

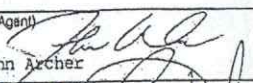
REPORT OF INVESTIGATION

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1. Program Code	2. Cross File <input type="checkbox"/>	Related Files	3. File No. AD-04-0001	4. G-DEP Identifier SE0593
5. By: S/A John Archer At SOD/BIU/OSNT	<input type="checkbox"/>		6. File Title: AL KASSAR, Monzer	
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:	<input type="checkbox"/>		8. Date Prepared 6/17/08	
9. Other Officers: S/A William S. Brown, G/S Louis J. Milione, G/S Brian Dodd, ASAC Paul Craine and Unit Chief James Soiles.				
10. Report Re: Post-Arrest Statements of Monzer AL KASSAR on 6-13-08.				

DETAILS

- Reference DEA-6 by S/A Archer dated 6-16-08 under AD-04-0001 Re: Arrest and Extradition of Monzer AL KASSAR on 6-13-08; Fugitive Cancellation of Monzer AL KASSAR.
- On June 13, 2008, Monzer AL KASSAR was taken into DEA custody and transported to the United States on a privately chartered aircraft. It should be noted that on various occasions, AL KASSAR's demeanor changed from appreciative for the agents' hospitality to angry and accusatorial. Upon being seated in the plane, AL KASSAR immediately initiated conversation with S/A Archer and G/S Milione. AL KASSAR stated that approximately two weeks prior while AL KASSAR was in jail in Spain, he was awakened in the middle of the night by jail guards. AL KASSAR said that the guards proceeded to beat him for over five minutes. AL KASSAR said that he asked the guards why they were doing this and they replied that had been ordered to from the outside. AL KASSAR stated that he still had the bruises across his arms and back from the beating. AL KASSAR stated that he believed that the beating had been ordered by the Americans. S/A Archer and G/S Milione told AL KASSAR that they had not even heard about this incident let alone would have ever authorized it or condoned it. AL KASSAR continued to state that the American government was behind the beating. G/S Milione asked AL KASSAR how he was feeling now physically and AL KASSAR replied that he was sore but felt mostly fine. AL KASSAR stated that he had wanted to go to the United

11. Distribution: Division	12. Signature (Agent) 	13. Date 7/22/08
District	14. Approved (Name and Title) Louis J. Milione Group Supervisor	15. Date 7-2-08
Other		

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REPORT OF INVESTIGATION

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States to face the charges immediately after his arrest in June of 2007 but that his attorney made him fight the extradition. AL KASSAR stated that the extradition was illegal and had violated Spanish law. G/S Milione reminded AL KASSAR that Spain was a sovereign nation and made their extradition decision based on their analysis of the facts, the United States' case against AL KASSAR and Spanish extradition law.

- At 9:57 a.m. (Eastern Standard Time), AL KASSAR started talking specifically about the facts of his case. At this time, S/A Archer read AL KASSAR his rights as per Miranda via a DEA-13 card which AL KASSAR waived as witnessed by G/S Milione. AL KASSAR stated that understood his rights and would answer questions. AL KASSAR said that his attorney had advised AL KASSAR not to answer questions specifically regarding the case against him. In sum and substance, AL KASSAR stated the following: AL KASSAR's attorney, Ira Sorkin, would meet him upon arrival at the courthouse. AL KASSAR asked if S/A Archer knew Mr. Sorkin and whether he was a good attorney. S/A Archer said that he was sure Mr. Sorkin was a well qualified attorney. S/A Archer asked how AL GHAZI and MORENO-GODOY liked their attorneys. AL KASSAR stated that he did not know who their attorneys were. S/A Archer said that AL KASSAR should know who they are since he was paying for them. AL KASSAR said that this was untrue. G/S Milione said that AL GHAZI and MORENO-GODOY's attorneys told the court that their defense was being funded by AL KASSAR. AL KASSAR continued to say that this was not the case.
- Unsolicited, AL KASSAR stated that his current case has been made against him in revenge for his not being convicted in Spain for the Achille Lauro hijacking. S/A Archer stated that he had been in high school when that incident happened and that he was not even employed by the DEA at the time of AL KASSAR's trial in Spain. AL KASSAR said that S/A Archer and G/S Milione should ask Agent Jim Soiles why AL KASSAR was on the plane. G/S Dodd, who was seated nearby, told AL KASSAR that he could ask Jim Soiles himself since he was on the plane. At this time, ASAC Soiles was returning to his seat and AL KASSAR stated, "Yes, that is Jim Soiles." AL KASSAR repeated that DEA's case against him was based on revenge and stated that ASAC

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Soiles knew that this was true. AL KASSAR stated that he was not convicted in Spain because the Spaniards knew that the evidence used against him was stolen from him in Poland and that it had been taken illegally. S/A Archer asked if the documents that were intended to be used against him in Spain were his and AL KASSAR stated that they were but had been taken illegally. AL KASSAR stated that he had court papers from Spain that would confirm what he (AL KASSAR) was saying.

5. AL KASSAR observed S/A Brown and stated that he had seen S/A Brown near his residence in Marbella a few weeks prior to his arrest in Spain. AL KASSAR stated that he was with his "police friend" when his friend observed S/A Brown with a bulge around his ankle that concealed a handgun. AL KASSAR and the police friend believe they observed S/A Brown taking photographs of AL KASSAR. AL KASSAR said that his police friend believed that AL KASSAR was being followed by police and told him so. S/A Brown told AL KASSAR that he had never seen AL KASSAR prior to his arrest and that AL KASSAR must have had him confused with someone else. AL KASSAR said that S/A Brown was lying and that he was sure the man surveilling him was S/A Brown. Unsolicited, AL KASSAR stated that all of the informants who AL KASSAR met with during his current case were "bad actors" and he knew that they were working for law enforcement. G/S Milione told AL KASSAR that despite the fact that AL KASSAR thought they were bad actors, he (AL KASSAR) believed them and now AL KASSAR was enroute to the United States. AL KASSAR said that the case against him (AL KASSAR) would likely be dismissed in New York. G/S Milione said that based on this investigation, AL KASSAR would be convicted in New York if he went to trial. AL KASSAR stated that G/S Milione could not say this and became angry. G/S Milione said that based on everything he knew in the case and the seriousness with which the investigation was conducted, AL KASSAR would be convicted. AL KASSAR said that G/S Milione could not go back and clarify what he had said and that what he said was illegal. S/A Archer stated that the agents were allowed to provide their opinions. AL KASSAR said that G/S Milione had provided the information as a matter of fact and not as a matter of opinion and that this was illegal.

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6. S/A Archer said that AL KASSAR had previously stated, during the search warrant over a year ago at AL KASSAR's residence, that Abu ABBAS was a close friend of AL KASSAR. AL KASSAR said that this was correct. S/A Archer said that ABBAS certainly had intentions of harming Americans. AL KASSAR stated that ABBAS was a good man. AL KASSAR said that he did not know why he was in trouble because he would never harm an American. G/S Milione told AL KASSAR that he would get a chance to see the videotapes recorded in AL KASSAR's residence which would remind AL KASSAR of his intent to kill Americans.

7. S/A Archer asked AL KASSAR about Samir KUNTAR. AL KASSAR stated that KUNTAR was a good man. S/A Archer asked if AL KASSAR provided money to KUNTAR's family and AL KASSAR stated that he had done so to provide them with support. S/A Archer asked if AL KASSAR had provided financial support to one of the Achille Lauro hijackers imprisoned in Italy. AL KASSAR stated that he had given money to the hijacker's family through an attorney.
8. S/A Archer asked if AL KASSAR had ever done business with Saddam HUSSEIN or his son, Uday HUSSEIN. AL KASSAR stated that he had not. AL KASSAR stated that he thought that Uday HUSSEIN was not a good person. S/A Archer asked why, if AL KASSAR thought Uday HUSSEIN was a good person, he resisted so hard during the search warrant in his residence to keep the photograph of AL KASSAR and Uday HUSSEIN posing together. AL KASSAR said that it was not because he liked Uday HUSSEIN, but because Uday HUSSEIN had been an important person.
9. G/S Milione asked AL KASSAR about Kazem and Nazem AL YOUSEFF. AL KASSAR said that he knew that they were members of the Palestinian Liberation Front (PLF). AL KASSAR said that he meets with them on occasion when he travels to Lebanon. AL KASSAR said that he has never provided the AL YOUSEFFs with any form of assistance either money or documentary. G/S Milione asked if AL KASSAR had ever

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provided them with money from the sale of Abu ABBAS' property. AL KASSAR said that none of the money went to any of the AL YOUSEFFs.

10. S/A Archer asked if AL KASSAR had assisted Saddam HUSSEIN's regime in moving money out of Iraq prior to the U.S. invasion. AL KASSAR said that he had not. S/A Archer asked if AL KASSAR had ever entered into any business arrangement with Saddam HUSSEIN or Uday HUSSEIN. AL KASSAR stated that he had not.
11. S/A Archer asked if AL KASSAR knew the former Lebanese prime minister, Rafiq Hariri, who had been assassinated in Lebanon in 2005. AL KASSAR said that he (Hariri) was a good man. AL KASSAR stated that he was in Lebanon when Hariri was assassinated. S/A Archer asked if AL KASSAR knew that the Hariri government was investigating the trail of Saddam HUSSEIN's money that had been moved from Iraq to Lebanon. AL KASSAR said that he had not heard this. S/A Archer asked if AL KASSAR knew which bank was specifically involved in the laundering of this money. AL KASSAR said that he knew of the bank and stated that the woman who managed the bank had fled to Brazil and was currently incarcerated in Brazil. S/A Archer asked if AL KASSAR knew the woman personally and AL KASSAR stated that he did not.
12. Unsolicited, AL KASSAR stated that DEA tried to get him to go to Romania but he wouldn't go because the informants were "bad actors." AL KASSAR said that he knew they didn't have the money in Romania. G/S Milione stated that since he (AL KASSAR) was bringing up specifics about his case, why was it that he (AL KASSAR) traveled to Romania several months before he was arrested. AL KASSAR acknowledged that he had been to Romania a month prior to his arrest to check out Milan's (believed to be Milan DJUROVICH) connection to Romarms and to make sure that "everything checked out." AL KASSAR then stopped and said to G/S Milione, "You tricked me. I told you I didn't want to talk about anything related to my case." G/S Milione said that he had not tricked AL KASSAR and that he (AL KASSAR) began to discuss his case. AL KASSAR said that DEA could not put his statement in the DEA report. G/S Milione said that it could be put in the report and AL KASSAR became angry. AL KASSAR said that this

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was why he had said earlier that he would not talk about anything directly related to his case. S/A Archer told AL KASSAR that he would put the statement into S/A Archer's report and AL KASSAR's attorney could later try to suppress the statement if he thought he could.

13. Prior to landing in New York, AL KASSAR asked what the process would be in New York and whether he would receive a fair trial. G/S Milione stated that the day would be long for AL KASSAR and upon arriving in New York he (AL KASSAR) would be transported to the United States courthouse and be transferred into the custody of the United States Marshals Service. After processing, AL KASSAR would meet with his attorney and have a brief appearance in court prior to going to the correctional center next to the courthouse. G/S Milione and S/A Archer both stated that AL KASSAR would receive a fair trial. G/S Milione said that the populace of New York was highly educated, had excellent common sense and would be able to understand the case well.
14. It should be noted that upon arriving in White Plains, AL KASSAR was strip searched in the Immigration/Customs cell block as witnessed by S/A Archer and G/S Milione. S/A Archer and G/S Milione observed no marks, scars or bruising on AL KASSAR's body.

INDEXING

1. AL KASSAR, Monzer - NADDIS #931965.
2. AL YOUSEF, Kazem - NADDIS #6136693.
3. AL YOUSEF, Nazem - NADDIS #6131239
4. ABBAS, Abu - NADDIS #1663705.
5. KUNTAR, Samir - NADDIS #6470745. Freed from Israeli custody on 7-16-08 in prisoner swap. Per open source, vowed to continue terrorist activities.

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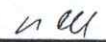
1. Program Code	2. Cross File Related Files <input checked="" type="checkbox"/> CS-99- <input checked="" type="checkbox"/> CS-00- <input checked="" type="checkbox"/> CS-86-	3. File No. [REDACTED]	4. G-DEP Identifier [REDACTED]
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7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:		8. Date Prepared 06/18/07	
9. Other Officers: William S. Brown, Joe Dubois (Madrid CO)			
10. Report Re: Arrest of Monzer AL KASSAR on 6-7-07 and Execution of Search Warrant at AL KASSAR's Residence on 6-8-07.			

SYNOPSIS

On June 7, 2007, Monzer AL KASSAR was arrested in Madrid, Spain. Following his arrest, a search warrant was executed on his residence on June 8, 2007. The following report briefly details the arrest, search of AL KASSAR's residence located at Atalaya de Rio Verde, 4, 29660, Marbella, Spain, and any spontaneous statements made by AL KASSAR, as witnessed by S/A's John Archer, William Brown and Joe Dubois.

DETAILS

- On June 7, 2007 at approximately 7:30 p.m., S/A's Archer and Brown observed Monzer AL KASSAR detained by Spanish National Police fugitive squad in the baggage area of Barajas Airport, Madrid, Spain. AL KASSAR appeared angry with police. AL KASSAR stared at DEA agents prior to being taken to the processing area off the airport. Once in the police processing area, AL KASSAR again stared at S/A Archer as the door to the processing room where AL KASSAR was being held often stayed open for thirty seconds to one minute. S/A Archer heard AL KASSAR tell Spanish police that he did not wish to speak with the Americans.
- On June 8, 2007, S/A Archer observed AL KASSAR leave the judge's chambers in Madrid, Spain and then be escorted to the elevator where he was taken to the detention area in the lower level of the

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building. Approximately one hour later, AL KASSAR finished eating and was led unhandcuffed to one of the fugitive unit's unmarked vehicles parked in the underground garage. AL KASSAR was placed in the vehicle uncuffed between two police in the backseat and accompanied by two other police in the front. S/A Archer entered the backseat of another unmarked police vehicle parked in the enclosed garage. The two vehicles left shortly thereafter in tandem to the police air unit hangar, S/A Archer's vehicle first. No media were outside the building upon exiting the garage. Upon reaching the congested area of Madrid, the police units placed blue lights on the tops of the two vehicles and activated the lights and sirens in an effort to expedite the trip to the airport.

