ich zum Verhörraum mit gefesselten Händen und Füßen gebracht. Im Verhörraum saßen der Afghanische Gefängnisdirektor und zwei Amerikanische Beamten, welche ich zum ersten mal sah und ein palästinensischer Dolmetscher. Den Dolmetscher sah ich damals bei der ärztlichen Untersuchung zum ersten Mal. Sie fragten mich, warum ich im Hungerstreik bin? Ich sagte: Ich bin Deutscher, weder meine Mutter noch mein Vater kommen aus Afghanistan und ich befand mich noch nie zuvor in Afghanistan. Und ihr seid Amerikaner und das ist nicht euer

Land. Warum bringt ihr mich hierher zum Verhör? Dies muss in Deutschland geschehen oder Amerika. Die Aktion mit meiner Entführung aus Mazedonien verstößt gegen jegliche Gesetze und Menschenrechte! Und nun befinde ich mich schon seit drei Monaten unter den schlimmsten Bedingungen in Haft. Zudem kommt, dass mir bisher keine Konkrete Beschuldigung vorgetragen wurde. Wir dürfen unsere Familien nicht benachrichtigen und ihnen unsere Situation erklären; wir wissen nicht, wie es ihnen geht. Es gibt keine Anwälte, keine Richter ...

Weiter sagte ich ihnen, dass das Essen aus: Morgens Tee ohne Zucker und ein Stück Brot. Mittags Reis mit Insekten, Sand und kleine Steinchen bestand. Diese Dinge, die nicht ins Essen reingehören wurden absichtlich rein getan. Zusätzlich bekamen wir halbvergammelte Orange, dessen Farbe man nicht klar erkennen konnte ob blau oder grün? Ein Hähnchenknochen und Haut, die die Gefängnisaufseher übrig gelassen haben; ein halbes Liter warmes Wasser, dessen aussehen und Geruch den Magen umkippt. Die anderen Häftlinge berichteten mir, dass das Essen zehnfach verbessert wurde, seitdem ich hier bin. Alle Häftlinge litten und leiden immer noch unter schwerem Durchfall und starke Magenschmerzen. Kamen wohl diese Schmerzen vom verdorbenen Essen und der Verschmutzung? Oder wurden irgendwelche Mittel dem Essen beigefügt, die uns diese Schmerzen zugefügt haben, um uns auf diese Art zu foltern?

Über der gesamten Zeit der Inhaftierung waren ich sowie alle anderen Häftlinge in Einzelhaft untergebracht. Das Sprechen war uns strengstens untersagt. Wir bekamen keine Stifte, Papier oder Bücher, um damit die Zeit zu verbringen. Die Minuten vergingen dort wie Stunden und die Stunden wie Tage. Wenn ein Tier auf diese Weise in Europa von seinem Besitzer so behandelt würde, hätte sein Besitzer ein Prozess und Haftstrafen am Hals hängen. Aber bei der Behandlung der Muslime vergessen die Amerikaner die Gesetze, die Moral und die Menschenwürde. Vor Wut begann ich einige male zu Zittern und ich konnte nicht gegen meine Tränen ankämpfen. Ich fragte den Amerikanischen Beamten: „Habt ihr die christlichen Amerikaner, diese Verbrecher, die die Terroranschläge von Oklahoma City auf bestialische Art und Weise durchgeführt haben auch so behandelt?“ Niemand wollte mir diese Frage beantworten. Ist diese Umgangsweise, mit der ihr mit den Muslimen umgeht Terror an sich? Ist das nicht der wahre Extremismus? Die Nichtbeachtung der Gesetze, die Rechte anderer und Menschenrechte ist doch das wahre Verbrechen? Das Zerreißen der Kleider der muslimischen Häftlinge. Ist das die Art, mit der man Menschen behandelt? Ist das der Frieden und die zivilisierte Umgangsweise, die ihr verbreiten und den Afghanen und Irakern beibringen wollt?

Nach meiner Rede fragte mich der Gefängnisdirektor, was ich fordere, um mit dem Hungerstreik aufzuhören. Ich sagte: Sie haben vier Möglichkeiten: 1. Ich halte an mein Hungerstreik bis zum Tod, 2. mich freilassen, 3. mich in die USA fliegen und mich vor ein Gericht stellen, 4. einen hohen deutschen Beauftragten oder Beamten treffen, dem ich meine Situation erklären kann und über eine freie Entscheidungsgewalt verfügt. Der Direktor sagte: „Du hast deine Freilassung schon mal verlangt. Ich werde den Verantwortlichen und Vorgesetzten in Washington einen detaillierten Bericht über unser Gespräch verfassen und ihnen sagen, dass dies hier nicht der geeignete Platz ist für dich und wir alle bezeugen dies.“ Ich wurde zu meiner Zelle wütend und übermüdet zurückgebracht. Ich dachte meine Nerven würden gleich zusammenbrechen.

Am 07.04. kam ein anderer Afghanischer Beamter zu mir und ich beschwerte mich abermals bei ihm und erwähnte, dass die Amerikaner behaupten, dass ihr für die schlechte Behandlung

und das schlechte Essen verantwortlich seid. Die Amerikaner haben immer für die gespannte Lage zwischen uns Häftlingen und den Afghanischen Wächtern und Angestellten gesorgt. Ein Beispiel: Wenn sich die Häftlinge über die Afghanischen Wächter bei den Amerikanern beschwerten, tadeln die Amerikaner die Afghanen vor den Häftlingen; darauf werden die Afghanen auf die Häftlinge wütend und geben ihnen ihre Rechte nicht. Z.B. bei der Verteilung des Essens oder der Medikamente. Sie nehmen diese dann einfach für sich und geben sie nicht an die Häftlinge weiter. Die Dummheit der Afghanischen Wächter, die Wut und psychische Belastung der Häftlinge füllen die Herzen mit Hass. Mein Gesundheitszustand verschlechterte sich von Tag zu Tag. Ich war sehr schwach und übermüdet. Ich bekam auch immer öfter starke Schmerzen im Magen. Ich legte immer meine Hand auf den Bauch und stützte es mit dem Fuß ab. Ab dem 08.04 konnte ich nicht mehr vom Bett aufstehen, nicht mal um die Notdurft zu verrichten. Ich tat es immer im Bett in einer leeren Flasche. Am 09.04 kamen ein paar Afghanen zu mir und versuchten mich zu überzeugen, dass ich mit dem Hungerstreik aufhören soll nachdem sie gesehen haben, wie sich mein Gesundheitszustand verschlimmert hat. In der Nacht des 10.04 vergingen exakt 37 Tage, die ich im Hungerstreik verbracht habe. In dieser Nacht kam der Gefängnisdirektor mit dem Arzt. Sie sagten mir, dass ich in drei Wochen freigelassen werde und ich muss deswegen mit dem Hungerstreik aufhören. Ich verlangte eine Absicherung, die sie mir aber nicht gewährleisten konnten. Ich weigerte mich den Streik abzubrechen. Daraufhin kamen die vermummten Männer in die Zelle, zerrten mich vom Bett und fesselten meine Hände und Füße. Sie schlifften mich in den Verhörraum und setzten mich auf einen Stuhl, fesselten mich darauf und einer hielt mein Kopf fest. Dann schoben sie mir ein Schlauch in die Nase bis in den Magen und kippten eine Flüssigkeit direkt in mein Magen ein. Sie gaben mir auch ein paar Nahrungskonserven und Bücher. An dem Tag brachten sie mich auf die Waage. Es zeigte 94,5 kg an. Vor meiner Entführung im Dezember wog ich 123 kg!

30 Stunden später wurde mir noch schlechter als zuvor. Ich bekam starken Durchfall und Schmerzen im Bauch. Die Schmerzen waren so stark, dass ich mir sogar den Tod wünschte. Mitten in der Nacht kam der Arzt und zog mir binnen einer Stunde zwei Beutel Ringerlösung auf, in denen auch Schlafmittel war und vier gelbe Tabletten, die er mir auf einmal verabreichte. In mein Wasser rührte er ein Pulver und gab es mir zum Trinken. Ich blieb für ein paar weitere Tage im Bett. Danach verbesserte sich mein Gesundheitszustand.

Die drei Wochen vergingen, nach denen mir die Freilassung versprochen wurde. Sie sagten, dass die Freilassung weitere zwei bis drei Wochen dauern würde, da mein Transport nach Deutschland noch besprochen würde. Am 07.05 brachten sie acht weitere Gefangene in unser Gefängnis und am 13.05 wurden elf Häftlinge in ein Container geschlifften und weggebracht. Ich weiß nicht wohin. Nur noch ich, Sulayman und Ali blieben in diesem Gefängnis, nachdem wir 14 Häftlinge waren.

