

**Exhibit F**



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## **Algerian Tells of Dark Odyssey in U.S. Hands**

by **Craig S. Smith**

ALGIERS - Two years ago, a motley collection of prisoners spent night after night repeating their telephone numbers to one another from within the dark and dirty cells where they were being held in Afghanistan. Anyone who got out, they said they agreed, would use the numbers to contact the families of the others to let them know that they were still alive.

At least two of those men are now free and, thanks to the memorization exercise, are back in touch with each other.

The case of one of them, Khaled el-Masri, a German citizen who was held as part of the United States' antiterrorism rendition program, was revealed last year, and German and American officials have acknowledged that he was erroneously detained by the United States. But the tale of the other, an Algerian named Laid Saidi, has never been told before, and it carries a new set of allegations against America's secret detention program.

In May 2003, Mr. Saidi was expelled from Tanzania, where he ran a branch of Al Haramain Islamic Foundation, an international charity based in Saudi Arabia that promoted the fundamentalist Wahhabi strain of Islam and has since been shut down after being accused of financing terrorist groups. Tanzanian newspapers reported on Mr. Saidi's expulsion at the time, but nothing was known about where he went.

In a recent interview, Mr. Saidi, 43, said that after he was expelled he was handed over to American agents and flown to Afghanistan, where he was held for 16 months before being delivered to Algeria and freed without ever being charged or told why he had been imprisoned. He acknowledged that he was carrying a fake passport when he was detained, but he said he had no connection to terrorism.

Wearing a white robe and a white skullcap in his lawyer's office here, he held up two white shoes he said his captors gave him before setting him free in August 2004. The only other physical evidence he offered of his imprisonment were fading scars on his wrists that he said were from having been chained to the ceiling of a cell for five days.

"Sometimes I cry and shake when I think about this," he said in his first interview about his imprisonment. "I didn't think I would see my family again."

While Mr. Saidi's allegations of torture cannot be corroborated, other elements of his story can be.

American, Tanzanian and Algerian officials have declined to comment on Mr. Saidi's allegations, but Mr. Masri said he saw Mr. Saidi in the Afghan prison where he was held. German prosecutors investigating Mr. Masri's detention now want to interview Mr. Saidi, said Martin Hofmann, a prosecutor in Munich.

In addition, a criminal investigation of the deaths in 2002 of two Afghan detainees at the American military detention center in Bagram, north of Kabul, found that prisoners were often shackled to the ceiling by their wrists for punishment, as Mr. Saidi said he had been. Military officials, though, said the practice was stopped after the deaths.

A spokesman for the Central Intelligence Agency declined to discuss Mr. Saidi's claims. "While the C.I.A. does not as a rule comment publicly on these kinds of allegations, the agency has said repeatedly that it does not condone torture," said the spokesman, Paul Gimigliano. He added that renditions, the process of moving captured terrorism suspects to third countries for interrogation, "are an antiterror tool that the United States has used for

years in accordance with its laws and treaty obligations."

#### A Shadowy Program

Mr. Saidi is one of a handful of men to publicly claim they were seized in the rendition program and then mistreated or tortured, before being released without charge or explanation. Like prisoners released from the American military detention center at Guantánamo Bay, Cuba, they represent not only a mounting political problem, but a potential legal problem for the United States and its allies that have participated in the extrajudicial abductions.

International fallout from renditions continued Wednesday when prosecutors in Milan arrested two Italian intelligence officers on allegations that they aided the C.I.A. in the 2003 kidnapping of a radical Egyptian cleric in Italy. The cleric was then sent to Egypt, where he has been imprisoned.

Mr. Saidi was seized as the United States and Saudi Arabia were cracking down on Al Haramain, which the United States subsequently declared had provided "financial and other operational support" for the 1998 embassy bombings in Kenya and Tanzania. But it is not known what, if any, specific suspicions the authorities had about Mr. Saidi.

A July 2004 German intelligence report on Al Haramain made note of Mr. Saidi's expulsion but said, "It is not yet clear whether there existed concrete assessments that this person had links to terrorism." It added that "the Tanzanian government justified their procedure with the not very credible argument that he had broken legal regulations for foreigners."

In addition to the German prosecutors, the Council of Europe, a multinational human rights watchdog, wants to interview Mr. Saidi as part of its investigation into whether any European countries have breached the European Convention on Human Rights by participating in renditions.