- Once at the airport, AL KASSAR was removed from the vehicle and led uncuffed through the police hangar to a Super King Air plane on the tarmac. AL KASSAR was within a few minutes led up the stairs to the plane and seated uncuffed facing the rear of the plane with approximately three other police and the pilot and co-pilot on board. A few minutes later, S/A Archer and several other police entered the airplane. S/A Archer was initially instructed to sit opposite of and facing AL KASSAR. S/A Archer observed that AL KASSAR was reading a document. Upon sitting down, AL KASSAR looked up at S/A Archer. S/A Archer said, "Hola." AL KASSAR, replied, "Hola" and returned to reading the document. Within approximately three minutes, another police entered the plane and instructed S/A Archer to move to the seat immediately to the right, diagonally from AL KASSAR. S/A Archer moved to the other seat and the plane took off shortly thereafter en route to Malaga, Spain. In total, ten people were on board to include the pilot and co-pilot, six Spanish police, S/A Archer and AL KASSAR.
- A few minutes after departure, AL KASSAR spoke in Spanish with some of the police. S/A Archer observed AL KASSAR while talking point to S/A Archer and reference the word "Americano." The police offered AL KASSAR sandwiches and water or soda but AL KASSAR declined. While reading the document, AL KASSAR breathed quickly and sweat appeared on his upper chest and neck despite the fact that plane was very cool. The plane traveled south and AL KASSAR sat on the east

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side of the plane. The sun shone through part of S/A Archer's side of the plane but was not on AL KASSAR. Later, AL KASSAR stopped reading asked in English if S/A Archer had not had any time to shave that morning. S/A Archer agreed and stated that he had not shaved in a week. AL KASSAR smiled and then continued to speak in Spanish with police for a few minutes. AL KASSAR continued reading for a few minutes, then rolled the documents, held them in his hand and closed his eyes for approximately thirty minutes. Police had previously pulled out a table between AL KASSAR and the police sitting across from him. The table had two hinged flaps that folded up concealing a map of the United States painted on the table top. AL KASSAR opened the flap closest to him exposing the map. AL KASSAR upon seeing the map looked irritated and quickly folded up the map and looked over at S/A Archer. AL KASSAR later spoke in Spanish to police for approximately ten to fifteen minutes.

- As the plane neared Malaga airport, AL KASSAR began looking out the window of the plane. S/A Archer asked the police in front of him how long the drive to Marbella was. AL KASSAR looked at S/A Archer and responded that it was approximately thirty to thirty-five minutes. S/A Archer asked the police if the direction of travel to Marbella was west and AL KASSAR answered that it was south.
- Upon landing in Malaga, the police escorted AL KASSAR from the airplane and the group boarded a shuttle on the runway. The shuttle drove the group a building at which point all parties exited the shuttle and walked through a building to nearby awaiting unmarked police vehicles parked outside. AL KASSAR was again placed in a vehicle uncuffed with four police. S/A Archer entered another vehicle with three other police. The vehicles soon departed the airport en route to AL KASSAR's residence located in Marbella, Spain.
- The drive to the residence took approximately thirty to forty minutes. Once arriving in Puerto Banus, the vehicles stopped at a commercial area to await confirmation to travel to the residence. The drive to the residence took approximately two minutes. A lot of media was set up outside of the gate and took pictures as the police

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vehicles entered AL KASSAR's compound. The police vehicles parked and AL KASSAR stepped out of the vehicle with the police. The gate was still open as other vehicles arrived. AL KASSAR waved at the crowd that had amassed outside of the gate and walked toward the main entrance to the residence. S/A Archer met with S/A Brown and Madrid CO S/A Dubois who would also be present during the execution of the search warrant.

- Once inside the residence in the entry foyer, a police official provided specific instructions to the group participating in the search warrant to include AL KASSAR and his attorney. The official stated that the group could be split into two teams that would search the residence. Every room would be assigned a number and all evidence collected in each room would be documented. After conferring with several other members in the group, the official stated that the group must stay together during the search and could not wander off to separate areas of the residence. One of the Spanish police took photographs and another produced a video recording during the search warrant.
- It should be noted that under Spanish law, AL KASSAR was authorized to be present with his attorney during the execution of the search warrant. AL KASSAR was unrestrained and moved freely about the residence. Within the timeframe of searching the first or second rooms on the top floor of the residence, AL KASSAR announced that he was responsible for all items in the residence. AL KASSAR approached S/A's Archer and Brown and stated, "You should talk with your informant, Samir" regarding the reason AL KASSAR was in trouble. AL KASSAR said that he was not involved in anything and that it was Samir who had started everything. S/A Archer asked AL KASSAR what he was referring to. AL KASSAR said that he knew that the informant was Samir because he was not listed in the affidavit. In the office area of AL KASSAR's bedroom, S/A's Archer and Brown observed AL KASSAR's photo on the cover of a local Marbella newspaper dated approximately May 11-17, 2007. Shortly thereafter, AL KASSAR approached S/A's Archer and Brown and angrily held up one of the newspapers from a stack of approximately thirty of the same edition. AL KASSAR stated that newspaper contained information that

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explained why he had been arrested in Spain. S/A Archer observed a file on a sofa between the bedroom area and the office. The file indicated that it held information pertaining to Bilal Hussein. S/A Archer pointed out the file to S/A Brown. AL KASSAR observed that S/A Archer appeared interested in the file and remarked that the file contained bank account information that S/A Archer was looking for regarding the investigation. After searching AL KASSAR's bedroom, Spanish officials called for the execution of the search warrant to be halted. S/A Dubois translated to S/A's Archer and Brown that AL KASSAR's attorney had arrived at the residence and was extremely agitated that the search was initiated outside of his presence and that he had not been contacted regarding the exact time as to when the warrant was to be executed. Initially, officials had thought that the private attorney wanted to go back to the previously searched rooms and begin again. It was then determined that the search would continue on the ground floor. The officials stated that the attorney did not want any photographs taken of the items that were being seized.

10. Upon arriving on the landing of the ground floor, S/A Archer observed the facial photo of Abu ABBAS with a cartoon cherub body flying upwards from a birdcage towards the heavens. As S/A Archer looked at the photos near it, AL KASSAR hastily approached S/A Archer and asked if he knew who the person was in the picture. S/A Archer suggested "Samir KUNTAR." AL KASSAR angrily said, "No it is Abu Abbas, the man that you poisoned in Iraq." S/A Archer told AL KASSAR that he (S/A Archer had never been to Iraq." It should be noted that on numerous occasions during the execution of the search warrant, AL KASSAR initiated contact and conversation with S/A Archer. Sometimes, AL KASSAR was upset and other times he was very cordial. Also, at times, S/A's Archer, Brown and Dubois received and made telephone calls while inside the residence. During these calls, AL KASSAR and/or his attorney would attempt to stand near the agent using their cellular telephone appearing to overhear the conversation. S/A's Archer and Brown then observed AL KASSAR talk quietly to his attorney who often would first look at his watch prior to inputting information into an electronic data storage device.

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11. Once in the living room, S/A's Archer, Brown and Dubois began looking at the numerous photographs that AL KASSAR had of AL KASSAR posing with different people. S/A Archer recognized this room from the undercover video previously produced inside the residence. S/A Archer told officials that he wanted the photograph of AL KASSAR posing with Uday HUSSEIN. When the official began removing the photograph from the frame, AL KASSAR immediately demanded that the photograph be left and that a photograph be produced of the Uday HUSSEIN photograph rather than seizing the original. S/A Archer asked AL KASSAR, his attorney and the officials why AL KASSAR could dictate which items were photographed since before his attorney had argued that evidence could not be photographed. It is important to note that the police did not have an a legal advocate present to defend the actions of the police present at the search warrant. Arguments often ensued between S/A Archer and the Spanish police with AL KASSAR and his attorney. Furthermore, AL KASSAR was allowed to physically touch the evidence that S/A Archer and other police wanted seized and on several occasions actually took evidence out of the hands of investigators.
12. At some point once AL KASSAR's private attorney arrived, AL KASSAR stated that his arrest was a big misunderstanding and that he had been working with the Spanish National Police regarding the FARC members who had approached him about buying weapons.
13. Upon entering Felipe MORENO's room, AL KASSAR announced that he was not responsible for anything in MORENO's room. Inside this room in open view, S/A Archer observed a catalogue from Romanian arms company, Romarm. Two business cards were affixed to the front of this catalogue with two contacts from Armitrans, a Bulgarian arms company. S/A's Archer and Brown observed that AL KASSAR became anxious that S/A Archer was interested in this evidence. S/A Archer told Spanish police that he wanted to make sure that the catalogue and related information was seized.
14. In Kazem AL YOUSEF's bedroom, AL KASSAR observed a photograph of CS-86-[REDACTED] hereafter referred to as CS1, CS-99-[REDACTED] hereafter

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referred to as CS2, CS-00-[REDACTED], hereafter referred to as CS3, Tareq AL GHAZI and Kazem AL YOUSEF. AL KASSAR observed a photograph on the wall of the bedroom. AL KASSAR took the photograph and announced that he had found a "very important" piece of evidence and handed the photograph to S/A Archer. S/A Archer stated that he agreed with AL KASSAR and that he already had three other photographs just like it. S/A Archer told AL KASSAR that he thought it strange that AL KASSAR had not provided this valuable evidence to the Spanish National Police. AL KASSAR replied that he did not know that the photograph existed.

15. AL KASSAR's office and MORENO's office were the final two rooms searched at the residence. Inside AL KASSAR's office (located on the ground floor and only accessible from the outside), S/A Archer observed a shelf with at least three stacks of material titled "GARZON." In this office, S/A's Archer and Brown observed that AL KASSAR became increasingly nervous. As Spanish police searched through a file cabinet behind AL KASSAR's desk, AL KASSAR insisted on directly monitoring what was searched and then shown to S/A Archer. AL KASSAR told S/A Archer that he did not understand why S/A Archer wanted the bank account information located in the files because everyone knew that he had the same bank accounts for years. S/A Archer told AL KASSAR he wanted the bank account information contained in the file cabinet because S/A Archer knew that AL KASSAR put bank accounts in other people's names for his own use such as Bilal Hussein. AL KASSAR shrugged and nodded his head affirmatively. Also in this file cabinet, S/A's Archer and Brown observed numerous passports of various people as well as numerous passport sized photos of various people to include a person that AL KASSAR had previously a photo of to CS2 in order for CS2 to produce a Guatemalan passport for this individual. During the search of the file cabinet, AL KASSAR's attorney stated that he only wanted documents to be seized pertaining to the investigation by the United States that was currently charging AL KASSAR. The attorney stated that every piece of paper seized had to be verified by S/A's Archer, Brown or Dubois that it was necessary as evidence. S/A Archer observed a file containing information related to CS2's arms transaction with AL KASSAR. Behind this file, S/A Archer observed

<b>REPORT OF INVESTIGATION</b> <i>(Continuation)</i>	1. File No. [REDACTED]	2. G-DEP Identifier [REDACTED]
	3. File Title AL KASSAR, Monzer	
4. Page 8 of 9		
5. Program Code		6. Date Prepared 06/18/07

the map provided to AL KASSAR on February 27, 2007 during an undercover meeting at AL KASSAR's residence. S/A Archer told Spanish police that he wanted the map seized as evidence. AL KASSAR's attorney argued that it was just a map and held no evidentiary value. S/A Archer told AL KASSAR and his attorney that he had personally purchased the map and now wanted it back as evidence. AL KASSAR instructed his attorney to cease the argument and allow the map to be seized as evidence.

16. Shortly afterward, S/A Brown observed that AL KASSAR began sweating profusely and pacing around the office. AL KASSAR stated that he did not feel well and went outside the office and sat down. After approximately ten minutes, AL KASSAR returned inside the office. At this point, Spanish police were looking through files with tabs written in Arabic. An Arabic translator was translating the names of the tabs to the Spanish police who would then translate it into English for S/A Archer. Once AL KASSAR returned to the office, he began taking the folders prior to the Arabic translator being allowed to read them and placing them aside when AL KASSAR deemed they were not important. S/A Archer asked the Spanish police to obtain these folders and go through them with S/A Archer. S/A Archer found several folders from AL KASSAR's stack which S/A Archer deemed as evidence to include a folder containing what appeared to be other arms transactions, a folder containing passport information for numerous individuals claimed by AL KASSAR to be his family members from Iraq and a file containing photocopies of police badges and credential photographs of several members of the Spanish National Police. AL KASSAR stated that Spanish police should not be allowed to seize the folder containing the police information because it did not have anything to do with the current investigation. The Spanish officials seized the file despite arguments from AL KASSAR and his attorney. Spanish police also seized a fax machine from this office.

INDEXING

1. [REDACTED]



The Drug Enforcement Administration (DEA) and the U.S. Attorney's Office for the Southern District of New York received the 2009 ADL Leon and Marilyn Klinghoffer Memorial Foundation Award during the League's Annual Meeting in New York City. Pictured from left: ADL National Director Abraham H. Foxman, Lisa Klinghoffer U.S. Attorney for Manhattan Preet Bharara, Ilsa Klinghoffer, DEA agent James Soiles, and ADL National Chair Glen S. Levy.

New York, NY, November 2, 2009 ... In recognition of their efforts to bring a notorious terrorist to justice, the Anti-Defamation League (ADL) honored the Drug Enforcement Administration (DEA) and the U.S. Attorney's Office for the Southern District of New York.