Am 16.05 kam ein Deutscher begleitet vom Direktor und einen anderen Amerikaner der arabisch sprechen konnte. Der Deutsche war etwa 180 cm groß, schlank, seine Haare waren ca. acht cm lang und hellbraun. Seine Hautfarbe war braungebrannt. Er trug eine Brille und eine Mütze. Er sagte mir, dass er mit mir ehrlich und über alles sprechen möchte. Ich willigte ein und sagte ihm, dass er mich kennt aber ich ihn nicht und bat ihn, sich mir vorzustellen und mir zu sagen, welcher deutschen Behörde er angehört. Er sprach mit dem Amerikaner kurz bezüglich der Antwort. Ich verstand nicht, was sie beredeten und wandte sich wieder zu mir und sagte: Ich kann nicht auf diese Frage antworten. Ich fragte weiter: Wissen die deutschen Behörden wo ich mich befinde? Er lehnte die Antwort auf diese Frage ebenfalls ab. Weiß denn meine Frau wo ich bin? Er antwortete: Nein das weiß sie nicht. (Als er anfang zu sprechen versuchte er seine Worte sorgfältig auszusuchen und hatte angst, mehr Informationen als nötig zu geben. Er versuchte auch, alle Informationen über seine

Identität zu verbergen). Dann begann er sein Verhör. Seine Fragen konzentrierten sich auf Dr. El-Attar, Dr. Yousif, sein Sohn, Omar, Herrn Reda Seyam und auf das Multi-Kultur Haus in Neu-Ulm. Das Gespräch dauerte etwa zwei bis drei Stunden. Am 17.05 ebenfalls zwei Stunden und am 18.05 ebenfalls.

Am 19.05 kam er nicht, obwohl er ein Tag davor gesagt hatte, dass er kommen wird. Er kam aber am 20.05 und sagte mir, dass sie vielleicht noch eine Woche brauchen werden. Ich wurde wütend und sagte ihm, dass ihr mir immer die Freilassung verspricht und immer verschiebt. Ich kündigte auch an, dass ich ab morgen meinen Hungerstreik wieder aufnehmen werde und dass ich etwas unternehmen werde, dass mir und allen anderen hier einen immensen Schaden zufügen würde und sehr schlechte Folgen für alle haben würde falls die deutschen Behörden sich nicht bewegen und mich hier rausholen. Ich habe vier Kinder und sie würden erfahren, was mir passiert ist und von meiner Familie wird schon jemand Rache von den Amerikanern nehmen! Er sagte, was willst du denn machen? Ich antwortete: Das wirst du schon zu gegebener Zeit sehen. Er sagte: ich bitte dich fang nicht mit dem Hungerstreik nochmals an und gib mir zwei Tage. Ich werde in diesen zwei Tagen mit den Vorgesetzten in Deutschland sprechen und ich verspreche dir die schnelle Antwort. Dann ging ich wütend in die Zelle zurück. Er war von meinen Reaktionen überrascht.

Etwa zwei Wochen, bevor der deutsche Beamte namens "Sam" zu mir kam, brachten mich die Aufseher in den Verhörraum, wo ein Amerikanischer Psychologe und eine Dolmetscherin saßen. Der Psychologe sagte mir, dass er extra wegen mir aus Washington gekommen sei, um nach mir zu schauen und um mir einige Fragen zu stellen. Am ende unseres Gesprächs versprach er mir, hier bald raus zu kommen.

Am 21.05 begann ich meinen zweiten Hungerstreik. Am Abend desselben Tages kam der Arzt mit dem Direktor und dem Deutschen und baten mich, meinen Streik zu beenden und versicherten mir, dass ich spätestens am 28.05 auf dem Weg nach Deutschland sein werde. Sie befanden sich auf die Klärung der Sicherheitsformalitäten des Transfers von Afghanistan nach Deutschland. Die Reise würde nicht direkt nach Deutschland sein und würde eine Zeit lang in Anspruch nehmen. Daher soll ich mich ruhig verhalten und keine Sorgen haben, ich würde schon mit Sicherheit bald zu Hause sein.

Am Abend des 27.05 kam der Arzt und führte einige Untersuchungen durch. Ich wog nun 105 kg. Dann erklärte mir der Direktor einige Details und die Weise, auf der ich von der Zelle am nächsten Tag zu einem nicht bekannten Flughafen gebracht werde. Der Arzt bat mich, ab dieser Nacht nichts mehr zu trinken oder zu essen, da es mir nicht erlaubt sein wird während der Reise auf die Toilette zu gehen.

Am Morgen des 28.05 kam der Direktor mit dem Arzt und fesselten meine Hände und Füße und legten mir eine Augenbinde an. Dann gingen sie mit mir raus und wir stiegen in einen Jeep ein. Nach etwa zehn Minuten Fahrt stiegen wir aus und sie brachten mich in ein Container, der zum Transport von Waren gebraucht wird. Sie setzten mich auf einen Stuhl im inneren des Containers mit dem Gesicht nach innen. Sie baten mich, nicht nach hinten zu schauen, wenn sie die Augenbinde losmachen. Dann übergaben sie mir all meine Sachen, die ich in Skopje hatte und ich wechselte die Gefängnis Kleider in zivile Kleidung, welche bei mir in meiner Tasche waren. Ich hörte hinter uns ein Flugzeug, welches sich wie ein kleiner Jet anhörte, der etwa 200 Meter hinter unserem Container zum Stehen kam. Dann fesselten sie wieder meine Hände, banden diese um meinen Gürtel nach vorne, setzten mir Ohrenstöpsel und setzten mir Kopfhörer auf. Dann banden sie meine Augen wieder zu. Dann stiegen wir wieder in den Jeep und fuhren diese 200 Meter zum bereitstehenden Flugzeug. Im Flugzeug banden sie meine Füße und meine Hüfte an den Sitz. Es war etwa acht Uhr morgens.

Während des Fluges sprach der Deutsche Beamte zu mir. Mittlerweile nannte es sich „Sam“. Am Handgelenk trug er eine große schwarze Uhr mit einem Kompass [wie die Amerikaner hatten). Ich hörte gelegentlich Leute hinter uns, die Englisch sprachen. Ich verstand aber nichts. Der Flug dauerte 6 bis 7 Stunden. Dann landeten wir. Sam sagte mir, dass wir uns ab dann trennen werden und es werden mich andere Leute übernehmen. Nachdem ich ca. eine Stunde im Flugzeug wartete stiegen wir aus und stiegen in einen Kleinbus ein. Ich konnte hören, dass wenn eines der Türen offen war, dass es dann einen Alarm gab, was bei Japanischen Fahrzeugen üblich ist. Wir fuhren etwa weitere sieben Stunden mit dem Kleinbus auf unwegsamen Landstraßen wie es mir vorkam. Es ging auf und ab und in scharfe Kurven. Während der Fahrt stoppte der Kleinbus zweimal und die Personen, die bei mir waren stiegen aus und stiegen kurz darauf wieder ein. Ich glaube, die Besatzung wurde gewechselt. Später stoppte der Bus und wir stiegen alle aus. Sie brachten mich zu einer Stelle, banden mir die Augen wieder los und verlangten von mir, dass ich mich nicht umdrehe. Die Person hinter mir zeigte mir mit der Hand zu der Richtung, in der ich laufen soll. Es kam mir vor, als würden sie mich einige Schritte laufen lassen und mir dann in den Rücken zu schießen. Zu der Zeit war es schon Nacht geworden. Der Platz, wo sie mich laufen ließen war menschenleer irgendwo im bewaldeten Gebirge. Die Wege waren sehr eng und unbefahrbar. Als ich ca. 400 Meter in die zugewiesene Richtung ging traf ich nach einer Kurve auf drei uniformierte, mit Kalaschnikow bewaffnete Soldaten, die meinen Reisepass zu sich nahmen und mich zu einem alten Gebäude brachten. Am Eingang wehte die Albanische Flagge. Der dienst habende Offizier bat mich alle Gegenstände, die ich bei mir trug auf dem Tisch zu legen und die um mich stehenden Soldaten durchsuchten mich gründlich. Dann sagte der Offizier, dass ich nach Albanien illegal eingereist wäre und fragte mich, was ich hier mache. Ich erzählte ihm meine Geschichte aber er glaubte mir nicht fragte mich, ob ich ihn für dumm halte. Niemand würde mir meine Geschichte glauben. Dann sagte er mir, dass sie mich jetzt zum Flughafen fahren würden, damit ich das Land verlasse und nach Deutschland fliege. Ich sagte, dass ich das auch gerne möchte. Ich spürte von seiner Redeweise, dass er über mein Kommen bescheid wusste. Auf der Seite hatte er sogar eine Tüte, in der etwas zu Essen und Trinken bereitstand. Ich fragte ihn, wie weit der Flughafen sei. Er antwortete: genauso lang und von derselben Stelle, von der du gekommen bist. (An dieser Stelle dachte ich mir, dass wir vorhin in Tirana landeten). Dann fuhren sie mit mir Richtung Flughafen Tirana. Wir befanden uns im Drei Länder Eck Mazedonien, Serbien und Albanien. Er schickte mit mir drei Polizisten in einem Jeep. Als wir von der Polizeistation losfuhren war es bereits 22 Uhr. Auf dem Weg baten sie mir Chips und Brot an. Es waren die gleichen Chips und das gleiche Brot, welches mir im Kleinbus vor meiner Freilassung gegeben wurde! Um fünf Uhr morgens kamen wir am Flughafen Mutter Teresa an. Dort erwartete mich ein Mann in zivil, kaufte mir von meinem Geld ein Flugticket nach Frankfurt am Main und begleitete mich bis zum Flugzeug. Das Flugzeug startete um 6:30 Uhr morgens und kam um 8:45 Uhr in Frankfurt an. Zu Hause kam ich um 13:30 Uhr am 29.05 an. Ich fand niemand zu Hause. All unsere Sachen waren in Umzugskartons gepackt. Ich nahm ein Taxi und fuhr nach Neu-Ulm, um nach meiner Familie zu fragen und wo sie verblieben sind. Meine Freunde teilten mir mit, dass meine Familie nach Libanon geflogen ist, nachdem ich so lange weggeblieben war.