Mr. Saidi said he believed that his captors were Americans because they spoke English and appeared in charge at the Afghanistan prison. He said he hoped to file a lawsuit against the government later this year. "We don't know who to sue yet," said Mostefa Bouchachi, Mr. Saidi's lawyer. "We don't know who is responsible, the C.I.A. or F.B.I."

Mr. Saidi said he left Algeria in 1991 to escape the violence then engulfing the country. He studied in Yemen before moving to Kenya and then Tanzania in early 1997. He began working for Al Haramain and became director of its branch in the coastal city of Tanga, a job that gave him a public profile.

He said that during that time he was using a fraudulent Tunisian passport and living under the name Ramzi ben Mizauni ben Fraj. He said he had lost his passport and bought a fake one because he was afraid of going to the Algerian Embassy while Algeria was fighting a civil war with Islamists. He denied that he had any reason to hide his identity or that Al Haramain's activities were anything but charitable.

United States intelligence officials have long suspected that Al Haramain was involved in financing terrorism, according to the report of the 9/11 Commission. Suspicion rose after the August 1998 bombings of the United States Embassies in Kenya and Tanzania. After the Sept. 11 attacks, American and Saudi authorities alleged that some Haramain money was being diverted to terrorist groups and that the organization was infiltrated by people with links to those groups.

By 2003, several Haramain branches were shut down, and the following year the Saudi authorities dissolved the charity.

It is not clear if the crackdown on Al Haramain led to Mr. Saidi's detention, but on Saturday, May 10, 2003, Tanzanian police officers surrounded his car as he left home for work, according to Mr. Saidi, his wife and press reports at the time. That night the police drove him to Dar es Salaam and put him in jail.

"I thought I might have been arrested for holding a false passport, but I didn't tell them it was fake," he said.

Three days later, he said, he was bundled into a white Land Rover and driven to the Malawi border, where he was turned over to Malawians in plain clothes who were accompanied by two middle-aged Caucasian men wearing jeans and T-shirts. They spoke English with the Malawians, Mr. Saidi said. That is when he realized that something more ominous was going on.

#### A Place 'Out of the World'

Shortly after the expulsion, a lawyer representing Mr. Saidi's wife filed an affidavit in the Tanzanian court saying that immigration documents showed Mr. Saidi was deported through the border between Kasumulu, Tanzania, and Malawi.

After being held for a week in a prison in the mountains of Malawi, Mr. Saidi said, a group of people arrived in a sport utility vehicle: a gray-haired Caucasian woman and five men dressed in black wearing black masks revealing only their eyes.

The Malawians blindfolded him, and his clothes were cut away, he said. He heard someone taking photographs. Then, he said, the blindfold was removed and the agents covered his eyes with cotton and tape, inserted a plug in his anus and put a disposable diaper on him before dressing him. He said they covered his ears, shackled his hands and feet and drove him to an airplane where they put him on the floor.

"It was a long trip, from Saturday night to Sunday morning," Mr. Saidi recalled. When the plane landed, he said, he was taken to what he described as a "dark prison" filled with deafening Western music. The lights were rarely turned on.

Men in black arrived, he said, and he remembers one shouting at him through an interpreter: "You are in a place that is out of the world. No one knows where you are, no one is going to defend you."

He was chained by one hand to the wall in a windowless cell and left with a bucket and a bottle in lieu of a latrine. He remained there for nearly a week, he said, and then was blindfolded and bound again and taken to another prison. "There, they put me in a room, suspended me by my arms and attached my feet to the floor," he recalled. "They cut off my clothes very fast and took off my blindfold." An older man, graying at the temples, entered the room with a young woman with shoulder-length blond hair, he said. They spoke English, which Mr. Saidi understands a little, and they interrogated him for two hours through a Moroccan translator. At last, he said, he thought he would learn why he was there, but the questioning only confounded him.

He said the interrogators focused on a telephone conversation they said he had had with his wife's family in Kenya about airplanes. But Mr. Saidi said he told them that he could not recall talking to anyone about planes.

He said the interrogators left him chained for five days without clothes or food. "They beat me and threw cold water on me, spat at me and sometimes gave me dirty water to drink," he said. "The American man told me I would die there."