Each received the ADL Leon and Marilyn Klinghoffer Memorial Foundation Award during the League's Annual Meeting in New York City. The award is named for Leon Klinghoffer, a wheelchair bound American tourist murdered while aboard the Achille Lauro cruise ship in 1985, when it was hijacked by Palestinian terrorists.

As part of a successful undercover operation began in 2005 known as "Operation Legacy," a group of DEA agents infiltrated the inner ring of Monzer al-Kassar, a notorious arms dealer and the terrorist who supplied weapons to the hijackers of the Achille Lauro. After his arrest and extradition to the United States for attempting to sell weapons to a Colombian terrorist organization, al-Kassar and his associate were convicted on multiple terrorism charges in November 2008. Al-Kassar received a 30-year prison sentence.

In presenting the award named in honor of their father, Lisa and Ilsa Klinghoffer spoke of the unwavering commitment of the DEA and the U.S. Attorney's Office.

"Today we honor the tenacity and dedication it takes to bring terrorists and those who enable terrorism to justice," said Ilsa Klinghoffer. "As a family that has been victimized by terrorism, we cannot adequately express our appreciation to those who continue to investigate, track and prosecute terrorists."

Preet Bharara, U.S. Attorney for the Southern District of New York, and James Soiles, Assistant Special Agent in Charge of the Special Operations Division, accepted the awards on behalf of their respective offices.

With their late mother, Marilyn, Lisa and Ilsa Klinghoffer established the ADL Leon and Marilyn Klinghoffer Memorial Foundation in 1985, mandated to combat terrorism through educational, political and legal means.

"After suffering this most inexplicable and public of tragedies, Lisa and Ilsa Klinghoffer did what many people do not have the strength or the courage to do – they decided to fight back," said Abraham H. Foxman, ADL National Director. "Through their constant, selfless and tireless efforts, they have transformed terrorism and its victims from the abstract and put a face to those whose lives have been directly affected by terrorism."

The ADL Leon and Marilyn Klinghoffer Memorial Foundation Award is an honor bestowed periodically in appreciation of important contributions to the struggle against terrorism. Past recipients of the award include former Deputy Attorney General Jamie Gorelick, on behalf of the Clinton Administration, Senator Orrin Hatch, Senator Charles Schumer, Rep. Henry Hyde, the Joint Terrorism Task Force, former Assistant Secretary of State for Human Rights Richard Schifter, former Assistant Secretary of Defense Peter Williams, and former Secretary of State George Schultz.

The Anti-Defamation League, founded in 1913, is the world's leading organization fighting anti-Semitism through programs and services that counteract hatred, prejudice and bigotry

P.T.O →





## U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

October 20, 2008

By Fax

Ira Lee Sorkin, Esq.  
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Marc Agnifilo, Esq.  
Brafman and Associates  
767 Third Avenue, 26<sup>th</sup> Floor  
New York, New York 10017

Re: United States v. Monzer al Kassar, et al.,  
S3 07 Cr. 354 (JSR)

Dear Counsel:

This letter provides information concerning three of the Government's witnesses, Carlos Godoy, Samir Houchaimi and John Archer, pursuant to Giglio v. United States, 405 U.S. 150 (1972). As the Government previously represented in court, the Government intends to produce 3500 material regarding these and other witnesses it intends to call at the upcoming November 3, 2008, trial on Monday October 27, 2008.

Carlos Godoy

Godoy is one of the United States Drug Enforcement Administration ("DEA") confidential informants who will testify in the Government's case-in-chief. Godoy was born in Guatemala in 1971. In 1989, Godoy joined the Guatemalan Army and was assigned to a military intelligence unit. Godoy served in the Guatemalan Army from 1989 through 1995. As described below, between in or about 1995 and 1997, while still serving in the Guatemalan Army, Godoy engaged in narcotics and money-laundering

crimes.

In or about 1995, Alfredo Gomez-Pinzon, a Colombian cocaine trafficker, asked Godoy to assist him in off-loading a shipment of cocaine at a Guatemalan port. Godoy had previously been involved in a deal involving stolen cars with Gomez-Pinzon. Godoy agreed and, using his military credentials, worked with others to off-load Gomez-Pinzon's cocaine shipment from a boat onto vehicles. Godoy was paid approximately \$12,000 for his work. About one month later, Gomez-Pinzon asked Godoy to acquire fraudulent travel documents for Gomez-Pinzon's drug associates who were traveling from Colombia to Guatemala. Godoy agreed, and received a few thousand dollars in payment.

Gomez-Pinzon next asked Godoy to acquire go-fast boats to be used to receive approximately 1,000 kilograms of cocaine at sea and then transfer the drugs to others. Godoy arranged the transportation, and was paid approximately \$350,000 by Gomez-Pinzon.

Gomez-Pinzon asked Godoy to assist in the transportation of a third cocaine shipment of approximately 1,000 kilograms, in exchange for another payment of approximately \$350,000. Godoy assisted in the transportation of the drugs, but was never paid any money.

Godoy arranged to transport a final shipment of approximately 1,200 kilograms of cocaine for Gomez-Pinzon, but the drugs were seized by law enforcement. Godoy was not present at the time of the seizure. Godoy later met with the Colombian suppliers of the drugs to prove that the drugs had in fact been seized rather than stolen. He provided newspaper accounts of the seizure to the Colombian suppliers, and was then permitted to return to Guatemala.

After the seizure, Gomez-Pinzon asked Godoy to get fraudulent travel documents for one of Gomez-Pinzon's associates traveling from Guatemala to Mexico. Godoy provided the documents, and was paid approximately \$10,000.

Gomez-Pinzon then asked Godoy to transport drug money from Mexico back to Colombia. Godoy agreed, and personally transported approximately \$1.8 million in drug proceeds hidden inside suitcases in two trips from Mexico to Colombia. Gomez-Pinzon paid Godoy approximately \$30,000 for his efforts. Godoy also transported an additional approximately \$1 million in drug proceeds from Puerto Rico to Panama. Gomez-Pinzon paid Godoy approximately \$45,000 for transporting the money.

After Godoy transported the money from Puerto Rico to Panama, Gomez-Pinzon was arrested. Godoy then began working for Gomez-Pinzon's Mexican associate. Godoy visited the Mexican associate in Mexico, and was kidnaped along with the Mexican associate by drug traffickers seeking a drug payment owed by Gomez-Pinzon. Godoy was kidnaped for more than 10 hours, and threatened at gunpoint. He was ultimately released.

In or about 2007, after returning to Guatemala, Godoy decided to offer his services as a confidential informant to the DEA. Godoy contacted the DEA representative at the U.S. Embassy in Guatemala City, and began working with the DEA. While in Guatemala, Godoy's cooperation with the DEA resulted in, among other things, two seizures of approximately 600 and 800 kilograms of cocaine. In or about 1998, because of threats he received as a result of his cooperation, Godoy was relocated to the United States by the DEA.

As detailed in our previous letters to you, since he began working as a confidential informant in or about 1997, the DEA has paid Godoy approximately \$1,457,998 for information services, security and expenses. In addition, Godoy has received approximately \$18,700 from the U.S. Department of Justice in Emergency Witness Assistance Program ("EWAP") funds. In order to ensure his security, the DEA also has assisted Godoy with U.S. immigration authorities in connection with his relocation from Guatemala to the United States.

#### Samir Houchaimi

Houchaimi is another one of the DEA confidential informants who will testify in the Government's case-in-chief. Houchaimi was born in Jerusalem in 1938. In 1956, Houchaimi joined the Jordanian Army. After several years in the tank unit and the military police, he was assigned to the military intelligence unit in the mid 1960s. He remained with the Jordanian Army until the early 1970s. At that time, he requested permission to resign from the army because of growing tension between the Jordanian members and the Palestinian members of the army. The Jordanian Army allowed Houchaimi to resign but only after he agreed in writing that he would not join any other intelligence services.

In the early 1970s, Houchaimi joined Fatah, a part of the Palestinian Liberation Organization (the "PLO"). In 1972, Houchaimi was arrested in Jordan when he was found in possession of Jordanian intelligence files, which he had obtained for Fatah. He was subsequently convicted for his possession of the intelligence files and sentenced to death. In 1973, Houchaimi was released by the King of Jordan as part of a large prisoner

release in the wake of the Yom Kippur War involving Israel, Egypt and Syria. Houchaimi was a member of Fatah until approximately 1982.

In approximately 1982, after leaving Fatah, Houchaimi began smuggling hashish from Lebanon to England. In approximately 1983, Houchaimi joined a group that smuggled kilogram quantities of heroin from Lebanon to the United States. In December 1984, he was arrested in New York City attempting to deliver approximately seven kilograms of heroin for the group. He pled guilty pursuant to a cooperation agreement in the Eastern District of New York, and later testified against several co-defendants. He was released from prison after approximately three years, and returned to Lebanon.

In approximately 1986, Houchaimi was arrested in Pakistan on drug-related charges. According to Houchaimi, after he spent four months in prison, the Pakistani authorities recognized that there was no basis for his arrest and they released him.

In approximately 1987, Houchaimi began smuggling kilogram quantities of heroin from Pakistan to the United States with an individual named Mushtaq Malik. Houchaimi smuggled the heroin into the United States in suitcases, and used false passports from various countries. In February 1988, Houchaimi was arrested in Springfield, Massachusetts, while attempting to deliver 2.2 kilograms of heroin. Following his arrest, Houchaimi confessed, and immediately began cooperating with the Government. His cooperation led to the arrest of Malik. Houchaimi pled guilty to a narcotics conspiracy charge in Massachusetts state court in September 1989. Houchaimi then testified against Malik in November 1989. Malik was subsequently convicted. Houchaimi was released from prison in January 1991, and returned to Lebanon. Since that time, he has been working as a paid confidential source for the DEA, providing information and services in connection with numerous narcotics and terrorism investigations.

In 1992, Malik claimed that, while in prison, Houchaimi admitted to him and another inmate that he had planned the 1983 bombing of the Marine barracks in Beirut, Lebanon. Based on this allegation, Malik and his attorney launched a national publicity campaign against Houchaimi and sought his indictment for his participation in the bombing. As part of an FBI investigation into the allegations, Houchaimi sat for a polygraph examination and answered questions about the bombing of the Marine barracks. Based upon the polygraph results and additional investigation, the FBI determined that there was no credible evidence that Houchaimi was in any way involved with the bombing.

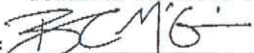
As detailed in our previous letters to you, since he began working as a confidential informant in or about 1986, the DEA has paid Houchaimi approximately \$955,000 for information services, security and expenses. In addition, Houchaimi has received \$95,000 from the U.S. Department of Justice in EWAP funds. In order to ensure his security, the DEA also has assisted Houchaimi with immigration authorities in the United States and abroad.

John Archer

John Archer is a Special Agent with the DEA, and the case agent in this matter. Agent Archer first joined DEA in or about 1997, and was initially assigned to the Las Vegas Field Division. In or about 2000, while in Las Vegas, Agent Archer participated in a search warrant at a residence in connection with a narcotics investigation. The location was the residence of the main target of the investigation, who was believed to be involved in the distribution of Ecstasy, and of his wife. During the court-authorized search, which involved more than ten investigators, Agent Archer and other investigators located photographs of the main target with a woman other than his wife. Agent Archer and the other investigators, who were hopeful that the wife would cooperate against the main target, laid out a number of the photographs inside the residence in a manner designed to be noticed by the wife. They also took the remaining photographs from the residence, along with other evidence.

After the search, at the direction of his supervisor, Agent Archer, in a manner inconsistent with DEA policy, did not place the remaining photographs into evidence. Ultimately, again at the direction of his supervisor, Agent Archer shredded approximately six to ten of the photographs, although he eventually put other photographs into evidence as required by DEA policy. DEA's Office of Professional Responsibility ("OPR") investigated the conduct of Agent Archer and the other investigators in his group. OPR found that Agent Archer had engaged in the improper handling of evidence and had exercised poor judgment, and imposed a penalty of three days off-duty against him.

Respectfully submitted,  
MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

By:   
Boyd M. Johnson III  
Brendan R. McGuire  
Assistant United States Attorneys  
212-637-2276/2220

October 13, 2008

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Mr. Ira Lee Sorkin  
Dickstein Shapiro, LLP  
1177 Avenue of the Americas  
New York, NY 10036-2714

Dear Mr. Sorkin,

I'm returning the indictment: United States v. Monzer Al Kassir, et al., S3 07 Cr. 354 (JSR) (attached), which you sent me for review earlier this month. I have completed my review marginalia remarks. The Government's case appears to rest on two (questionable) assumptions - 1) that the indicted individuals intended to do damage to US citizens which seems to be an unsubstantiated ascertain and 2) they were accumulating weapons and munitions to be sold to Columbian terrorists the Fuerzas Armadas Revolucionarias de Colombia ("FARC").

The two documents attached to the indictment give little indication of being any more than a small arms and munitions request for proposal and a separate (and unrelated) sketch a general specification of a MANPADS IR system. I've included a copy of the US Government DSP-83 NONTRANSFER AND USE CERTIFICATE (the US end use certificate).

The questions I'd be asking of the Government is the names of the manufacturing facilities, their countries, and their laws/policies that require end-use certificates and if they do require such documentation, its required form or content. Looking at this package, I thought that your client and his associates were more likely to be running a scam against their "customer" than involved in actually delivering the material. Additionally, the steps of the assertion that provide the reason the US Government had jurisdiction in such an arms transfer, based on the seller's intent was to harm US citizens and property, appear to be as contrived as this attempted sting. It seems that they moved early on the apprehension and indictment because the sting may have been falling apart. My observations.