English Translation

On December 31st 2003, I arrived at the Macedonian border around 3pm. The bus driver collected the passengers' passports, mine included, to take them to the border police to have them checked. After they had checked our papers everyone had their passport returned to them. The bus driver asked me to get off the bus and see the border official. The border official asked me what address I was planning to go to in Macedonia. I replied that I intended to find a hotel, that there was no fixed address that I was going to. He then asked me about the purpose of my stay in Macedonia. I said I was on a tourist trip and had planned to stay for about a week. He told me that as soon as I arrived in Skopje, I should go and see the local police. A fellow traveler translated for me and the border official. He was tall, slim, and about 45 years old. He then told me to return to the bus. The bus driver stayed with him for a brief moment before returning to the bus. We drove towards Skopje. After about 3 km, I asked the bus driver if I could have my passport back. He told me he didn't have it. So we drove back to the border and asked the border official. The official asked me to stay as the problem seemed to be more time-consuming. He said that the bus should leave now, and a car would bring me to the hotel later. So I stayed and waited until 6 pm. Then they took me to a narrow room that was about 8 meters away from the border station. The room had a door and a big glass window facing the side of the street where the passenger cars drove by. In the room there was a table, a desk, and a chair. I sat down on the chair with my back to the glass window. The official did not allow me to turn around. He also told me to put every item I carried with me on the table. Afterwards he searched everything thoroughly. Once he was done a young man appeared, around 33 years old and 175 cm tall. After an hour-long interrogation, another man arrived, a little bigger and also about 30 years old. He started a second interrogation and mentioned Islamic organizations, suborganizations, and groups. He then asked me whether I knew any of those organizations. I said that those groups are well-known, and that I had heard of most of

them. He also asked me if I had anything to do with one or several of these organizations. I replied that I had no contact with any organization. He continued asking me if there were any mosques in the area I lived, and how many people attended their services, and what nationalities they were, and if I had ever invited someone to Islam or if someone had ever invited me to any Islamic activities. My replies were always negative, and I asked him if there were any other activities in mosques apart from Friday services? And if there weren't also non-Muslims that have converted to Islam? He then offered me alcohol to test whether I drink. I declined. He asked me if I pray or fast. I replied, "sometimes." He ended the interrogation around 10 pm. Some of the officers got drunk. In less than 2 hours, the new year began. They then took me behind the lodge on the road to Serbia. I saw three vehicles without license plates. Two of them were VW Golf. One red, one black. The third car was also black but I cannot remember the make. It was very dark and the fog was thick. The streets and the border station were deserted. My escorts were all dressed in plain clothes and were armed with guns. On our way, we saw a police barricade. But we were allowed to pass quickly when my escort used a blue light signal. In Skopje they took me to a hotel.

Directly on the right side was the information desk. They quickly walked with me over to the elevator, situated a few meters away on the left side. The elevator was very small and fit only two people. I and one of my escorts took the elevator, the rest took the stairs up. The hotel building had four or five floors. We got off at the top floor and walked into the room located opposite the elevator. Just on the left side of the room was the lavatory with a window approximately 80x40 cm (h x w) and a massage whirlpool. Between the sink and the pool was the toilet. On the right side of the room was a big bed next to a big window with a view toward the inside of the hotel. Opposite the entrance there was a big table with a PC and internet connection. Left of it was a TV mounted to the ceiling. There was also a window in this room with a view onto a slightly damaged chimney of a tall building. Behind this building was another building. When one looks out of this window

to the left, one sees a high mountain. This window was always locked and covered by blue curtains. Between this window and the bed stood a little table with four chairs. After we had entered, three of my escorts stayed with me in the room and locked the door. I asked them why they didn't leave? They said, "We stay here with you." I said that I would like to sleep. They replied that I could sleep in their presence. I thought they just wanted to accompany me to my hotel and then leave as they had told me at the border. I asked them if I was under arrest. Their reply was "no, do you see any handcuffs on your hands?" Then they repeated a thorough search of all my belongings. Afterwards three of the men began interrogating me again. These three men asked so many questions at once and from all sides until three in the morning. These interrogations lasted four days. The observation was very strict and consistent. Even when I went to the toilet they asked me to leave the door open, although it was located in the same hotel room where I was situated.

When I was exhausted and tired of answering their questions and after having been locked in this hotel room all this time, I demanded a translator, as I hardly spoke any English. Then I wanted to call the German Embassy, another official institution, a lawyer, and my family. All this was refused! I got angry and wanted to leave my room with force. Our voices rose, each one speaking their own language. Communication was impossible. As a result the argument became physical, and we hit each other until one of them pulled his firearm, another one placing his hand on the holster.

The watch was divided between nine men; they changed shift every six hours. On the fifth day, a man with a bag appeared. He had sheets and ink for the hands and fingers to take fingerprints. Then he took a few photos of me: right profile, left profile, and frontal. After about seven days, an official showed up who was obviously of a high rank. He was around 55 years old. He had a large build and brought an assistant with him. With respect, he asked me about my condition and how the food was. He told me that I could order food from any restaurant if I didn't like the food here. He also asked if the guards had treated me well. I thanked him and said that so far I was fine. He then told me he

wanted to end this problem, and that he had a deal to offer. I asked him what kind of deal. He replied, if I declared that I belong to the Al-Qaeda organization they would in turn bring me back to Germany with police escort. I refused. Hereupon he left again. Two or three days later, his assistant showed up and presented me a list of accusations. He told me that he was certain about these accusations, and that this case had left their hands, and they had referred it to the president who had made a decision regarding this matter. I was surprised and asked for the German ambassador or to contact any German authority. He told me that the German government doesn't want to have anything to do with me, and that meanwhile I was also wanted by them. The accusations he presented me with was that my passport wasn't mine, and I was wanted by the Egyptian government because I had been seen in Jalalabad, Afghanistan. Then he left.

On the 13th day after my seizure, I began my first hunger strike. On the 20th day, I was told they would send me to the airport to fly me to Germany.

On the 23rd day, at about 8pm they asked me to speak in front of a videocamera, state my full name and claim I was healthy, and that we would leave for the airport now to travel to Germany. Afterwards we exited the hotel onto the streets. Here two people approached me from left and from right and took my hands. A third one joined and handcuffed me. They blindfolded me. I had seen a white minivan before, in front of it a black Jeep and many people in plain clothes. They put me in the Jeep and started driving. The driving style led me to believe that the Jeep followed another car. After about an hour, we arrived at the airport. They sat me on a chair, where I waited for about another one and a half hours. Then I heard the voice of the assistant who had come to see me with the high-ranking official. I was told that I would soon be brought into a room for medical examination before returning to Germany.