He said his legs and feet became painfully swollen because he was forced to stand for so long with his wrists chained to the ceiling. After they removed him from the chains, he said, he was moved back to the "dark" prison and a doctor gave him an injection for his legs.

After one night there, he was moved to a third prison. He said the guards in this prison were Afghans, and one told him that he was outside Kabul.

There were two rows of six cells in the basement, which he described as "filthy, not even suitable for animals." Each cell had a small opening in the zinc-clad door through which the prisoners could glimpse one another as they were taken in and out of their cells. At night, they would talk.

"This is where I met Khaled el-Masri," Mr. Saidi said. A layout of the prison he sketched closely matched one drawn by Mr. Masri.

Mr. Masri had been seized in Macedonia in December 2003, and it was later revealed that he had apparently

been mistaken for a terrorism suspect with a similar name. He said he was able only to glimpse Mr. Saidi a few times in Afghanistan. But he said their cells were close enough for them to talk at night.

"At the beginning of our prison time together, I was in the last cell and he was two cells away from me," Mr. Masri said by telephone from Germany. "Whenever I wanted to go to the toilet or was taken for questioning, I had to pass his door."

Mr. Masri and Mr. Saidi said they got to know other prisoners, including two Pakistani brothers from Saudi Arabia, whose phone number Mr. Masri also memorized. Using that number, The New York Times reached relatives of the brothers, Abdul al-Rahim Ghulam Rabbani and Mohammed Ahmad Ghulam Rabbani, who said they had heard from the Red Cross two years ago that the brothers were being held in Afghanistan. Pentagon documents show that two men with those names are now detainees at Guantánamo Bay.

#### A Dire Misunderstanding

In prison, Mr. Saidi said, he was interrogated daily, sometimes twice a day, for weeks. Eventually, he said, his interrogators produced an audiotape of the conversation in which he had allegedly talked about planes.

But Mr. Saidi said he was talking about tires, not planes, that his brother-in-law planned to sell from Kenya to Tanzania. He said he was mixing English and Arabic and used the word "tirat," making "tire" plural by adding an Arabic "at" sound. Whoever was monitoring the conversation apparently understood the word as "tayarat," Arabic for planes, Mr. Saidi said.

"When I heard it, I asked the Moroccan translator if he understood what we were saying in the recording," Mr. Saidi said. After the Moroccan explained it to the interrogators, Mr. Saidi said, he was never asked about it again.

"Why did they bring me to Afghanistan to ask such questions?" he said in the interview. "Why didn't they ask me in Tanzania? Why did they have to take me away from my family? Torture me?"

Mr. Saidi said the interrogators also accused him of hiding rockets in his house and of funneling money to Al Qaeda, allegations that he strongly denies and for which he said evidence was never produced.

While he was in prison, however, the United States Treasury Department asked the United Nations to add Al Haramain's Tanzanian branch to the list of charities alleged to have financed terrorist organizations.

In its January 2004 announcement, the department said an unnamed former director of Al Haramain in Tanzania was responsible for making preparations for the advance party that planned the 1998 embassy bombings. But the department declined to identify the former director or to comment on Mr. Saidi's case.

Mr. Saidi said interrogators asked repeatedly about the Haramain director who preceded him, a Saudi named Muammar al-Turki. But he said he was no longer in touch with him.

Mr. Saidi said the interrogations eventually stopped. In the late spring or early summer of 2004, he said, he was flown to Tunisia, apparently because his captors thought he was Tunisian. But when Arabic-speaking men boarded the plane, he said he told them he was from Algeria and that his Tunisian passport was fake.

"I didn't want to get into more trouble," he explained.

He spent 75 more days in jail, he said. In late August 2004, he again prepared to travel. His captors gave him the pair of white shoes he still has. The flight took about 10 or 12 hours, and when the plane landed, he said, he was turned over to Algerian intelligence officials. They held him for a few days, then bought him some clothes, gave him a small sum of money and drove him to a bus stop in the Algiers neighborhood of Bir Khadem.

After 16 months, Mr. Saidi was free. He was reunited with his wife and children. Mr. Masri had been released a few months before. He tried to contact Mr. Saidi at the Tanzanian phone number he had memorized, but the number was disconnected. Eventually, Mr. Saidi sent him a text message with a new number in Algeria, which Mr. Masri called.



"I know him from his voice," Mr. Masri said, "and I recognized his voice from the first phone call that we had after his release."

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