Sincerely,





U.S. Department of Justice  
United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 17, 2008

BY FEDERAL EXPRESS

Ira Lee Sorkin, Esq.  
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8<sup>th</sup> Floor  
New York, New York 10022

Re: United States v. Monzer al Kassar, et al.  
S3 07 Cr. 354 (JSR)

Dear Counsel:

In response to your recent discovery requests, including your letter dated September 15, 2008, the Government writes to provide the following information:

1) CS Payments. As a supplement to our previous disclosure regarding DEA payments to the confidential sources involved in this case, CS-3 has been provided with approximately \$39,000 for information, services, security and expenses in connection with this case. In addition to the amounts provided to the CSs in connection with this case, each CS has been paid the following approximate amounts by the DEA prior to this case:

- Samir CS-1: \$608,345
- Carlos CS-2: \$1,283,985
- Luis CS-3: \$775,850
- Speros CS-4: \$174,113



U.S. Department of Justice  
United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

March 2, 2009

By Facsimile

Marc Agnifilo, Esq.  
Brafman and Associates  
767 Third Avenue, 26<sup>th</sup> Floor  
New York, New York 10017

Re: United States v. Monzer al Kassar, et al.  
S3 07 Cr. 354 (JSR)

Dear Mr. Agnifilo:

This letter provides additional information concerning two of the Government's witnesses, Carlos Godoy and Samir Houchaimi, pursuant to Giglio v. United States, 405 U.S. 150 (1972). This letter supplements the letter we previously provided to you on October 20, 2008.

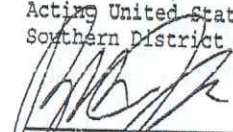
In December 2008, the DEA paid Godoy \$50,000 for information and services related to this case. In January 2009 the DEA paid Godoy \$200,000 as an award in connection with this case.

In December 2008, the DEA paid \$50,000 to Houchaimi for reimbursement of expenses related to this case. In January 2009, the DEA also paid Houchaimi \$200,000 as an award in connection with this case.

Very truly yours,

LEV L. DASSIN  
Acting United States Attorney  
Southern District of New York

By:

  
Boyd M. Johnson III  
Brendan R. McGuire  
Assistant United States Attorneys  
212-637-2276/2220

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September 24, 2008

BY HAND

Boyd M. Johnson, III, Esq.  
Assistant United States Attorney  
United States Attorney's Office  
One St. Andrew's Plaza  
New York, NY 10007

Re: United States v. Monzer Al Kassar, et al. S3 07 Cr. 354 (JSR)

Dear Mr. Johnson:

On Saturday morning, September 20, 2008, you advised me that you had some information from the DEA which the DEA deemed to be from a reliable source. The information was, in substance, that Mr. Al Kassar might be harmed. We have since received additional information that, in substance, Mr. Al Kassar was going to be killed in Spain by an individual who had substantial means to do so, and such individual was from a Middle Eastern country.

We intend to seek additional information concerning this matter as part of our CIPA application.

Very truly yours,



Ira Lee Sorkin  
(212) 277-6576  
sorkini@dicksteinshapiro.com

Dictated, but not read

ILS:mm

cc: Roger L. Stavis, Esq.  
Marc Agnifilo, Esq.

Cette page est en Anglais. La traduire à l'aide de la barre d'outils Google ? Pas en Anglais ? [Aidez-nous à améliorer notre service.](#)  
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against al-kassar, at that time my eldest daughter was born in paris. after she's born i leave the hospital to go get some  
was moving drugs to the united states. but then his arms business took off. he was living in marbella, spain. he  
changed his story, so he was acquitted of that charge. we tried, but he was a very treacherous guy. nothing stuck to him.  
connected. absolutely. >> in a few moments, i'll be signing the usa patriot improvement and reauthorizati  
operating outside of the united states that affected the united states. >> so by 2006 we have new laws on the books and  
we're drowning in information. where, in all of this, is the stuff that matters? the stakes are so high, your finances, your future.  
your new social security alerts? oh! we'll alert you if we find your social security number on any one of thousands of  
hey you've gotta see this. cnc.n alright, see you down there. mmm, fine. okay, what do we got? okay, watch this. do the thing  
our role as the team was to come up with a game plan. by hook or by crook, we're going to make a case. find out what  
high-level source that had been utilized by the d.e.a. for approximately 20 years. his name was samir. in new york in the early  
could smell the food, you know. i always brought enough for two. i said would you like some? he wouldn't say  
poland with monzer al-kassar. samir needed to penetrate his inner circle by establishing a relationship  
deal with monzer al-kassar. me? criminals are always cautious because the dea has built a large human  
so we that the g... not be a party monzer books of this period and car

### TV News Archive

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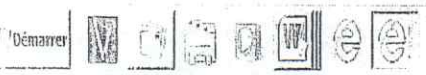
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## Declassified

CNN July 29, 2017 9:00pm-10:00pm PDT

True stories of U.S. covert operations are told by the agents who were involved in the missions.



P.T.O. →



Declassified : CNNNW : July 29, 2017 9:00pm-10:00pm PDT : Free ...  
[https://archive.org/details/CNNNW\\_20170730\\_040000\\_Declassified](https://archive.org/details/CNNNW_20170730_040000_Declassified)

1. En cache

Traduire cette page

30 juil. 2017 - monzer al-kassar was one of the most elite global weapons ..... to come up with a game plan, by hook or by crook  
we're going to make a case, ...

Sara Martínez Lumbreras  
Master en Dirección y Admón. Empresas (M. B. A.)  
Miembro de la Real Academia de Jurisprudencia  
Abogado

Quintana, 3-2.º doha.  
Cedex 541 32 34  
28008 Madrid

Madrid 29 de noviembre 2010

A la Excmá Sra Ministra Doña Trinidad Jiménez

Muy Señora Mía,

Como abogada recomendada por la Embajada de Usa en Madrid y como abogada de la familia Al Kassar me dirijo a vd con el máximo respeto para interesarme en qué estado se encuentran los trámites de concesión de visado para que la esposa e hijos del Sr Monzer Al Kassar puedan ir a visitarlo al Centro Penitenciario de Estill en Carolina del Sur ya que anteriormente me he puesto en contacto con la embajada sin tener ninguna respuesta por su parte.

Tanto la esposa del Sr. Al Kassar como sus tres hijas e hijo son españoles y son personas que jamás se han dedicado a ninguna actividad ilícita ni tienen antecedentes penales ni policiales habiendo residido en Marbella de forma continuada en los últimos años.

El Centro Penitenciario donde se encuentra el Sr. Al Kassar en USA es un centro penitenciario de seguridad media, su comportamiento ha sido intachable en todo este tiempo no teniendo ningún parte desfavorable y teniendo aprobadas por las autoridades de la prisión las visitas con familiares, amigos y abogados. En este tiempo han ido a visitarle su hermana residente en Cairo, algunas amistades y esta letrada habiendo transcurrido todas las visitas sin ningún inconveniente y acatando en todo momento las reglas de la prisión.

Durante todo este tiempo que lleva en Estados Unidos no ha comunicado con su esposa ni con sus hijos habiéndoles impedido la entrada cuando fueron a verle antes de su juicio en el estado de Nueva York consideramos que esta

Sara Martínez Lumbreras  
Master en Dirección y Admón. Empresas (M. B. A.)  
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situación es muy perjudicial para un interno ya que dentro del espíritu de los centros penitenciarios en USA se fomentan las relaciones personales con su familia y es un trato muy inhumano el impedir la comunicación de una persona con su mujer e hijos que son los familiares más directos y la no concesión de visado es la premisa necesaria para poder visitarlo en USA.

Sin otro particular y esperando su respuesta quedando a su disposición y agradeciéndole de antemano su intermediación en este asunto para nosotros de vital importancia.

Un atento saludo,



SARA MARTINEZ LUMBRERAS

July 14<sup>th</sup>, 2010

To: With Honor to the President of the United States Of America

Presented By: Mohammed Rene Al Kassar, Holder of the Spanish Nationality, in my name and as the only son for my father from three sisters, Monnawar, Haiffa, and Natasha Al Kassar.

From our deepest sorrow feelings we are searching for help in any possible way for our beloved father. According to the United States our father Monzer Al Kassar was arrested in Madrid, Spain three years ago and after eight months he was deported to the United States. Its been three years for absence of our father, whos is the main role and ultimate man of the family. Further more, the catastrophic thing is that my siblings and mother are not allowed to visit our father in the United States because we need a visa. In addition, my mother Raghda Al Habbal along with my sister Haiffa tried entering the United States two years ago, but they were **detained for 48 hours at New Arch Airport in New Jersey** and then sent back to Spain, no matter what the cause is this is our father and our right. We are in distress, suffering daily in our every day lives he is the reason why we are living. We are all internally destroyed, my mother is suffering from Huminitarian and moral problems and also my oldest sister is passing threw mental collision since she was not allowed to see her father. There is no reason for us not entering into the United States. Please all we are asking for is an entrance visa for at least 24 hours, to reunite the family. I would like to say that I Mohammed Rene Al Kassar which I am 18 years old can not handle the responsibility for the whole family. Please try to help us, since this is our right in the name of humanity to see our beloved father. We are originally from Syria, but we hold Spanish and British nationality, so this should not be a problem.

I am also honored that there is a Human Right Organization that can support us.

Thank you for taking your time reading this letter. Attached to this letter are copies of our passports. I also wrote a letter to the Human Rights organization and we are still waiting for a response.

May God Bless You

With kindness in hope to see our father please contact us in the following address:

Rawda, Ziad Bin Abi Soufian St. #6, 1<sup>st</sup> floor Chami Building,

Damascus, Syria. Email: [haiffak@hotmail.com](mailto:haiffak@hotmail.com)

Respectfully,

Mohammed Rene Al Kassar

May 14<sup>th</sup>, 2011

To: With Honor to the President of the Human Rights Organization in the United States of America

Presented By: Mohammed Rene Al Kassar, Holder of the Spanish Nationality, in my name and as the only son for my father from three sisters, Monnawar, Haiffa, and Natasha Al Kassar.

From our deepest sorrow feelings we are searching for help in any possible way for our beloved father. According to the United States our father Monzer Al Kassar was arrested in Madrid, Spain three years ago and after eight months he was deported to the United States. It's been three years for the absence of our father, who is the main role and ultimate man of the family. Furthermore, the catastrophic thing is that my siblings and mother are not allowed to visit our father in the United States because we need a visa. In addition, my mother Raghda Al Habbal along with my sister Haiffa tried entering the United States two years ago, but they were **detained for 72 hours at Newark Airport in New Jersey** and then sent back to Spain, no matter what the cause is this is our father and our right. We are in distress, suffering daily in our everyday lives he is the reason why we are living. We are all internally destroyed, my mother is suffering from Humanitarian and moral problems and also my oldest sister is passing through mental collision since she was not allowed to see her father. There is no reason for us not entering into the United States. Please all we are asking for is an entrance visa for at least 24 hours, to reunite the family. I would like to say that I Mohammed Rene Al Kassar which I am 18 years old cannot handle the responsibility for the whole family. Please try to help us, since this is our right in the name of humanity to see our beloved father. We are originally from Syria, but we hold Spanish and British nationality, so this should not be a problem.

I am also honored that there is a Human Rights Organization that can support us.

Thank you for taking your time reading this letter. Attached to this letter are copies of our passports and Monzer Al Kassar's address.

May God Bless You

Monzer Al Kassar N° 61111-054

F.C.I.-Estill, Federal Correctional Institution P.O. Box 699

Estill, South Carolina 29918, U.S.A

With kindness in hope to see our father, please contact us in the following address:

Rawda, Ziad Bin Abi Soufian St. #6, 1<sup>st</sup> floor Chami Building,

Damascus, Syria. Email: [haiffak@hotmail.com](mailto:haiffak@hotmail.com) and [iny-m@hotmail.com](mailto:iny-m@hotmail.com)

Respectfully,

Mohammed Rene Al Kassar



MONZER AL KASSAR  
FCI-THA, #61111-054  
P.O. Box 33  
Terre Haute, IN 47808

July 26, 2013

President Barack Obama  
1600 Pennsylvania Ave. NW  
Washington, DC 20500

With Honor to the President of the United States

Dear Mr. President,

I am writing to you about a very basic civil and human rights issue. Prior to my arrest in Spain, I had never once set foot on American soil nor had I ever had any dealings whatsoever with this country.

I am a Syrian by origin who was living in Marabella, Spain lawfully with my wife, three daughters and one son for 30 years.

My wife, three daughters and my one son all hold European (British and Spanish) passports and thus are not required to obtain a visa to travel to this country.

My family tried to come to this country for my trial in October of 2008. They actually arrived at the Newark, New Jersey airport and they were met by government officials asking them for information.

They were turned around and promptly sent back to Spain. Since then, they have not been allowed to enter this country without explanation. They are approved by the FBI and the Federal Bureau of Prisons and they are on my approved visitation list. My wife's name is Raghda Al Habel Al Awa, my daughter's names are Monnawar, Haiffa, and Natasha Al Kassar. My son's name is Mohammed Rene Al Kassar.

My family has suffered irreparable harm, psychological or otherwise, by not having direct contact with me. When I was arrested, my son was only 14 years old.

I am writing to you because last week when I spoke to my son by telephone, he was crying because he wants to come visit me and he cannot understand why he and my family cannot come for such a visit. Noone will give them an explanation.

I would be forever grateful if you would review this matter and advise what can be done. to alleviate this problem. Thank you in advance for your time and consideration and I pray I will receive a response to this letter soon.

Sincerely,

  
Monzer Al Kassar



American Civil Liberties Union of Indiana

December 24, 2013

Joseph Hogsett  
United States Attorney  
Southern District of Indiana  
10 W. Market Street, Suite 2100  
Indianapolis, IN 46204

re: Monzer Al Kassar  
No. 61111-054  
FCI Terre Haute

Dear United States Attorney,

I have been contacted by Monzer Al Kassar, a foreign national who is serving a lengthy sentence in the BOP. His wife and children have foreign passports and have been seeking unsuccessfully, for years, to obtain permission to enter the United States to visit him. It is my understanding that both the BOP and the FBI have approved the visits of his family members, but they continue to be denied entry into the United States.