When they led me into this room two people violently grabbed my arms, one from the right side and the other from the left, and bent both arms backwards. This violent motion

caused me a lot of pain. Meanwhile they were beating me from all sides. Someone else grabbed my head with both hands so I was unable to move. Others forcefully began to take away my clothes with scissors and knives. Finally they even wanted to take off my underwear. I tried to resist but unsuccessfully. They hit me until they had completely stripped me naked. They tied my feet and took off my blindfold to take photos of me. I saw seven to eight men standing around me, dressed in black, with hoods and black gloves. They dressed me in a diaper, a dark sports suit, and blindfolded me, plugged my ears with cotton, and placed some kind of headphones over my ears. They put a plastic bag over my head and a belt around my waist, to which they chained my hands. Because of the plastic bag breathing was getting harder and harder for me. I pictured myself like the images I had seen in the media of the Muslims that were brought to Guantanamo. They bent me over forwards with my head facing down and then hurried with me to the car and then the airplane. They walked so fast that the pain at my joints was getting worse, as the iron of my shackles hit my bones. When I tried to slow down they almost dislocated my shoulder. In the airplane, they threw me down onto the floor and tied my hips, arms, and legs to the floor and the sides of the plane. It appeared to me to be a military carrier plane without seats. The sound of the engines did not sound standard. During the flight I received two injections. One in the left and one in the right arm at different times. They put something over my nose that I believe was some kind of anesthesia. I guess the trip took about four hours. A long time for a trip to Germany! I was unconscious. I think the plane made a stopover, and then we continued the flight. Then the plane landed and they brought me outside. Walking outside I could feel dry and warm air. This couldn't possibly be Europe. They threw me onto the loading platform of a vehicle and drove for about ten minutes. Then they violently dragged me from the platform and took me down some stairs, again walking very fast. I almost fell, as they walked so fast I was unable to keep up with the pace. They raised my arms high behind my back which hurt badly. My feet almost did not touch the ground. They pushed me forward and sometimes pushed me against the wall. Finally they threw me to the ground,

stepped on my head and neck with their feet, removed my chains and what had covered my eyes, left, and locked the door behind them. After a brief moment, I was able to open my eyes and observe my surroundings. Lying on the floor, I looked towards the ceiling and noticed a little window in the ceiling of the cell. I saw the red sun and thought it might be early morning. But later it turned dark, so it had been sunset I had seen. That means the trip had taken 20 hours! Already 11 days had passed on hunger strike.

Former inmates had written on the wall in different languages, Arabic, Urdu, and Farsi. I recognized Quranic verses, quotations, and dates.

An old dirty plastic carpet lay on the floor, so old and dirty there was almost no color left. Plaster pieces and color from the crumbling wall lay on the carpet. The bed was old and made from old, torn clothes and was just 1 cm thick. On top of the bed was a dirty, thin military blanket. There were other pieces of torn clothes on the bed that maybe were supposed to function as something like a bed sheet. I was very tired. The cell door was made of undulating iron and had a hatch of about 10cm². Through this opening I could see a man dressed in Afghan clothes standing in front of the cell who stared at me.

I was very surprised and disappointed at the same time. I had to realize that I was in Afghanistan right now!

I was very thirsty. I had never been that thirsty before in my life. I signaled the Afghan outside that I wanted something to drink. He pointed to a little bottle in the corner of my cell. I thought he had misunderstood me and I tried to tell him again that I wanted water to drink. He pointed to the bottle in the corner again. He meant to tell me that either I drink this water or nothing, that there was only this water here for me to drink.

It was a very old plastic bottle, dirty outside as well as inside. The color of the water was greenish-brownish. The water stank! One could smell the water from three meters away. After holding the bottle in my hand, the bad smell stayed on my hands for quite some time. Although I was really thirsty it was impossible for me to drink from this bottle.

At the beginning of the night, four masked men in matching black uniforms came to see me, dragged me out of the cell, and pushed me into a room that was about 15 meters away from my cell. There was a table and some chairs in this room. Three masked men sat there in matching uniforms, another one was dressed in shirt and jeans. They pushed me into the room, and my escort entered the room with me. We were eight in the room. One of them told me in Arabic with a Palestinian accent that I should completely undress myself, as a doctor was going to examine me. I undressed but left the diaper on that they had dressed me in earlier. The others came towards me and wanted to take off this last piece of cloth I was wearing with force. They photographed me again, took a blood sample and a urine sample. I complained to the doctor about the dirt and the filthy water. He told me that this wasn't their problem, but it was the Afghans' responsibility. He then asked me whether I wanted Islamic or non-Islamic food. I told him I wanted Islamic food. Later I found out that he had made fun of me and that the Afghan food consisted of the leftovers of what the Afghan guards ate. It consisted of bones and skin. They then took me back to my cell. I had to search for the bed because the cell was dark. There was no lighting. I was in so much pain from lying on the floor of the air carrier without padding that I could neither sleep on my right nor on my left side. Only after ten days could I sleep on my front or back. It was cold in Kabul at this time, and I only had one blanket.

During the night of the second day, four masked men came to my cell and bound my hands and feet and pushed me into an interrogation room with seven more men, also masked and wearing black matching uniforms. One of them yelled at me and told me to come forward and that I was in Afghanistan, where there are no laws, and that nobody knew I was here. "You know what I mean? We can do with you whatever we want." He spoke Arabic with a south Lebanese accent. "Do you know why you are here?" he shouted. I replied, "This is my question I wanted to ask you." In front of him on the desk was a file. He said, "This is information about you. If the charges mentioned here weren't correct they wouldn't have flown you here from Skopje." I said, "Is this evidence against

me that a plane from Skopje brought me here?" He said, "Why do you believe you are here?" I said, "Because I am of Arab origin and also Muslim." He got angry and yelled even louder: "Everyone claims this when we start interrogating them, but they are not Muslims. They are terrorists!" I asked him what terrorist activities I was supposed to have committed and that had brought me here? He said, "You attended terrorist training here in Afghanistan, your passport is forged, and you had contact with important terrorists like Muhammed Atta, Ramzi Bin Al-Shibh and others in Germany." – None of them I really knew, I only knew them through the media. Regarding my training in Afghanistan and my supposedly fake passport you can talk to the German authorities. They will prove that I am a German citizen and haven't been to Afghanistan in a very short time." [this is like this in German, guess it should be: only for a very short time or lately?] I asked them to contact the German officials. He refused. Then I asked him why they had taken me to Afghanistan, although I was German, and my parents weren't Afghan. He didn't reply. This official carried out four interrogations with me on four days within a week.

When I sensed how arrogant the Americans treat human beings, without respecting law and human rights, and how they disrespect human dignity and break their will; and after the time of imprisonment (or rather abduction) under inhuman conditions I became depressed and lost all hope. I wished to escape this imprisonment just to be able to take revenge on any American I saw, even if it was a doctor helping people, as I had experienced so much injustice and severity. My cell neighbor even became very sick, and I could hear him moan in pain at night. He kept asking for a doctor or medicine, but did not get anything. I was very angry and lost all hope and wanted to abolish this injustice with all my options at hand, even if this would cost my life.

On March 5th 2004, all the inmates from my corridor (9 people) began a hunger strike, no food or drink, and we demanded to see an American commander or representative to

complain and demand the basic human rights. But without any result! After six days of hunger strike, I started getting very weak and was close to death. Therefore I started to drink again, but not to eat. My head started to ache badly. A few times, I tried to pray standing, and collapsed with weakness. The seventh day of my hunger strike, I sometimes felt as if I was getting unconscious. I felt worse with each minute. I asked myself if this hunger strike was legitimate from an Islamic point of view. We discussed this with different opinions: some said it was legitimate, others said it was forbidden. So we just drank but continued not to eat. On the eighth day, one of the inmates had the opportunity to meet an American official and handed him a note with some of the demands we had agreed on, such as the most basic human rights, and that we should be taken to court, our relatives should be informed, and that we should get some books. None of our demands were fulfilled. The other inmates had to end the hunger strike, as they hadn't had anything proper to eat for some time. Some of them had been kept prisoner already for one or two years! Just me and another inmate—who was half-American and half-Pakistani had been seized in early 2003 and turned over to the Americans—continued. After the 24th day of hunger strike, he received books from the Americans and was promised to be transferred to a different, better prison. And he actually was transferred.

On March 13th I was interrogated by American officials and was questioned mainly about the following people: Dr. El-Attar, Dr. Yousif, his son Omar, Mr. Reda Seyam, the multicultural center “Multi Kultur Haus” in Ulm and the Islamic Information Center (IIZ) in Ulm.

On March 28th my pain became unbearable and my anger erupted. I started screaming “Allahu akbar” (Allah is the greatest) out of the window as loud as I could and asked the Afghans, in case they were Muslim and heard me, to stand up for us and fight this injustice. Offices were located in the upper floors of the building, where Afghan employees worked. It was a four-story building. Some of the people passing my window

stopped and listened to what I said, but could not understand everything. But they did understand that I suffered here and tried to fight for my rights. One of the Afghan employees walked into the prison building to be able to understand better what I was saying. I asked him to inform the Afghan officials about us and the injustice happening here and that I wanted to talk to an American and an Afghan official.

After 27 days of hunger strike had passed (on March 31st), I was taken into an interrogation room with bound hands and feet. In the room there were the Afghan prison director and two American officials that I saw for the first time and a Palestinian translator that I had met at my medical examination for the first time. They asked me why I was on hunger strike? I replied, "I am German, neither my mother nor my father are from Afghanistan and I have never been to Afghanistan before." [contradicts the above?] And you are Americans and this is not your country. Why do you bring me here for interrogation? This has to take place in Germany or in America. My abduction in Macedonia is against all law and human rights! And now I have already spent three months in prison under the worst conditions. I also haven't been told any specific accusations. We are not allowed to inform our families and explain our situation; we have no idea how they are. There are no lawyers, no judges..."

I also told them that the food consisted of a tea in the morning without sugar and a piece of bread. For lunch, rice with insects, sand, and little stones. They purposefully added these ingredients that don't belong in food. In addition, we got half moldy oranges, and it was hard to tell whether they were of green or blue color. A chicken bone and skin, leftovers from the prison guards, half a liter of warm water that looked and smelled so that it turned your stomach. The other inmates reported that the food had improved ten times since I was here. All inmates suffered very bad diarrhea and bad stomachache. Were these pains resulting from the rotten food and the dirt? Or did they add anything to the food that made us suffer these pains, to torture us?

During my whole imprisonment, the other inmates and I were in solitary confinement. It was strictly forbidden to talk. We did not receive any pieces of paper, pens, or books to pass our time with. If an animal was treated like this in Europe, its owner would be taken to court and convicted. But with Muslims the Americans forget law, morality, and human dignity. Sometimes I started shaking with rage and could not help crying. I asked the American official: “Did you treat the Christian Americans responsible for the terrible terror attacks in Oklahoma the same way?” Nobody would reply to my question. Is the way you treat Muslims also a kind of terror? Is this not true extremism? Isn't ignoring the law, the rights of others, and human rights the true crime? The tearing of the Muslim inmates' clothes – is this how you should treat human beings? Is this the peace and civilized manners that you want to spread and teach Afghans and Iraqis?

After my speech the head of the prison director demanded that I end my hunger strike. I said, “You have four options: 1. I stay on hunger strike till I die. 2. You release me. 3. You fly me to the U.S. and take me to court there. 4. I meet a senior German representative or official to whom I can explain my situation and who has absolute jurisdiction.” The director said: “You have asked for your release before. I will send the people in charge and the superiors in Washington a detailed report about our conversation and let them know that this is not the appropriate place for you here, and we all testify to this.” Angry and exhausted, I was taken back to my cell. I thought my nerves would collapse soon.

On April 7th another Afghan official came to see me and again I complained and mentioned that the Americans claimed that they were the ones responsible for the bad treatment and bad food. The Americans always made sure that there was a strained situation between detainees and the Afghan guards and employees. One example: when the detainees complain about the Afghan guards to the Americans, they blame them in

front of us; hereupon the Afghans get angry with the detainees and deny them their rights, for example with supply of food or medicine. They just take these for themselves and don't pass it on to the inmates. The stupidity of the Afghan guards, the inmates' anger, and psychological pressure fill the hearts with hatred.

My state of health got worse from day to day. I was very weak and exhausted. My stomach ached increasingly. I put my hand on my belly and supported it with my foot. Since April 8th I was unable to leave my bed, not even to use the toilet. I used an empty bottle in bed. On April 9th some Afghans came to see me and tried to convince me to end the hunger strike, as they had noticed how much my health had declined. It had been exactly 37 days on April 10th since I had begun the hunger strike. This night the prison warden showed up with a doctor. They told me that I would be released in three weeks and therefore should end the hunger strike. I asked them for some kind of proof, but they couldn't give me any. I refused to end the strike. Hereupon the hooded men entered my cell, dragged me from my bed and bound my hand and feet. They dragged me into the interrogation room and sat me on a chair, tied me to it, and one of them held my head. Then they stuffed a tube up my nose all the way down to my stomach and poured liquid directly into my stomach. They gave me canned food and books as well. That day they put me on a scale. It showed 94.3 kg. Before my kidnapping in December I had 123kg! Thirty hours later I got even more nauseous than before. I had very bad diarrhea and stomach pain. The pain was so bad that I even wished to die. In the middle of the night, the doctor came and within one hour infused me two bags of Ringer's solution, to which barbiturate had been added, and gave me four yellow pills all at once. He stirred some powder into the water he gave me to drink. I stayed in bed for some more days. Then my health improved.

Three weeks passed, when they had promised to release me. They said that the release will take another two or three weeks, as my transportation to Germany was still being discussed. On May 7th they brought eight more prisoners into our prison and on May 13th

11 inmates were dragged into a container and removed. I have no idea where to. Just me, Sulayman and Ali stayed in this prison, and we had been 14 inmates before.

On May 16th a German arrived accompanied by the director and another American who knew Arabic. The German was about 180cm tall, slim, and his hair was c. 8cm long and light brown. His skin was very tanned. He wore glasses and a cap. He told me that he wanted to talk honestly with me and about everything. I agreed and told him that he knew me, but I did not know him and asked him to introduce himself and tell me which German authority he belonged to. He briefly talked to the American about his reply. I could not understand what they were talking about. He turned to me and said, "I cannot reply to these questions." I continued to ask, "Do the German officials know where I am?" He again refused to reply. "Does my wife know where I am?" He replied, "No, she does not know." (When he spoke he tried to choose his words carefully and was afraid to give away more information than necessary. He also tried to conceal any information about himself.) Then the questioning started. His questions focused on Dr. El-Attar, Dr. Yousif, his son Omar, Mr. Reda Seyam, and the multicultural center in Ulm. The conversation lasted for about two to three hours. On May 17th another two hours, and on May 18th also.

On May 19th he did not show up, although a day earlier he had announced he would come. But he appeared on May 20th and told me that it might take them another week. I got angry and told him that they kept promising my release and always postponed it. I announced that I would begin my hunger strike again tomorrow, and that I was going to take steps that would result in severe damage to myself and everyone else here and would have bad consequences for everyone in case the German officials would not start moving and get me out of here. I have four children, and they would find out what has happened to me, and someone from my family would take revenge on Americans! He said, "What are you going to do?" I replied, "You will find out in due time." He said, "Please don't begin the hunger strike again and give me two days. I will talk to my German superior

and promise you a quick response.” Then I angrily returned to my cell. He was surprised by my behavior.

About two weeks before the German official referred to as “Sam” came to see me, the wardens took me to the interrogation room where an American psychologist and a woman interpreter sat. The psychologist told me he had come all the way from Washington to check on me and ask me some questions. At the end of our conversation, he promised me that I would get out of here soon.

On May 21st I began my second hunger strike. In the evening that same day, the director appeared with the German and asked me to end my strike and reassured me that I would be on my way to Germany on May 28th the latest. He said they were just clearing the security formalities for the transfer from Afghanistan to Germany. The trip would not go directly to Germany and would take a while. So I should stay calm and not worry, I would be home soon.

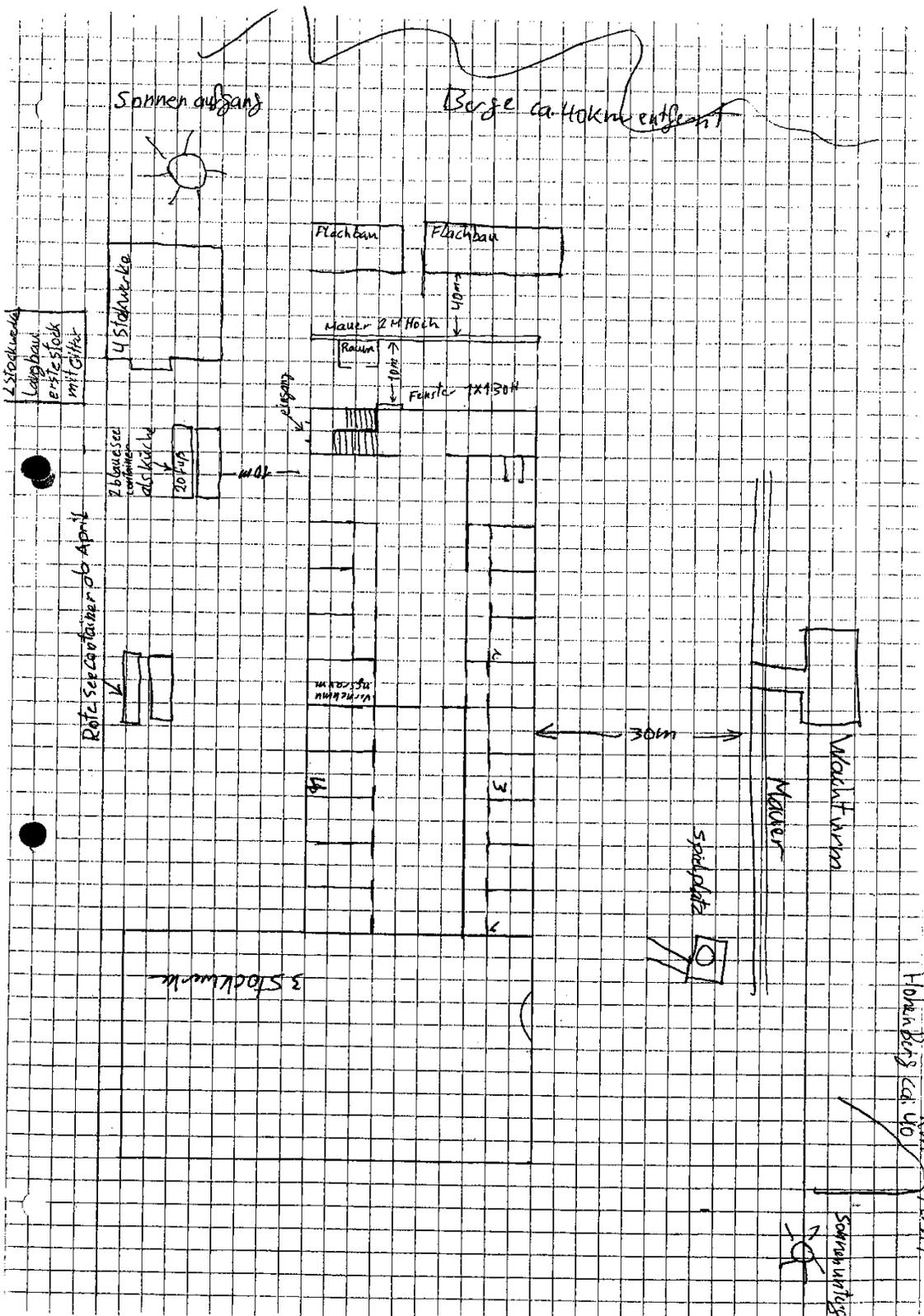
On the eve of May 27th the doctor came and carried out some examinations. I weighed 105 kg now. Then the director explained some details and how I was going to be transferred from the cell to some unknown airport the next day. The doctor asked me not to drink or eat anything after tonight, as I wasn’t going to be allowed to use the toilet during the journey.