I realize that the decision concerning which foreign national may or may not enter the United States is not made in your office. However, it would be appreciated if this could be forwarded to the proper office for its review.

Thank you for your consideration in this matter.

Very truly yours,

Kenneth J. Falk  
Attorney at Law



United States Department of State  
Washington, D.C. 20520

January 22, 2014

Kenneth J. Falk  
Price Building  
1031 East Washington Street  
Indianapolis, IN 46202

Dear Mr. Falk:

We are writing in response to your December 24, 2013 letter to U.S. Attorney Joseph Hogsett concerning the nonimmigrant visa cases of the family members of Mr. Monzer Al Kassar. Your letter was forwarded to the Visa Office, Public Inquiries Division for our reply.

Visa applications are adjudicated in accordance with the Immigration and Nationality Act (INA) and applicable federal regulations. While the Department of State makes every effort to facilitate legitimate travel by international visitors, we are also fully committed to administering U.S. immigration law and ensuring the integrity and security of our country's borders.

Pursuant to Section 222(f) of the INA, visa records are considered confidential and may not be released to persons other than the visa applicant or designated agent. Therefore, we cannot discuss specific details of the visa applications of the family members of Mr. Al Kassar with you. We wish to assure you that their cases will be given every possible consideration consistent with U.S. immigration law.

We trust this information is helpful.

Sincerely,

Public Inquiries Division  
Visa Services  
Travel.State.Gov



United States Department of State  
Washington, D.C. 20520

June 12, 2014

Raghda Habbal  
Calle 21B Las Camelias  
Numero 26, Nueva Anadalucia  
Malaga, Spain 29660

Dear Ms. Habbal:

I am writing in response to your May inquiry to the Department of State concerning your nonimmigrant visa application and those of your children, Monnawar, Haiffa, Natasha and Mohamed Alkassar. We appreciate your patience in awaiting a response.

Visa applications are adjudicated in accordance with the provisions of the Immigration and Nationality Act (INA) and applicable federal regulations. A review of Department consular records confirmed that you and your family submitted nonimmigrant visa applications in May 2011. Because these applications are over one year old, unfortunately, they are now considered to have expired.

If you and your family members still wish to travel to the United States, you should contact the U.S. Embassy in Madrid, Spain and provide them with an updated itinerary. You may contact the Embassy at (+34) 91-123-8866 or through their webpage at <https://ais.usvisa-info.com/en-es/niv>.

I trust this information is helpful.

Sincerely,

Public Inquiries Division  
Visa Services  
Travel.State.Gov

Abreviado 728/2010



TO WHOM IT MAY CONCERN

I, SARA MARTINEZ LUMBRERAS, Attorney at law in Spain, Ilustre Colegio de Abogados de Madrid college number 28.776, as an attorney for my client Mr MONZER AL KASSAR, Now, prisoner at Marion .C.M.U, American prison; Declare to the best of my knowledge the following ;

1. In early june , 2008 , I visited my client Mr Monzer AL KASSAR at Aranjuez Prison in Madrid, i used to do it at least once a week or more if it was necessary in the time he was prisoner at Spain , firstly at Soto del Real after at Aranjuez. This last visit was few days before he was rushed away in a sorpresive way , to be handed over to the American Authority.

My client MR MONZER ALKASSAR in the visit , informed me for the nighthmare of his tortured at midnight a few nights before at ARANJUEZ prison at Madrid.

2. On december 20th ,2010 I received from my client MR MONZER ALKASSAR a letter in English , I translated into spanish and i adressed to the Honorable Juzge of his Extradition Case at The National Court in Madrid, Doña Teresa Palacios Criado.He explained in details about his torture at Aranjuez Prison in Madrid , i delivered the letter to the court in Madrid.

Few weeks , as I can remember , the Court told me the right Court for this complain is the Court of Vigilancia Penitenciaria at Madrid, Spain , the one which belongs Aranjuez prison.

3. A complain letter for the tortured in spanish , dated March 8ath , 2011 was sent to the court in Aranjuez- Madrid.

Since then, neither me or my client Mr, Monzer ALKASSAR , ever receveived any reply for this issue .Affiant Sayeth No More//

SARA MARTINEZ LUMBRERAS, ATTORNEY AT LAW AT MADRID ,  
SPAIN , COLLEGE NUMBER 28.776

NOMBRE  
MARTINEZ  
LUMBRERAS  
SARA - NIF  
50703506Y

Firmado digitalmente por NOMBRE  
MARTINEZ LUMBRERAS SARA - NIF  
50703506Y  
Nombre de reconocimiento (DN):  
1.3.6.1.4.1.16533.30.1=LUMBRERAS,  
sn=MARTINEZ, givenName=SARA,  
serialNumber=50703506Y, title=Abogado,  
st=Madrid, c=ES, o=Ilustre Colegio de  
Abogados de Madrid / ICAM / 2045,  
ou=28001 / 28776, cn=NOMBRE MARTINEZ  
LUMBRERAS SARA - NIF 50703506Y,  
email=saramartinez1@ono.com  
Fecha: 2017.09.06 11:29:37 +02'00'

P.T.O.

Marzo 8, 2011

Estimada llma .  
Al Juez Violancia Penitenciaria (Aran Juez)


Quiero Exponer Con El Debido Respeto:

1. "El incidente de Tortura" contra mi cuando estuve en la prison de Aranjuez, prison cercana a Madrid, pocos dias antes de que me llevaran de repete a estilo rambo a America. En la mitad de la noche cuando yo estaba totalmente aislado y medio dormido en mi cama se abrio la puerta automatica de mi celda, todo estaba oscuro y fui despertado de forma desagradable, yo pense que eran fastamas, de hecho de diez a quince individuos vestidos con ropas negras y con mascararas en su rostos y palos en sus manos empezaron a pergarne y cuando empece a gritar me condujeron fuera de la cama y me sacaron a otra habitacion donde habia utiles de limpieza y dentro de la habatacion empezaron a pegarme, entonces yo habia oido que habia otra persona aislada cuya celda estaba cerca y por eso seguia gritando, sabia que el que estaba aislado era un chico de raza negra de Portugal que me mando un mensaje al dia siguiente, Antonio Alfonso? Despupes me condujeron a otra seccion y me de jaron en otra celda aislada y me dejaron sin manta y sin nada "solo la cama" y estaba muriendome de frio hasta la manana, la puerta se abrio y dos funcionarios me dieron una manta y me llevaron a mi celda original, cuando vieron mi situacion me llevaron a una oficina y me dieron un cafe caliente y me dijeron que el Jefe de Seguridad de la prison estaba en camino para venir a hablar conmigo y calmarme. El Jefe de Seguridad, su nombre es D. jose Antonio vino sobre alrededor de las 7, 30 am y estaba muy preocupado diciendo que personalmente me pedia disculpas por lo que habia sucedido aue no era una orden suya de la prison y cuando de pregunte de auien venia dijo que era una orden aue venia de fuera y aue no podia decir nada mas y el dijo que si el hubiera estado trabajando esto no habria ocurrido. Me dijo que podia llamar a mi familia y podian venir a visitarme en mi incomunicaciony autorizo una visita especial para ellos, informe a mi familia y a mis abogados y no hubo tiempo para hacer nada poraue mi extradicion llego de forma inesperada.

2- Fui conducido por los americanos estilo "Rambo" en la manana del trece de junio de 2008 ante de aue mis papeles volvieran del gabinete del Consejo de Ministros a su Sala para seguir la orden legal que dice la ley, por eso me secuestraron de Espana y me llevaron a USA antes de aue la Sala diera la Orden. Esto fue confirmado por mi abogado en Espana.

Finalmente quiero agradencierle el tiempo aue esta vd perdiendo para leer mi causa y desearele Feliz navid y muy feliz Ano Nuevo.

He escrito mi caso a traves a mi abogado Dona SARA MARTINEZ LUMBRERAS en Madrid pueda responderme directamente o a traves de mi abogada Sara. Con todos mis respetos.

Monzer Al Kassar   
#61111-054  
Federal Correctional Institution  
P.O. Box 699  
Estill, SC 29918



U.S. Department of Justice

1425 New York Avenue, NW  
Washington, DC 20530-0001

May 9, 2016

Steve Levine, Esq.  
1610 Pennsylvania Avenue  
Washington, DC 20530

RE: United States v. Monzer Al Kassar

Dear Mr. Levine:

May this letter reach you well. I look forward to seeing you and your family at Catheryn's birthday party in a few weeks. I am sure your children have grown much since the last time I have seen them.

Regarding the legal matter we discussed in reference to Monzer Al Kassar; you and your associates have my permission and the legal authority of my office, to negotiate the equitable arrangement in exchange for potential release. I know I do not need to remind you of the political pressure our office received from members of both major political parties involving your client. As such, much compromise was made to secure his sentence reduction. Certain political members may demand compromise on behalf of your client in exchange for continued support in the matter of Monzer Al Kassar. You have been involved in the Washington politics for decades so I know you have a grasp of what this entails; however, I want you to be aware of this consideration in advance.

I have a few pressing matters to attend to; however, we will discuss this matter in further detail in the coming weeks. As we discussed on the phone this is a sensitive matter so as always I appreciate your discretion in disclosure.

Give my best wishes to your family.

Very truly yours,

Loretta Lynch  
U.S. Attorney General

cc: WH Chief of Staff

Case S3 07 Cr.354 (JSR)

~~COPY~~

1/2

Wed. 09/21/2016

To: The Warden Mr. Julian,  
C.M.U. Terre Haute-IN [S.H.U.]  
From: Monzer ALKASSAR [The Hostage] # 6111-054

I have been in this illegal unit so called c.m.u for 5 years - without any serious "shot". ALSO, about 5 years in different prisons - Without any problems! [read my record].

Under your watch, this is my six days of [Farture] - Physically, in Place inside the same unit, which I've never being in. Isolated in a dry cell #12 with a temp. more than 110 [Sauna], and 24 Hours, [Noise Barding] with very very high "Motors" or [Machines] 24 Hours outside - of my window, and outside in the hole next to the door. I don't know for how long I can last! I am over 71 years old, with a lot of medical issues. I've been denied access to call my lawyer I have not being able to sleep, neither any one. Only today I was able to get a pen and paper after insisting for the last 6 days. This is a crime under any kind of Law!

I need to know, under what legal Authority, you allowed that to happen?! IF you don't know, which is worse! You can ask: LT. Rodriguez - LT. S. Willock and all the C.O working in this small isolated unit. I know one of them Mr. Dobbing - also the Chaplan. I am responsible legally for every words of my letter and under Oath.

2 →

This retaliation is to cover up a bigger crime of Ransom which is in the hand of the lawyer Ms. Gail Gray. she was fully inform about this issue, when I asked her to visit me on 29th + 30th of this August. after her visit the retaliation started.

I was not allowed to receive my legal mail by Ms. Keller and Mr. SW; and since then I am in the dark. yesterday, I've asked Mr. Swift for a legal call to Lawyer, which he refused strongly.

I am sure, you are going to send me somewhere - cover up your crimes.

I've been asking to see you from day one, and waited for today, for you to pass to hand over his letter, which never happen.

This letter must be kept in my file and I ask for a REPLY!

Thank you for your attention  
I ask for justice nothing else!

MONZER ALKASSAR  
#6111-054

s - Sorry for the mistakes of writing this letter, because I am standing and nothing to write on.

copy to my file

1/8

1/2

MONDAY, 10/10/2016

To : The Warden Mr. S. Julian [C.M.U.] Terre Haute - IN.  
From : MONZER ALKASSAR #6111-054 [S.H.U.]

With all my respect, writing to you again, for not responding to my two letters dated [09/21/2016 + 09/29/2016]; For a very and serious complain, accusation and violation. NOT only the Policy - of the B.O.P.; the 8th and the 14th Amendments, but also the U.N. Convention against Torture and Other Cruel - Inhuman or Degrading Treatment or Punishment as per Article 1 and Article 2 and 4. And Article 12 + 13.

I am bringing to your attention for the last time and "under oath" this very serious issue!

I am not asking mercy but "justice". I need to know if that was your order, or the order of your superiors in the high level of this corrupt system!

For sure, you know who inmate "Shaun Bridges" RA# 20436-111 IS! And the reason why he was sent to this C.M.U. 6 month ago.

himself, use to say openly, not only to me: "He is bigger than me". And you have no authority over him.

I have treated him from day one well, like any one new - coming inmate to this unit; and the same after he disclosed his role and his mission with proves and evidence. Even though, I kept treating him in the same way; and I've waited for my attorney to have her legal advice and opinion.

With the advice of my attorneys here in America, and my attorney in U.N. Human Rights case; I have rejected the legal offer came to me thru inmate Shaun Bridges in writing from a very high official.

I am not worried for the two fabricated reports on 9/13 and 8/30/2016 -  
to put me in the S.H.U. isolated, to cover up your crimes.

My complain here about the physical torture and the mental  
which being going on for the last three weeks nonstop!  
You know very well Mr. Warden, in this special unit so called  
C.M.U. in Terre Haute - Indiana, and you are in charge here -  
nothing can move without your approval or the high officials  
in WASHINGTON D.C. --- and the C.T.U. [Counter Terrorism Unit]  
You also know in this very small and closed unit with about 35 inmates  
with very high profile cases, its well controlled with camera [audiovisual]  
24 hours a day. You can't say that you don't know to what was going on  
in the last 6 months! ALL under your watch, also the retaliation  
of my torture.

The funny part of this is:

① The victim being tortured in the S.H.U. and the  
Perpetrator Free in the normal unit!"

Thank You



BPG 1/4

Thursday 09/29/2016 COPY  
To the Warden Mr. S. Julian,

The 8th Amendment, Prohibit any cruel unusual punishment.

The 14th Amendment DOES NOT protect the persons acting in their private  
capacity.