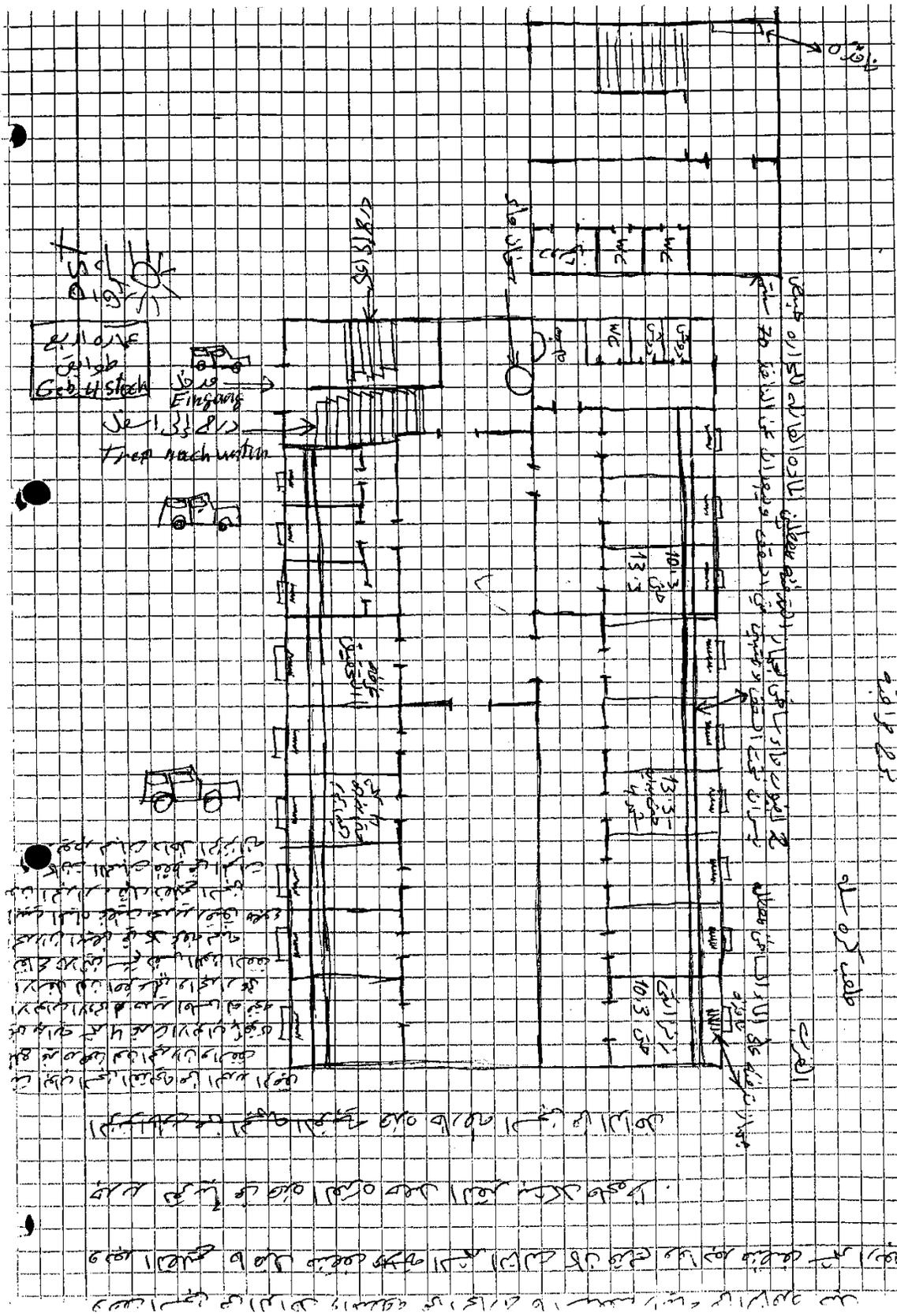
In the morning of May 28th the director appeared with the doctor and tied my hands and feet and blindfolded me. Then they took me outside and we got in a Jeep. After about ten minutes drive, we got out of the car and they took me to a container, one of those used for transportation of goods. They sat me on a chair inside the container with my face towards the interior. They asked me not to turn around once they had taken off the blindfold. Then they handed me all my belongings I had had in Skopje and changed my prison clothes to

plain clothes that I had in my bag. Behind us I heard a plane, which sounded like a little jet, which came to a stop about 200 meters behind our container. Then they tied my hands again, tied them to my belt in the front, plugged my ears and put headphones on me. Then they blindfolded my eyes again. We went back to the Jeep and drove the 200m to the waiting airplane. On the plane they tied my feet and hips to the seat. It was eight o'clock in the morning.

During the flight, the German official talked to me. Meanwhile he called himself "Sam." On his wrist, he carried a big black watch with a compass (like the Americans had). Once in a while I heard people behind us, speaking English. But I could not understand anything. The flight took six to seven hours. Then we landed. Sam told me that he would depart now and other people would take over. After I had waited on the plane for about an hour, we got off and entered a minivan. I could hear that when one of the car doors was open an alarm went off, as is common in Japanese cars. It seemed to me that we drove another seven hours with the minivan on impracticable country roads. It went up and down and in steep curves. During the drive the car stopped twice and the people escorting me got off and on again after a short moment. I believe the crew was replaced. Later the van stopped and we all got out. They took me to some location, where they took off the blindfold and told me not to turn around. The person behind me pointed in the direction I was supposed to walk. It seemed to me that they were going to let me walk a few steps and then shoot me in the back. Meanwhile it was night. The location where they released me was deserted and in some forested mountain area. The paths were very narrow and unnavigable. After walking for about 400m in the assigned direction, after a bend I met three soldiers in uniform armed with Kalashnikovs who took my passport and brought me to an old building with an Albanian flag at the entrance. The officer in charge asked me to put all my luggage on the table, and the soldiers searched me thoroughly. Then the officer told me that I had illegally entered Albania and asked me what I was doing here. I told him my story, but he did not believe me and asked me if I thought he was stupid. Nobody would believe my story. Then he told me that they would bring me to

the airport now to fly me out of the country back to Germany. I told him that I, too, very much wanted this. I could tell by the way he talked that he knew about my coming here. He even had a bag with food and drinks ready on the side. I asked him how far it was to the airport. He answered, "As far and from the same place that you came from." (At this point I figured that we had landed in Tirana before). Then they drove me towards the Tirana airport. We were on the border of Macedonia, Serbia, and Albania. He sent me to a Jeep with three policemen. When we left the police station it was already 10pm. On the way, they offered me chips and bread. It was the same kind of chips and bread I had been given in the minivan on the day before my release! At five in the morning, we arrived at the airport Mother Teresa. A man in plain clothes waited for me there, bought me a plane ticket to Frankfurt a.M. with my money and accompanied me to the airplane. The plane took off at 6.30 in the morning and arrived in Frankfurt at 8.45. I arrived home at 1.30 pm on May 29th. I found noone home. All our belongings were packed in removal boxes. I took a cab and drove to Neu-Ulm to find out where my family had gone. My friends told me my family had flown to Lebanon, since I had been gone for such a long time.