The B.O.P. Policy §3.8.3.1 "Punitive Damages", say:

"The severe nature of conduct of correctional officers which cause harm  
or death over almost of 5 days, was NOT than adequate -----  
Heat in the prison cell supported an award of "Punitive Damages".

ALSO, §3.9. say:

The court allow a reasonable force by the prison officials in 5 cases:

1- Self defence. 2- enforcement of Prison Rules and Regulation. 3- Defence -  
of a 3rd. Person. 4- Preventing a Crime. 5- ESCAPE?


I am in my 14th. days of very very cruel torture, inhuman punishment with -  
very high velocity of noises! Which prevented me from sleeping, it's a:

[Noise Boarding]. Adding to that, the [Heat Boarding] in a cell -  
with Temp. more than 110 degree.

I need to know, in whose, and what Authority are you acting; to  
order this heinous acts!. Stopping me calling my Lawyer!; And my  
Family.

My statement is, under Oath, stating facts, with proofs -  
and Witnesses.

I Need a written reply.



MONZER ALKASSAR  
# 61111-054

C.M.U. Terre Haute - IN  
in the S.H.U.  
"Special Housing Unit"

This BPG was handed over  
to the C.O. Mr. Dobbins  
at 3.19 P.M. in front of the  
Camera. Thursday 09/29/2016





EXHIBIT No. 9

TRULINCS 61111054 - AL KASSAR, MONZER - Unit: MAR-I-A

FROM: 61111054  
TO: CMU  
SUBJECT: \*\*\*Request to Staff\*\*\* AL KASSAR, MONZER, Reg# 61111054, MAR-I-A  
DATE: 11/15/2016 07:59:30 PM

To: Mrs. Hill (Intelligence Research Specialist)  
Inmate Work Assignment: N/A

Please forward my following complaint, after our meeting today, Tuesday, November 15, 2016, about 3:00pm, to Mr. S. Julian, the Warden at FCI/CMU Terre Haute, IN.

Sir,  
Today, Tuesday, November 15, 2016, I received my legal papers and properties, sent to me at CMU Marion USP.

I am bringing to your attention for the fourth time after my third written letter(s) to you from the torture cell #12 (SHU) of the CMU in Terre Haute, IN. (Dated: Sept. 21, 2016; Sept. 28, 2016; Oct. 10, 2016) without any reply from you for a very serious issue, physical torture and abuse on your clock.

The reason I am writing you now is because:

1.) I have found a lot of sensitive legal documents deliberately taken out of my legal papers and files, by someone to cover up a very big crime being committed, and I have been mentally and physically abused when I was in the SHU of the CMU Terre Haute from 9/16/16 to 10/19/16.

Missing Items include:

- a) A written letter form U.S. Attorney General Loretta E. Lynch to the Attorney Steve Levin, dated May 9, 2016; and
- b) A copy of signed letter by Shawn Bridges sent to Attorney Steven Levin on August 15, 2016; and
- c) A letter from the Attorney Davina Pujari dated May 27, 2016, which was received via legal mail at FCI/CMU Terra Haute on June 10, 2016; and
- d) A legal size envelope, addressed (by mailing label) to U.S. Attorney General Loretta E. Lynch, with a copy of her (Lynch letter dated May 9, 2016), and may other legal papers, received from Shawn Bridges was taken out of the envelope, approximately 13 pages; and
- e) A picture of me taken with Shawn Bridges at Terra Haute CMU; and
- f) A copy of a painting of picture of Shawn Bridges and his wife (said to be the niece of the wife of George W. Bush) which was given to me by Shawn Bridges; and
- g) A letter from me to Steve Levin (attorney), dated August 5, 2016.

All of the above mentioned documents and pictures, I had stored within 16 of my legal files, and are now missing.

Mr. Julian, please be advised that I am not accusing you personally of this particular crime. I am requesting your immediate attention, investigation, and reply to this very sensitive matter.

Submitted on this Tuesday, November 15, 2016.

Respectfully,

Monzar Al-Kassar,  
61111-054  
CMU Marion

Monday, November 28, 2016.

Dear Mr. Falk:

Greetings.

You're the first one who came to my mind when I recalled your help in trying to allow my family to visit me from Spain back when I was in the CMU of Terre Haute, Indiana. You had obtained a letter from the congressman in regards to this, and passed it on to me. And I'm very familiar with the organization for which you work, the ACLU, which is known for fighting for human rights and justice.

I have since been moved from the CMU Terre Haute (on October 19, 2016) to the other CMU in Marion, IL, after five weeks of physical & mental abuse in the SHU in Terre Haute which lasted from September 16 to October 19. I wouldn't have been saved from this torture had it not been for my family and lawyers in Spain, my lawyer at the UN Human Rights Committee in Geneva (case no. 2831/2016), and the media to have intervened and contacted my attorney Ms. Gail Gray in New York. Ms. Gray went all the way to the top people at the Department of Justice, telling them "You don't want to have his blood on your hands." She came to see me upon my arrival at the CMU in Marion, and she was shocked at what she saw. A copy of her e-mail sent to ..... as well as my photo taken upon my arrival in Marion, both speak for themselves (I've included both with this message).

It was a vast conspiracy from the Department of Justice aimed at getting rid of me when I rejected their "offer" - which is a very sensitive matter. I have much documented proof of what I'm saying happened in Cell no. 12 of the SHU (including surveillance times, witness testimony, etc.), which is why they were eager to get rid of me. This is another story which you'll hear in due time, and the specific details of which aren't the point of this letter.

I need your help to file a lawsuit against those responsible for doing this to me. I'm not trying to waste your time. If you're interested in looking into this, I have plenty of documentation regarding what these people did to me over those five weeks. After all this time, I'm barely standing on my own two feet again, and am still recovering from the physical & mental abuse meted out to me.

I'm including the following items:

- \* A copy of my attorney Ms. Gail Gray's e-mail after visiting me
- \* A photo of me a few weeks before being thrown in the SHU, as well as a second photo taken upon my arrival at CMU Marion after the time I'd spent in the SHU
- \* The bogus incident reports used as a basis for throwing me in the SHU
- \* Copies of the 3 letters I sent from the S.H.U in Terre Haute to the warden Mr. Julian, with no reply!

Thank you for your time and care! Waiting your prompt reply.

Monzar Al Kassar # 61111-054  
U.S.P. MARION - C . M . U .  
MARION, IL.62959

**From:** haiffa alkassar

**Sent:** Sunday, October 09, 2016 11:02 AM

**To:** Isabelle Coutant

**Subject:** Re:



I haven't slept well for two days and I am very worried for what he told me on the phone I heard in his voice he needs quick attention and help they threw him like a dog in the isolation centre with hot air inside in his cell and machinery day and night so no one hears him scream they also don't give him his medication and food he is in desperate need of attention and I am trying to do everything to save my dad I am upset I can't even visit him! I know he is getting tortured because he refused the proposal and straight after he refused they did that to him and he doesn't know when or where they will take him and maybe he said that it will be his last call he is in need of help please try to save him in there I have no way in reaching him and even I try to call the prison they don't answer! I am worried because he is 71 and I don't know how to save him! Please let me know if any news thank you

**From:** Gail Gray <gail\_gray@gmail.com>

**Date:** Sat, 29 Oct 2016 19:33:11 -0400

**To:** Isabelle Coutant Peyre <coutant.peyre@gmail.com>



**Subject:** Update Re: Monzer Al Kassar

Dear Colleague,

As you know, I have served as legal counsel and advisor to Monzer al Kassar in an effort to overturn his wrongful conviction. To this end, we have maintained frequent contact while exploring available legal options.

When I did not hear from him following one of our many visits at FCI Terre Haute in August 2016, I became uneasy. However, I was not alarmed until I learned that Monzer was also out of touch with his family and close friends and was being isolated, tormented and humiliated by prison guards.

I immediately looked into the situation, reaching out to high-ranking contacts in the US Department of Justice. After an anxious week, my demand for a telephone conference with Monzer was granted and he was transferred from the isolation chamber at FCI Terre Haute to a more civilized facility at USP Marion, where I made prompt arrangements to visit him.

I saw Monzer on Thursday, 27 October 2016. I was shocked.

I did not recognize him. He was not the same man I had visited in August, just a few months ago. Now, he is gaunt and pale with dark bags under his eyes and looks to have lost at least twenty pounds. Though markedly dejected, there was still a fire in his eyes as he recounted the terror he had endured.

He reported a tiny, windowless concrete cell, blisteringly hot from deliberate proximity to prison heat pipes and a floor so hot he couldn't stand. His meager clothing, consisting only of a t-shirt and shorts, was drenched with perspiration. He recalled fainting and, upon waking, praying to stay alive long enough to see his loved ones once more. The purpose of "hotbox" or "sweatbox" torture is to cause severe exhaustion, dehydration and even death.

In addition to box torture, Monzer was subjected to earsplitting sound torture, another practice that causes suicide, severe sleep deprivation and unrelenting disruption of sensory perception, conditions which were exacerbated by the absence of light in his windowless cell.

When Monzer was finally removed from the isolation chamber at FCI Terre Haute, he was shackled and transported to USP Marion in a box barely big enough to contain the chair he sat on. The drive took several hours and by the time he arrived he couldn't even state his own name or stand without assistance. Staff members had to support him under each arm and practically carry him to the unit where he is now detained.

The deliberate and prolonged proximity to the sweltering hot pipes and the deafening noise of prison generators has compromised Monzer's long-term health. His hearing, his sight and his balance are all impaired. He has trouble standing. He has been examined for eyeglasses and the continuous "whooshing" sound of the generators still ringing in his ears make it difficult

for him to discern the sound of speech. His blood glucose score, usually 150, has risen to a dangerous 300.

Because Monzer's ability to concentrate has also been impaired, he has asked me to share these painful details with you, describing the retaliation he has suffered.

Yours

Gail Gray  
Attorney at Law

12/19/16

Certified Mail No. 70110470000024094375

To : Inspector General  
Office of Inspector General  
From : Monzer AL Kassar, #61111-054  
Box 1000  
Marion, IL 62959 U. S. A.  
Re : Torture & Conspiracy To Commit Murder

This [missive] is directed to your attention, for investigating allegations of Torture & Conspiracy To Commit Murder, as well as, other diabolical, heinous, deviant acts which are prohibited via ethics and your staff codes of conduct. Missive, comes by encouragement from the international community. My lawyer from France, believes your office is best suited for claims, stated, herein.

Matter concerns staff misconduct and misconduct, generally, while being warehoused at FCI Terre Haute - C.M.U.

Embodiment of, title, for these averments are enshrined within FBOP (includes top level execs, governing FBOP, their agencies and agents, thereof) staff endeavors to acquiesce Torture & Conspiracy To Commit Murder as though the criminal act(s) were fabric of their job descriptions. Cumulative affects of staff misconduct did purposely/knowingly, manifest extreme indifference to human life. Whereas, staff, routinely deployed arrogance, neglect, ignorance to major concerns dealing with their duty and /or/ office for my custody; clearly, a design detrimental to my wellness is in operation.

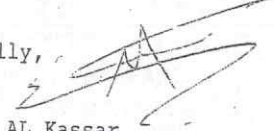
For the record; I am a 71 year old foreign national, Syrian, who have never been to America. I was kidnapped; snatched away from Spain, about 9 years, ago, illegally, according to evidence, void of probable cause.

4/4  
Where accusation(s) - are made; there are witnesses to substantiate claim.

I am responsible, legally, for this Petition.

Looking forward to your speedy response.

Cordially,

  
Monzer AL Kassar

cc : Attorney General, Loretta Lynch. And  
My Lawyer in France, at the  
U.N. Committee Case No. 2831/2016

/llm

AFFIDAVIT OF TRUTH IN SUPPORT OF  
CRIMINAL ACTION ON TORTURE AND  
CONSPIRACY TO COMMIT MURDER

STATE OF ILLINOIS            )  
                                  ) -- ss.  
COUNTY OF WILLIAMSON    )

My name is Monzer AL Kassar, #61111-054, being duly sworn,  
depose and states:

I am Affiant, over 18 years of age. I reside at P.O. Box  
1000; U.S.P. Marion (C.M.U.); Marion, IL 62959. I am fully  
competent to make this Affidavit and I have personal knowledge  
of the facts stated, herein. To my knowledge, all facts  
stated in this Affidavit are true and correct:

- I've been subjected to an unregulated confinement,  
approximately 5 years, called Counter Terrorism  
Unit (CTU)/Communication Management Unit (CMU)  
at FCC, Terre Haute (CMU)
- Under watch of S.Julian, Warden; Clint Swift, Case  
Manager; Elizabeth Keller, Intrl. Resch. Spclst.,  
I was sanctioned to Hole (SHU), regulated to a  
'Dry' cell, for 5 weeks of torture, from 9/16/2016  
to 10/20/2016
- I am over 71 years old; with pre-existing medical  
conditions, including: High Blood Pressure, Diabetes,  
and swelling of ligaments, in lower leg. Ten medications  
are prescribed to treat ailments. However. Under  
watch of Warden S. Julian, CM Swift and Intrl.  
Resch. Spclst. Keller, medications were not allowed  
to be with me, going to the SHU.

I was forced to endure "Noise Boarding;" from engines  
of fans and machines, so loud, noone, was able to  
hear my cries for help/assistance. I collapsed;  
meaning, my anatomy experienced a complete shut-  
down of vital energy, strength or stamina (i.e.  
unconscious --- laid on floor til next day! No  
staff, came in to revive or check on me, during  
this Black-out). Conditions were exasperated via  
"Heat Boarding;" . . . on its own! The [heat] was  
so intense, my person (res) could not cope with  
high levels, reaching 125 degrees, when temps. outside  
were 90-to-95, at that time. Even the floor. Yes!  
The floor was so hot, you couldn't walk or stand  
on it, from pipes running underneath.