EL-MASRI DECLARATION EXHIBIT G

U.S. CUSTOMS AND BORDER PROTECTION
Department of Homeland Security

Memorandum

TO: Khaled EL MASRI

FROM: James PACE, CBPO (Customs and Border Protection Officer)

SUBJECT: Visa Waiver Refusal

As a reminder, passengers refused entry under the Visa Waiver Program are statutorily ineligible to enter under the Visa Waiver Program and require a visa for any future entries to the U.S.

Vigilance ★ Service ★ Integrity

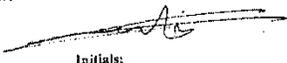
U.S. Department of Justice
Immigration and Naturalization Service

Record of Sworn Statement in
Administrative Proceedings

Office: HARTSFIELD INTERNATIONAL AIRPORT, File No: A098 945 997
ATLANTA, GA, POB
Statement by: KHALED EL MASRI
In the case of: KHALED EL MASRI
At: HARTSFIELD INTERNATIONAL AIRPORT, ATLANTA, GA Date: December 3, 2005
Before: JAMES PACE, CBPO In the GERMAN language.
Interpreter: Michela Beck ^(Name and Title) Michelle Beck Interpreter employed by: TBI

I am an officer of the United States Immigration and Naturalization Service, authorized by law to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. I desire to take your sworn statement regarding your application for admission to the U.S.

- Q. Do you understand what I have said to you?
- A. Yes
- Q. Any statement you make must be given freely and voluntarily. Are you willing to answer my questions at this time?
- A. IF THE QUESTION INVOLVES MY TRIP TO THE U.S. OR MY PERSONAL INFORMATION, I'M WILLING TO ANSWER.
- Q. Are you currently taking any medication which would preclude you from answering questions at this time?
- A. NO.
- Q. Do you swear or affirm that all the statements you are about to make are true and complete?
- A. YES.
- Q. WHAT IS YOUR FULL AND CORRECT NAME?
- A. KHALED EL MASRI.
- Q. WHAT IS YOUR DATE OF BIRTH?
- A. JUNE 29TH, 1963,
- Q. IN WHAT COUNTRY WERE YOU BORN?
- A. KUWAIT CITY, KUWAIT.
- Q. OF WHAT COUNTRY ARE YOU A CITIZEN?
- A. GERMANY.
- Q. WERE EITHER OF YOUR PARENTS EVER U.S. CITIZENS OR RESIDENTS?
- A. NO.
- Q. DO YOU MAKE ANY CLAIM TO BEING A CITIZEN OF THE U.S.?
- A. NO.
- Q. WHAT IS THE PURPOSE OF YOUR VISIT TO THE U.S.?
- A. MEETING WITH MR. STEVEN.
- ... (CONTINUED ON I-831)



Page 1 of 3

Initials: _____

(-877 (Rev. 7/25/97)

U.S. Department of Justice
Immigration and Naturalization Service

Continuation Page for Form I-877

Alien's Name KHALED EL MASRI	File Number A098 945 997	Date December 3, 2005
<p>Q. DOES HE WORK FOR THE ACLU? A. YES.</p> <p>Q. HOW LONG HAVE YOU BEEN LIVING IN GERMANY? A. SINCE 1985.</p> <p>Q. HOW LONG HAVE YOU BEEN A CITIZEN OF GERMANY? A. SINCE 1995.</p> <p>Q. HOW LONG WERE YOU PLANNING ON STAYING? A. UNTIL DECEMBER 8, 2005.</p> <p>Q. WERE YOU TRAVELLING WITH ANYBODY ELSE TODAY? A. I WAS WITH MANFRED GNJIDIC.</p> <p>Q. IS MANFRED GNJIDIC YOUR LAWYER? A. YES.</p> <p>Q. WHAT KIND OF WORK DO YOU DO FOR A LIVING? A. AT THE MOMENT I'M NOT WORKING.</p> <p>Q. WHAT KIND OF WORK DO YOU USUALLY DO? A. SELF EMPLOYED BUYING AND SELLING USED CARS.</p> <p>Q. WAS THAT IMPORT/EXPORT BUSINESS? A. YES.</p> <p>Q. WHERE DID YOU EXPORT CARS TO? A. I HAD CUSTOMERS ALL OVER ARABIC COUNTRIES AND EX-SOVIET COUNTRIES, EUROPE, SPAIN, ITALY.</p> <p>Q. WHAT HAPPENED TO YOUR BUSINESS? A. THE MARKET WAS NOT TOO GOOD AND THE COSTS WERE TOO HIGH, EVENTUALLY THE BUSINESS WASN'T FUNCTIONING.</p> <p>Q. DID YOU SELL YOUR BUSINESS? A. I JUST GAVE UP.</p> <p>Q. HOW DO YOU SUPPORT YOURSELF NOW? A. I'M SUPPORTED BY THE GOVERNMENT.</p> <p>Q. DO YOU HAVE ANY CHILDREN? A. FIVE.</p> <p>Q. DO THEY ALL LIVE WITH YOU? A. YES.</p> <p>Q. HOW MUCH MONEY ARE YOU TRAVELLING WITH TODAY? A. ABOUT 1200 EUROS AND 200 DOLLARS.</p> <p>Q. WHY WERE YOU GOING TO VISIT THE ACLU TODAY? A. I PREFER NOT TO TALK ABOUT IT, I INTENDED TO HAVE A MEETING WITH HIM, BUT I PREFER TO NOT GO INTO DETAILS. ... (CONTINUED ON NEXT PAGE)</p>		
Signature JAMES PACE	Title CBPO	

2 of 3 Pages

Form I-831 Continuation Page (Rev. 6/12/92)

U.S. Department of Justice
Immigration and Naturalization Service

Continuation Page for Form I-277

Alien's Name KHALED EL MASRI	File Number A096 945 997	Date December 3, 2005
<p>Q. WHAT RELIGION DO YOU PRACTICE? A. MUSLIM.</p> <p>Q. WHICH BRANCH? A. SUNNI.</p> <p>Q. HAVE YOU MADE ANY PILGRIMAGES LATELY? A. NO.</p> <p>Q. ARE YOU A MEMBER OF ANY SOCIAL ORGANIZATIONS IN GERMANY? A. NO.</p> <p>Q. HAVE YOU EVER BEEN ARRESTED? A. NO.</p> <p>Q. Has any officer forced or coerced you into making these statements? A. NO.</p> <p>Q. Did you understand all of the questions asked in the GERMAN language? A. YES.</p> <p>I have read (or have had read to me) the foregoing statement consisting of <u>3</u> pages. I affirm that the answers attributed to me herein are true and correct to the best of my knowledge and belief and that this statement is a full, true, and correct record of my questioning by the above-named officer of the Immigration and Naturalization Service. I have initialized each page of this statement (and the corrections noted on page(s) _____).</p> <p>Signature of alien: <u><i>[Signature]</i></u></p> <p>Subscribed and sworn to me at: <u>ARANTA Airport</u> on <u>12-3-05</u></p> <p><u><i>[Signature]</i></u> (Signature of Immigration Officer) <u><i>[Signature]</i></u> (Signature of Witness)</p>		
Signature JAMES PAGE	Title CBPO	

3 of 3 Pages



Staatsanwaltschaft

München I

Aktenzeichen: 111 UJs 715051/04
(Bitte stets angeben)

Telefon-Nr.: 089/5597-07
Telefax-Nr.: 089/5597-4131, -5197
Durchwahl-Nr.: 089/55974826
Sachbearbeiter: Herr StAGrL Hofmann

Staatsanwaltschaft München I
Lupprunstraße 25, 80335 München

München, 15.03.2005/bis

Herrn Rechtsanwalt
Manfred Gnjudic
Karl-Schefold-Straße 9

89073 Ulm

EINGEGANGEN

17. März 2005

Erl. ...

Ermittlungsverfahren gegen Unbekannt
zum Nachteil von Khaled El Masri
wegen Verschleppung
Zum Schreiben vom 04.03.2005

Ihr Zeichen: Gn-04011831/w

Sehr geehrter Herr Rechtsanwalt,

ich komme zurück auf Ihr Anschreiben vom 04.03.2005.
Soweit Sie in diesem Schreiben auf Informationen zurückgreifen,
wonach die Staatsanwaltschaft München I gegen Ihren Mandanten
Khaled El Masri ermittelt, so darf ich Ihnen mitteilen, dass
Herr El Masri in dem von Ihnen genannten Verfahren nicht als
Beschuldigter geführt wird.
Da Ihr Mandant El Masri in dem von Ihnen genannten Verfahren
der Staatsanwaltschaft München I als unmittelbare Kontaktperson
zweier Beschuldigter aufgetreten ist, wurden zur genauen Abklä-
rung des Sachverhalts entsprechende Befragungen und Lichtbild-
vorlagen durchgeführt.