- Torture, at Terre Haute, proved overbearing. As  
a combination Noise/Heat Boarding amounted to a  
suffering which could not be curtailed: the anguish,  
depression, duress; accute and chronic stress, emotional  
disorder; lost weight, aprrx. 30 lbs.; sleep deprivation,  
neglect, medical indifference, Commercial Frustration,  
loss of affection (not allowed to call family, nor,  
lawyer) was horrific.
- Staff (i.e. care-givers) employed arrogance, ignorance,  
intentional neglect, pervasive/persistent behavior  
(i.e. mens rea to engage actus reus) which did compromise  
physical/mental components on 'MONZER AL KASSAR.'
- Hall-mark of the torture. Late, Tuesday night,  
on, 10/19/2016; I was picked up by a squad of officers  
RAMBO STYLE. I was humiliated; put in shackles;  
later . . . to be forced (i.e. meshed, mashed, squizzed)  
into "a grey box" called 'Close-Quarter Battery  
Cage' for purpose of travel via bus. By events,


I fell unconscious. When I awoken; early, Wednesday morning, 10/20/2016; I found myself at the entrance of U.S.P. Marion. I couldn't give my name nor number. Officers, had to carry me into the prison. I couldn't walk.

Assailants, were cunning by their coverup. They employed the Grey Travel Box, as means to hide AL KASSAR from public examination, during delivery to U.S.P. Marion (C.M.U.). Description of box: small. Very small enclosure, with a few holes, for breathing. You wouldn't put an animal in such a contraption. Yet. Perpetrators, forced a human to be transported, insuch a meager device.

- Property ('res') arrived at U.S.P. Marion in a horrifying despicable, obnoxious, good-for-nothing state (status). Not self-ambulatory; eye blackened and swollen (nearly closed); exhibiting cognitive dementia, loss of skin coloration. Property indeed suffered damages by criminal conduct, at hands of assailants, whereas a criminal prosecution must ensue, or evince.

The mental/physical torture can not be measured, under guise of human dignity. The [res] was left for dead, defunct, being unattended to by design.

I, signed this AFFIDAVIT ON December 22, 2016, at Marion, ILLINOIS.

  
Affiant, Monzer AL Kassar

A F F I R M A T I O N

I, Monzer AL Kassar, hereby affirm that every statement made in this document is true, correct and materially complete and not misleading to the best of my knowledge and belief and same statements are made under the penalties of perjury under the laws of the United States, Title 28 USCS § 1746.

  
Monzer AL Kassar

Monzer AL Kassar, #61111-054  
United States Penitentiary Marion (CMU)  
P.O. Box 1000  
Marion, IL 62959

Monday, December 19, 2016



Legal/Special Mail

61111-054  
Cynthia A Schneider  
US Department of Justice  
950 Pennsylvania AVE NW  
Inspector General Office  
Washington, DC 20530  
United States

7031 0470 0000 2409 4375  
7031 0470 0000 2409 4375  
7031 0470 0000 2409 4375

USPS Postal Service  
**CERTIFIED MAIL RECEIPT**  
Domestic Mail Only. Insurance Coverage Provided.

Monzer AL Kassar, [CMU] #6111054

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 8.01	

Sent To  
Inspector General Office (DOJ)  
or PO Box No. 950 Pennsylvania Ave. NW  
City, State, ZIP+4  
Washington, DC 20530

03-23-2017

To : Office of the Inspector General  
From : Monzer Al Kassar, 61111-054  
Po Box 1000  
Marion, IL 62959

Re : Obstructing E mail Correspondences

This instrument is submitted to report "Obstructing Email Correspondences" via Counter Terrorism unit (CTU) staff which legalistically affects liberty interests belonging to, one, Monzer Al Kassar.

Activities, associated with delaying my Email correspondences are born of retaliation, for me complaining of " Conspiracy to commit murder" against my life. See example-letter dated 12-19-2016 to your respectable office and response from you dated 01-30-2017 of murder attempt forwarded to appropriate office. Marked by attached Email examples; obstructing ( includes any dely,hinder,block impede, interference,hamper detain, holding back, ect) correspondences,occurs on incerments of at least 14 days.

Being a foreigner, in the United States; cut-off from famaly,physical, contact,mails,no matter there meduim are my all-n-all (everything). Obstructing (ion), of Email by PHANTOM operation causes unwanton hardships, emotional distress,accompanied by physiolgical and behavioral changes in the body. Conduct of CTU, is not related to one penological episde.

For all the above; A call to your office is made to have,such, conduct abated.

Cordially

Monzer Al Kassar



U.S. Department of Justice  
Office of the Inspector General  
Chicago Field Office

January 30, 2017

Monzer AL Kassar # 61111-054  
USP MARION  
U.S. PENITENTIARY  
P.O. BOX 1000  
MARION, IL 62959

Dear Mr. AL Kassar:

The purpose of this letter is to acknowledge receipt of your correspondence dated December 19, 2016. After careful review, the Department of Justice, Office of the Inspector General (OIG) has determined that the matters you raised are more appropriate for review by another office or Agency. Therefore, your complaint has been forwarded to:

Federal Bureau of Prisons  
Office of Internal Affairs  
320 First Street N.W.  
Room 814  
Washington, D.C. 20534  
Telephone number (202) 307-3286

Any further correspondence regarding this matter should be directed to that office. I hope this answers any questions you have relative to this matter.

Sincerely,

Office of the Inspector General  
Investigations Division  
Chicago Field Office

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ILLINOIS

E St Louis Division

FILED

FEB 26 2018

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

Monzer al-Kassar

Plaintiff

v

Federal Bureau of Prisons, et  
al

Defendants

Case No:

18-495 JPK

MOTION TO SERVE PROCESS PURSUANT TO FED.R.CIV.P. 4(c)(3)

Comes now the Plaintiff, Monzer al-Kassar, and, he Moves  
This Court to Order the United States Marshals Service to effect  
Service of Process in this matter pursuant to Fed.R.Civ.P. 4(c)(3).  
In support, he states as follows:

- 1) Monzer al-Kassar is an inmate imprisoned at the United States Penitentiary - Marion. As such an inmate, he has limited access to a copier, and, necessary supplies for service of process.
- 2) The Complaint in this matter names 24 defendants, 17 known, 7 unknown, all of which will be likely represented by the Office of the United States Attorney for the Southern District of Illinois. However, each defendant, the Attorney General, and, the US Attorney needs to be served, and/or, sent a waiver of service form by certified mail.
- 3) Because of al-Kassar's limited ability to effect service, the Court should order that process be served by the United States Marshals' Service, and, that al-Kassar, who has paid the filing fee, be billed accordingly.

UNITED STATES DISTRICT COURT

for the  
Southern District of Illinois

Monzer Al-Kassar

Plaintiff/Petitioner(s)

v.

Federal Bureau of Prisons  
others as attached

Defendant/Respondent(s)

Case Number: 18-495-JPK  
(Clerk's Office will provide)

- CIVIL RIGHTS COMPLAINT  
pursuant to 42 U.S.C. §1983 (State Prisoner)
- CIVIL RIGHTS COMPLAINT  
pursuant to 28 U.S.C. §1331 (Federal Prisoner)
- CIVIL COMPLAINT  
pursuant to the Federal Tort Claims Act,  
28 U.S.C. §§1346, 2671-2680, or other law

Also pursuant to the Administrative  
Procedures Act

I. JURISDICTION

Plaintiff:

- A. Plaintiff's mailing address, register number, and present place of confinement

Monzer Al-Kassar #61111-054  
USP-Marion  
PO Box 1000  
Marion, IL 62959

Defendant #1:

- B. Defendant Federal Bureau of Prisons is employed as

(a) (Name of First Defendant)

governmental agency

(b) (Position/Title)

with 320 1st St, NW

(c) (Employer's Name and Address)

Washington, DC 20534

At the time the claim(s) alleged this complaint arose, was Defendant #1  
employed by the state, local, or federal government?  Yes  No

If your answer is YES, briefly explain:

The Federal Bureau of Prisons is an agency of the US  
federal government.

FILED

FEB 26 2018

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE



Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-DIR-9 and BP-DIR-10, including any attachments must be submitted with this appeal.

From: ALKASSAR, MONZER 61111-054 CMU MARION
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A-REASON FOR APPEAL --- Presented, for acts of avarice, covetousness, and cruelty in excess of contractual (Constitutional) terms on confinement arrangement while at USP Terre Haute, IN.

See [rejection] Notices. B.O.P., staff & Contractors have coursed my "REMEDY" for a spin-cycle, using Code-of-Silence to avoid award, as requested. Please View attached exhibit. Picture, illustrates the condition I was in, upon arrival at USP Marion; delivered from USP Terre Haute, in a box (i.e. close quaters) as measure to hide damages from Public. A Conspiracy, was execut- ing to commit MURDER, against me.

Left to die. After being assaulted, with 5 weeks of TORTURE (continuous onslaught of heat and noise boarding). I was depleted of energy, eyes swollen shut, dehydrated, dizzy, incoherent for days, suffered from symptoms of diabetes, with high blood sugar, face sagging - Staff, at Marion will affirm; I couldn't stand, didn't know my name, to be able to speak it: had to be carried into institution. State of existence, on me, was extraordinarily (i.e. unimaginably) heart- breadking (e.g. woeful, deplorable); rendering me ineffective to do for myself. I could comply with no contractual terms as offered via Administrative Remedy Procedures.

Hereby. Imposing requirement restraint, to go-back in time and fix filing-date, on incident; introduces contracting by terms which can not be obtained. Id. Unconscionable contract. I could only think of how to survive and think of my loved ones. Therefore, all statements of BP-10 are re-asserted, for remedy demanded.

MARCH 15 2017 SIGNATURE OF REQUESTER

Part B-RESPONSE

March 1, 2017

Monzer al Kassar #61111-054
Box 1000
Marion, IL 62959

Dear Mr. al Kassar:

Thank you for contacting the American Civil Liberties Union of Illinois. We have reviewed your situation carefully and we regret to inform you that we will not be able to accept your case.

The ACLU office is a legal center that involves itself with broad impact, constitutional litigation, generally involving large numbers of people. These are issues where the government has abused constitutional rights. Unfortunately, we regret that most cases of individual unfairness or injustice cannot be accepted.

We receive more than 20,000 requests annually for legal assistance. Our resources are limited and we can only act upon a small percentage of the requests. The fact that we cannot help you, however, does not mean your case has no merit. It may be that we are handling a similar case, that the case does not involve a novel issue pertaining to civil liberties, or that we do not have the resources to handle the case.

You should know that there is a limited time in which legal action may be pursued, sometimes referred to as a statute of limitations. You might be wise to ask an attorney for advice about preserving any rights you may have.

Please accept our regrets that we cannot help you with your situation.

Sincerely,

Intake Department

DATE GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE CASE NUMBER:

Part C-RECEIPT CASE NUMBER:

Return to: LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT:

DATE SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



**Communication de Monsieur Monzer Al Kassar  
au Comité des droits de l'homme des Nations-Unies (CDH)**

**Résumé**

Actuellement emprisonné aux Etats-Unis à la prison FCI Terre Haute – Indiana, M. Monzer Al Kassar dépose plainte contre l'Espagne auprès du Comité des droits de l'homme des Nations Unies à Genève pour la violation par cet Etat de ses droits garantis par le Pacte international relatif aux droits civils et politiques.

Le requérant, de nationalité syrienne, est né le 1<sup>er</sup> juillet 1945. Jusqu'à son arrestation il demeurait à Marbella, en Espagne, depuis le début des années 80, avec son épouse de nationalité espagnole et ses quatre enfants, dont trois d'entre eux, également de nationalité espagnole. Son activité professionnelle portait sur le négoce international et la promotion immobilière.

**Les faits et la procédure**

Le 7 juin 2007, M. Monzer Al Kassar était arrêté à son arrivée à l'aéroport de Madrid-Barajas en provenance de Malaga.

Le même jour, une note verbale n°280 de l'ambassade des Etats-Unis était notifiée aux autorités espagnoles demandant son arrestation provisoire en vue de son extradition vers les Etats-Unis, visant également M. Tareq Moussa Al Ghazi, palestinien, et M. Luis Felipe Moreno Godoy, chilien. Il lui était reproché dans cette note verbale de conspirer par aide et fourniture de moyens à une organisation désignée terroriste par les Etats-Unis (FARC) en vue de tuer des ressortissants américains, et d'avoir blanchi des capitaux.

Cette note verbale faisait également état d'un mandat d'arrêt émis le 29 mai 2007 par un juge fédéral américain, M. Andrew J. Peck, donnant pouvoir d'arrestation à la police fédérale des Etats-Unis sur le territoire américain, mais sans justification d'une diffusion par Interpol et donc sans force exécutoire sur le territoire espagnol.

M. Al Kassar refusait expressément d'être extradé au motif de l'illégalité de la demande d'extradition dont il faisait l'objet et demandait sa libération immédiate.

Les infractions qui lui sont reprochées ont en effet été entièrement fabriquées par les agents de la Drug enforcement administration (DEA) qui avaient agi frauduleusement sur le territoire espagnol puisqu'il est établi que M. Al Kassar avait été approché en vue d'une vente légale d'armes à destination des services de police du gouvernement du Nicaragua par des agents clandestins s'étant présentés comme des représentants officiels de ce gouvernement et lui avaient des certificats d'utilisateur final originaux et authentiques.

Outre l'inexistence même d'une quelconque infraction qu'aurait commise ou projeté M. Al Kassar, celui-ci faisait valoir l'illégalité d'une prétendue enquête et les moyens de preuves fournis par les agents de la DEA qui, au lieu de procéder à la constatation d'une infraction en cours d'exécution, avaient contacté M. Al Kassar en vue d'un courtage d'un marché légal de fourniture d'armes, qui ne serait jamais survenu sans leur initiative et qui en outre ne concernait en aucun cas un trafic illicite de stupéfiants, lequel est seul de la compétence de la DEA. M. Al Kassar était d'ailleurs en contact continu avec les services espagnols de police

pour s'assurer de la légalité de ce marché et demander des conseils d'ordre légaux sur la conduite à tenir avec les acheteurs.