Hochachtungsvoll

Hofmann
Staatsanwalt als Gruppenleiter

Hausanschrift:
Lupprunstraße 25
80335 München

Hallenstelle:
Stiglmaierplatz
U-Bahn, Trambahn

Nachtbriefkästen:
- Nymphenburger Str. 16
- Prielmayrstraße 7

Wegen gleitender Arbeitszeit erreichen Sie uns:
Mo-Do: 8.30-11.30 Uhr und 13.00-15.00 Uhr
Fr: 8.30 - 12.30 Uhr

EL-MASRI DECLARATION EXHIBIT H



December 8, 2005

The Honorable Condoleezza Rice
Secretary of State
2201 C Street, N.W.
Washington, D.C. 20520

The Honorable Michael Chertoff
Secretary of Homeland Security
Department of Homeland Security
Washington, D.C. 20525

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
LEGAL DEPARTMENT
NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500
F/212.549.2651
WWW.ACLU.ORG

OFFICERS AND DIRECTORS
NADINE STROSSEN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

KENNETH B. CLARK
CHAIR, NATIONAL
ADVISORY COUNCIL

RICHARD ZACKS
TREASURER

Dear Secretary Rice and Secretary Chertoff:

As counsel for Mr. Khaled El-Masri, a German citizen who was denied entry into the United States at Hartsfield International Airport in Atlanta on Saturday, December 3, 2005 without explanation, we write to confirm reports, and seek written assurances, that Mr. El-Masri will be permitted to enter the United States in the future without incident.

Mr. El-Masri, a German citizen, does not require a visa to enter the United States for temporary visits, and may rely upon the visa waiver program in such circumstances. When Mr. El-Masri attempted to enter the country on December 3, 2005, however, he was turned away without explanation. Mr. El-Masri was traveling to the United States in order to meet with his American lawyers, and to attend a news conference in Washington D.C. on December 6, 2005, announcing the filing of his lawsuit against George Tenet, the former Director of the Central Intelligence Agency, and others, for his abduction, detention, and mistreatment at the hands of agents of the CIA. In news reports, U.S. officials have confirmed that Mr. El-Masri was denied entry, but the reasons for the denial remain unclear. *See, e.g.,* Scott Shane, *German Held in Afghan Jail Files Lawsuit*, N.Y. TIMES, Dec. 7, 2005 at A25 (noting that United States Customs and Border Protection spokeswoman Kristi Clemens had “confirmed that Mr. [El-] Masri was denied entry” and that it was “based on information received from other American

agencies”); Glenn Kessler, *Rice to Admit German’s Abduction Was an Error*, WASH. POST, Dec. 7, 2005 at A18 (reporting that Mr. El-Masri was “turned away because his name was on a Homeland Security watch list”).

Several media outlets have now reported, however, that the United States has assured the German government that Mr. El-Masri will be allowed entry into the United States in the future. *See, e.g.*, Glenn Kessler, *Rice to Admit German’s Abduction Was an Error*, WASH. POST, Dec. 7, 2005 at A18 (reporting that “[a] State Department official said Tuesday the United States had informed the German government that the problem had been resolved and [Mr. El-Masri] would be allowed to enter”); Saul Hudson and Mark Trevelyan, *U.S., Germany Differ on CIA Abduction Case*, REUTERS, Dec. 6, 2005 (quoting a senior State Department official as saying: “We assured the German government that if [Mr. El-Masri] did try to return to the United States he would be allowed in,” and that “[t]he issue has been resolved.”); Frank Davies and Warren P. Strobel, *German Citizen Held in Secret Prison Sues Ex-CIA Director*, KNIGHT RIDDER NEWSPAPERS, Dec. 6, 2005 (reporting that “[a] senior State Department official traveling with Rice said the department had told Germany . . . that [El-]Masri would be allowed into the United States if he wanted to come again); Pete Yost, GUARDIAN UNLIMITED, Dec. 6, 2005 (Associated Press story reporting that a senior State Department official said that the “United States has assured the German government that [El-]Masri will be allowed into the United States the next time he wants to enter”).

In light of these reports, we seek your prompt written assurances that Mr. El-Masri will be permitted to enter the country in the future without incident. Specifically, we seek assurances that Mr. El-Masri will be permitted to enter the country for temporary visits, and will not require a visa to do so, but rather, can continue to rely on the visa waiver program. Additionally, we seek your written assurances that any information about Mr. El-Masri that may prevent his entry into the country has been expunged from Department of State and/or Department of Homeland Security watch lists. We would appreciate your responding to this request as soon as possible and in any event no later than December 19, 2005.

Thank you in advance for your help with this matter.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'A' followed by a long horizontal line.

Ann Beeson
Ben Wizner
Melissa Goodman
American Civil Liberties Union
National Legal Department

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION



DEPARTMENT OF STATE
ASSISTANT SECRETARY FOR CONSULAR AFFAIRS
WASHINGTON

Dear Ms. Beeson et al:

On behalf of Secretary Rice, I am replying for the Department of State to your letter of December 8, 2005, to Secretaries Rice and Chertoff regarding the fact that German citizen Khaled El Masri was denied entry into the U.S. at Hartsfield airport in Atlanta on December 3.

Only the Department of Homeland Security can determine an alien's eligibility for admission under the visa waiver program, and that determination can only be made at the time of application for admission. Should he wish to do so, Mr. El Masri may apply for a visa and the Department of State will review his eligibility at that time. The Department of State is sensitive to Mr. El Masri's situation, and we are prepared to offer prompt service, both in terms of making an appointment and in adjudicating his visa application. As always, however, the final determination of admissibility to the United States rests with the Department of Homeland Security.

I hope this information is helpful to you. Please let me know if I can be of further assistance in this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Maura Harty".

Maura Harty

Ms. Beeson et al,
American Civil Liberties Union Foundation,
Legal Department,
National Office,
125 Broad Street, 18th Floor,
New York, NY 10004-2400.



**U.S. Customs and
Border Protection**

JAN 5 2005

Ms. Ann Beeson
American Civil Liberties Union
National Legal Department
125 Broad Street
New York, New York 10004

Dear Ms. Beeson:

Thank you for your letter of December 08, 2005, to Secretary Michael Chertoff, on behalf of your client, Mr. Khaled El-Masri. In your correspondence, you requested that we review your client's concerns regarding his U.S. Customs and Border Protection (CBP) processing on December 03, 2005, at Hartsfield International Airport. We have recently completed our review of this matter. Please allow me to outline our findings.

First, please allow me to apologize for any rude or unprofessional conduct Mr. El-Masri may have experienced during his CBP processing. Our agency takes all allegations of inappropriate behavior seriously and officers are expected to act in a professional manner and treat all travelers with dignity and respect, regardless of the circumstances of the encounter.

All persons seeking to enter the United States are subject to questioning about their purpose(s) for coming to this country. Our officers have the authority to elicit responses to questions and to request and examine documents for the purpose of resolving or clarifying issues concerning a person's admissibility to the United States. In addition, our officers may also examine personal effects, briefcases, luggage, conveyance, et cetera, when deemed necessary, in order to determine a person's eligibility to enter, pass through, or remain in the United States for any period of time.

Since the tragic events of September 11, 2001, our Nation's ports have been on a heightened state of alert. This unprecedented terrorist threat alert level has resulted in more intensive security measures along our borders. Our inspection procedures are designed to ensure that only people legally entitled to enter the United States do in fact enter the country. These procedures facilitate the entry of all who can readily establish their admissibility. In performing their duties, our officers are also required to determine the nationality of each applicant for admission.

Unfortunately, CBP occasionally inconveniences law-abiding persons in the course of ferreting out those few individuals that are involved in illicit activities. We are especially mindful of how stressful the inspection process may be for persons selected for more protracted inspections. In such cases, we rely on the patience, understanding, and cooperation of the traveling public.

Regarding your request to confirm media reports, CBP has no authority over media sources other than its own. We would advise that you and your client seek additional information or confirmation from appropriate media sources external to CBP.

We cannot guarantee that the next time your client travels to the United States he will not be questioned or delayed again. Each applicant for admission is subject to complete inspection on each arrival in the United States. No one is allowed to enter the United States until he or she has satisfied the examining officer that he or she is either a citizen of the United States or an alien who has overcome all grounds for inadmissibility. In all cases, the applicant bears the burden of proof of admissibility.

Allow me to suggest that if, for any reason in the future, Mr. El-Masri is again dissatisfied with CBP processing, he should ask to speak to a supervisor onsite. A supervisor is always available to address the concerns of travelers.

I appreciate your interest in Customs and Border Protection. If we may offer further assistance, please contact Mr. Authur A.E. Pitts, Sr., Director, Passenger Policies, at (202) 334-1220.

Sincerely,



Robert M. Jacksta
Executive Director
Traveler Security and Facilitation