Il ressort donc clairement que la demande d'extradition transmise contre l'auteur par les Etats-Unis à l'Espagne résultait d'une opération illégale commise par un service d'Etat étranger sur le territoire espagnol, en violation de la souveraineté de l'Espagne et devait à ce titre être déclarée illégale.

Contre l'évidence manifeste de cette illégalité, les juridictions espagnoles maintenaient M. Al Kassar en détention provisoire et émettaient, le 27 octobre 2007, un avis favorable à son extradition à la condition d'une garantie donnée par les Etats-Unis qu'il ne serait pas condamné à la peine de mort ni à l'emprisonnement pour la vie. Cet engagement par les Etats-Unis dans une note verbale n°741 de l'ambassade des Etats-Unis en Espagne par laquelle celle-ci informait que le procureur en charge de la poursuite ne demanderait pas la peine de mort, ni une condamnation à vie et qu'il ferait son possible pour qu'une peine à temps déterminé soit prononcée.

M. Al Kassar soutient que son arrestation et son extradition, loin de relever de la nécessité de punir les crimes et délits et d'assurer l'ordre public, avait exclusivement un motif politique. Il indiquait ne pas connaître les FARC et n'être jamais allé en Colombie ni au Nicaragua. Il précisait ne pas être hostile aux américains, ayant seulement mis en cause le président américain George W. Bush à propos de la guerre contre l'Irak, lors d'une interview.

✕ Début juin 2008, M. Al Kassar a été torturé dans la prison de Madrid-Aranjuez, où il était en détention provisoire, par une équipe extérieure au personnel de la prison composée d'une quinzaine d'individus cagoulés qui s'étaient introduits en pleine nuit dans sa cellule et l'ont traîné en plusieurs lieux de la prison pour le battre avec des matraques. Le directeur de la sécurité de la prison admettra le lendemain qu'il s'agissait d'une intervention « ordonnée de l'extérieur » et hors de son autorité. Compte tenu du caractère hautement sensible de la situation de l'auteur, il est indéniable que le gouvernement espagnol était aussitôt informé de ces faits de violences.

Pourtant, au lieu d'ordonner une enquête, dès le 6 juin 2008, le conseil des ministres espagnol a donné son accord à la remise de la victime aux autorités des Etats-Unis. Cette décision n'a pas été notifiée à l'auteur, la seule information, non datée, obtenue ultérieurement par M. Al Kassar indiquait que « *M. Al Kassar Mensser (sic) de nationalité « olia » (re-sic « odorante»* » est remis aux Etats-Unis avec l'accord du Conseil des Ministres.

Par jugement en date du 20 novembre 2008 du Southern District de New-York, confirmé en appel par un arrêt en date du 21 septembre 2011, M. Al Kassar a été condamné à une peine de 30 ans d'emprisonnement, soit jusqu'à l'âge de 93 ans. Son recours devant le Cour suprême des Etats-Unis a été rejeté le 14 mai 2012.

L'auteur, qui est aujourd'hui incarcéré dans un département spécial dénommé « CMU », connu comme étant le « Guantanamo du nord », au sein d'un établissement pénitencier de haute sécurité à Terre Haute, dans l'Etat de l'Indiana, dépose plainte devant le Comité des droits de l'homme au titre de la violation du Pacte international relatif aux droits civils et politiques, du traité bilatéral hispano-américain d'extradition, et du droit interne espagnol.

## Les violations

M. Al Kassar invoque la violation du Pacte par l'Etat défendeur, au titre de :

- La violation de l'article 2 paragraphe 1 et 3 qui oblige les États parties à respecter et à garantir à toutes les personnes se trouvant sur leur territoire et à toutes les personnes soumises à leur contrôle les droits énoncés dans le Pacte, notamment par la garantie du droit à un recours utile contre toute décision faisant grief, d'une part en raison de l'autorisation donnée par l'Espagne d'extrader M. Al Kassar aux Etats-Unis alors même que l'Espagne avait des motifs sérieux de croire que ce dernier était exposé à un risque réel de subir des préjudices irréparables dans ce pays, et, d'autre part, en raison du fait qu'aucune voie de recours n'a pu être exercée par M. Al Kassar contre la décision du Conseil des ministres espagnol autorisant son extradition.

- La violation de l'article 7 interdisant la torture ainsi que les peines et traitements cruels, inhumains ou dégradants en raison, d'une part des actes de tortures commis par une quinzaine d'individus masqués l'ayant frappé en milieu de nuit dans sa cellule de prison Aranjuez à Madrid et, d'autre part, de la remise de M. Al Kassar aux autorités américaines alors même qu'il est établi que l'Etat américain, à fortiori s'agissant de prisonniers politiques, fait subir à ceux-ci des traitements inhumains, ne présentant aucune garantie de respect des droits de la personne, à plus forte raison à une époque où les scandales relatifs à l'état des prisons américaines et au traitement infligé aux prisonniers politiques étaient contestés par l'ensemble de la société civile internationale qu'en outre, où il n'était pas garanti par l'Etat requérant à l'extradition que M. Al Kassar ne subirait pas une peine *de facto* équivalente à un emprisonnement à vie, courant au-delà de la durée prévisible de la vie, peine équivalente à l'attente dans les couloirs de la mort jusqu'au décès.

- La violation de l'article 9 paragraphe 1 et 5 interdisant l'arrestation et la détention arbitraires et ouvrant voie à réparation en cas de violation de ces dispositions, en raison de la remise de l'auteur aux autorités américaines par l'Espagne, illégale au regard du droit interne espagnol de l'extradition et du traité bilatéral hispano-américain d'extradition, et ce, entre autres, en raison à la fois de l'illégalité manifeste de la procédure d'extradition et de l'absence de notification légale à M. Al Kassar.

- La violation de l'article 10 paragraphe 1 garantissant un traitement humain et le respect de sa dignité à toute personnes détenue, en raison d'une part des actes de torture subis par M. Al Kassar lors de sa détention dans la prison d'Aranjuez et, d'autre part, de sa remise aux autorités américaines où il était manifeste que celui-ci subirait des mauvais traitement en raison du caractère politique de son extradition et où l'emprisonnement n'a pas pour but essentiel l'amendement et le reclassement social comme le Pacte l'impose, mais où il a une fonction principalement punitive, voire même de destruction de la personne.

La violation de l'article 14 paragraphe 1 garantissant le droit à un procès équitable devant un tribunal impartial et indépendant en raison de l'admission par l'Espagne d'examiner et de donner suite à la demande d'extradition de M. Al Kassar sur la base de preuves fabriquées par la DEA, suivant un procédé de création d'une prétendue infraction, orchestré par les agents de la DEA qui ne se sont pas infiltrés en vue de constater les preuves de la commission d'une infraction, mais ont été à l'initiative de cette prétendue infraction et sans l'intervention desquels l'infraction prétendue n'aurait jamais existé.

La violation de l'article 15 paragraphe 1 garantissant le respect du principe de légalité des délits et des peines, suivant lequel nul ne peut être condamné pour des actions ou omissions qui ne constituent pas un acte délictueux, en raison du fait que l'infraction à la loi américaine reprochée à M. Al Kassar, qui s'était d'ailleurs engagé dans une vente légale auprès de personnes présentant un certificat d'utilisateur final légal et authentique, n'est pas incriminée en Espagne.

La violation de l'article 26 garantissant l'égalité devant la loi de tout ressortissant d'un Etat membre et prohibant toute discrimination, à fortiori relative à la race et à l'opinion politique, en raison de la remise de M. Al Kassar aux autorités américaines alors lors même qu'il est établi que celui-ci y subirait un traitement discriminatoire et inégalitaire, pour des motifs politiques, ce que le gouvernement espagnol, soumis à de très fortes pressions des autorités américaines, ne pouvait ignorer.

## **Dispositif**

L'Espagne ayant ratifié le Protocole facultatif le 25 janvier 1985 et les preuves de l'épuisement de tous les recours internes existants étant apportées, la victime demande au Comité de dire et juger, en urgence compte tenu de son âge, de son état de santé et de la gravité des violations :

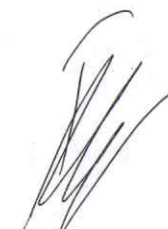
De transmettre d'urgence la présente communication à l'Etat défendeur ;

Et dire et juger, en urgence compte tenu de l'âge de l'auteur, de son état de santé et de la gravité des violations :

- Que la communication est recevable ;
- Qu'en application des traités d'extradition existants entre l'Espagne et les Etats-Unis et des obligations résultant du Pacte, l'Etat défendeur avait l'obligation de refuser de procéder à l'arrestation de l'auteur et de refuser la demande d'extradition des Etats-Unis contre l'auteur ;
- Qu'en autorisant l'arrestation de l'auteur le 7 juin 2007, suivie d'une détention provisoire jusqu'au 7 juin 2008 et sa remise aux autorités des Etats-Unis à cette même date, l'Etat défendeur a violé les articles 2 paragraphes 1 et 3 a) et b), 7, 9 paragraphe 1, 10 paragraphes 1 et 3, 14 paragraphe 1, 2, et 3 e), 15 et 26 du Pacte ;
- Que l'Etat défendeur a l'obligation d'obtenir d'urgence le retour de M. Monzer Al Kassar, sur le territoire espagnol et la restitution de ses biens et avoirs, saisis par les Etats-Unis.
- Dire que l'Etat défendeur devra procéder à l'indemnisation de la victime des violations du Pacte.

Isabelle COUTANT PEYRE  
Avocat au Barreau de Paris

Paris, 27 juillet 2016



Isabelle COUTANT PEYRE  
Avocat à la Cour  
215 bis, Bd Saint Germain  
75007 PARIS



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: G/SO 215/51 ESP (127)  
CE/YH/rm 2831/2016

Le 17 octobre 2016

Maître,

J'ai l'honneur de vous informer que la communication, datée du 27 juillet 2016, que vous avez présentée au Comité des droits de l'homme en vertu du Protocole facultatif se rapportant au Pacte international relatif aux droits civils et politiques, au nom de M. Monzer Al Kassar, a été enregistrée sous le numéro de dossier 2831/2016. Je vous prie de bien vouloir vous référer à ce numéro dans toute future correspondance avec le Comité.

Conformément à l'article 97, paragraphe 2 du règlement intérieur du Comité, votre communication a été transmise ce jour à l'Etat partie, lequel a été prié de fournir ses observations se rapportant à la question de la recevabilité et du fond, dans les six mois.

Veillez noter, par ailleurs, que les décisions finales adoptées par le Comité des droits de l'homme sont rendues publiques. Par conséquent, si vous souhaitez que l'identité de l'auteur ou de la victime présumée ne soit pas révélée au public dans la décision finale, nous vous prions de l'indiquer au plus vite. Au vu de la publicité importante dont font l'objet les décisions du Comité (y compris leur diffusion par internet, qui rend très difficile la rectification des données en circulation), il pourrait être impossible de répondre à une demande d'anonymat qui serait soumise après la publication de la décision du Comité. Le Comité ne saurait en aucune façon être tenu responsable vis-à-vis de l'auteur d'une communication, pour un éventuel préjudice qui résulterait de son défaut de notifier le Comité promptement de sa décision de préserver l'anonymat.

Tout renseignement reçu de l'Etat partie vous sera communiqué afin de vous permettre d'apporter vos commentaires.

Pour information, je joins une copie du règlement intérieur du Comité.

Je vous prie d'agréer, Maître, l'expression de ma considération distinguée.

Ibrahim Salama

Chef,

Service des traités relatifs aux droits de l'homme

Maître Isabelle Coutant Peyre  
Avocat à la Cour  
215 bis, Boulevard Saint Germain  
75007 Paris  
Email : coutant.peyre@gmail.com

**USP Marion MAR**

Patient: **AL KASSAR, MONZER (Male)**  
Register#: **61111-054**  
Date: **04/13/18 10:31**  
Slicecount: **3**  
History: **lower back pain, trouble walking**  
Priors:  
Exams: **FILM L SPINE**  
Referring Phy:  
Ordering Phy: **Brooks**  
Ordering Phy #:  
Accession Numbers: **202#BOP083948386**

DOB: **07/01/45**  
Age: **72**  
Status: **OP**

**Final Report**

**Exam: FILM L SPINE**

**INDICATION: Low back pain, trouble walking**

**COMPARISON: None**

**FINDINGS:**

3 views of the lumbar spine are obtained.

No fracture or subluxation. There is levoscoliosis with curvature of the lumbar spine of mild degree.

Vertebral body heights are maintained.

Severe disc space narrowing L4/L5 moderate degree at L3/L4 and mild degree at L1/L2, L2/L3 and L5/S1.

There is moderate ventral endplate degenerative osteophyte formation at L3/L4 and mild to moderate degree at L4/L5. Minimal ventral endplate osteophyte formation at L1/L2 and L2/L3.

Moderate facet arthropathy L4/L5 and L5/S1 and mild to moderate degree at L3/L4 and mild degree at L2/L3. Remaining elements are unremarkable.

Paraspinous soft tissues unremarkable by radiograph.

**IMPRESSION:**

No fracture or subluxation. Mild levoscoliosis with curvature of the lumbar spine apex L3 level.

Multilevel degenerative disc space narrowing of the lumbar spine severe at L4/L5, moderate at L3/L4 and mild degree at the remaining lumbar spine levels.

There is appearance of osseous degenerative encroachment at L4/L5 foramina the central canal at L4/L5.

Moderate L4/L5 and L5/S1 facet arthropathy and mild to moderate at L3/L4 and L2/L3.

Endplate degenerative osteophyte formation moderate degree ventrally at L3/L4, mild to moderate at L4/L5 and minimal degree at L1/L2 and L2/L3 level.

Radiologist: **Farhad Khorashadi, MD**

Study ready at 10:31 and initial results transmitted at 10:44