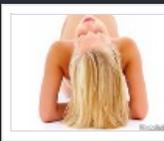
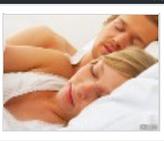


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NEW YORK, Nov. 28, 2006

## Muslim Says He Was Abducted By U.S.

**Khaled El-Masri Says He Spent 5 Months In Harsh Captivity In Case Of Mistaken Identity**

By Amy S. Clark

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(CBS) This article was written by **CBS News chief investigative correspondent Armen Keteyian** and **CBS News producer Phil Hirschhorn**.

Khaled El-Masri says he is not after money but answers about why he spent five months in harsh captivity as a prisoner in the war on terrorism.

"It's a question of moral values, of principles. I want to find out why they did to me what they did," El-Masri told CBS News in an exclusive interview. "I want an explanation, and I want an apology."

El-Masri, 44, was born in Kuwait to Lebanese parents and lives in Germany, which has been his home for the past 20 years. El-Masri says that two years ago, he was a victim of mistaken identity in the CIA program called "rendition," which transports foreign suspects to countries whose interrogation techniques, critics say, are tantamount to torture, such as Pakistan, Egypt, Jordan, Syria, and Morocco.

"It was difficult from day one on up to the last day. From the very beginning I was fearing for my life," El-Masri told us.

El-Masri came to the U.S. this week on a special visa to attend a court hearing about his lawsuit against the former director of the CIA, George Tenet, CIA agents whose identities are not known, and the companies that owned and operated the Boeing 737 believed to have transported him – Premier Executive Transport Services, of Massachusetts, and Aero Contractors Limited, of North Carolina, and Keeler and Tate Management, of Nevada.

In addition, CBS News has learned, El-Masri and his attorneys from the ACLU are contemplating suing another major American company, Boeing, because newly available travel records suggest a Boeing subsidiary called Jeppesen International Trip Planning may have arranged El-Masri's rendition flights and many others.

"I have confidence in the American justice systems and its courts," El-Masri said through his translator outside the 4th U.S. Circuit Court of Appeals in Richmond Tuesday. "What I really want is that they admit to me that an injustice was done to me."

It was New Year's 2004, when El-Masri, a car salesman on a vacation without his wife and children, traveled by bus to Macedonia. At the border, Macedonian police arrested him and then detained him for three weeks in a hotel room in Skopje, allowing him out of the bed only to go to the bathroom.

After 23 days and many questions about his associations in Germany, the base of the main al Qaeda cell behind the Sept. 11, 2001, terrorist hijackings, police took him the Skopje airport. There, El-Masri says, a group of men in black masks beat, blindfolded and drugged him before dragging him in chains onto a private jet bound for Kabul, Afghanistan.

"I was humiliated," El-Masri told us in the interview. "They took pictures of me without clothes on."



### VIDEO 'Rendition' Victim Speaks Out

Khaled El-Masri says he spent five months in a harsh Afghan jail under the CIA "Rendition" program, which sends foreign suspects to Mideast countries for interrogation. Armen Keteyian reports.



After filing a complaint with German police, Khaled El-Masri, with the help of the ACLU, filed suit against the former head of the CIA, several CIA agents and three aviation firms. (CBS)



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His home for the next four months was a small, squalid cell in an abandoned brick factory prisoners called the Salt Pit.

"I was deprived of sleep. I only had one blanket in my cell, and these were very cold days in Afghanistan at that time of year," El-Masri says. "The food and the water were awful. You wouldn't even give that to your pets."

After a total of 149 days in captivity, shedding 60 pounds, growing his hair and beard long, El-Masri was freed. This time, he was flown in a private jet to Tirana, Albania, and given a commercial airline ticket back to Germany.

"This mistake could have been resolved early on if these people had called a German authority to clarify that a mistake was made," El-Masri says.

After filing a complaint with German police, which launched a criminal probe, El-Masri, with the help of the ACLU, filed suit against the CIA and the aviation firms thought to be involved in his rendition.

In May, a federal judge in Alexandria, Virginia quashed the civil lawsuit seeking compensatory damages by accepting the U.S. government's argument that a public trial over El-Masri claims would expose "state secrets."

Among the secrets to be protected, government lawyers say, are the identities of operatives at home and abroad, cooperating foreign governments and companies, and intelligence gathering sources and methods.

"Even the unintended disclosure of a single piece of information can have a cascading effect, resulting in widespread harm to foreign intelligence capabilities, our nation's foreign relations, and our national defense," the government wrote in its briefs opposing reinstatement of El-Masri's lawsuit. "When the national security conflicts with an individual's interest in pursuing his civil claim, the interests of the individual must give way."

The ACLU counters that the government cannot legitimately keep secret what is already widely known.

"I think courts are beginning to recognize that this administration is using secrecy to avoid accountability," says ACLU attorney Ben Wizner, who argued El-Masri's appeal Tuesday in Richmond. "The government says that it can never even acknowledge what it did with Mr. El-Masri, and that is further abuse."

Continued

By Armen Keteyian and Phil Hirschorn  
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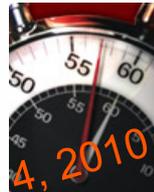
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NEW YORK, Nov. 28, 2006

# Muslim Says He Was Abducted By U.S.

## Khaled El-Masri Says He Spent 5 Months In Harsh Captivity In Case Of Mistaken Identity

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**'Rendition' Victim Speaks Out**  
Khaled El-Masri says he spent five months in a harsh Afghan jail under the CIA "Rendition" program, which sends foreign suspects to Mideast countries for interrogation. Armen Keteyian reports.



After filing a complaint with German police, Khaled El-Masri, with the help of the ACLU, filed suit against the former head of the CIA, several CIA agents and three aviation firms. (CBS)

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(CBS) The U.S. government does admit the existence of secret CIA prisons outside the U.S. but little else.

"Renditions take terrorists out of action and save lives," Secretary of State Condoleezza Rice said before embarking on a trip to Europe last year, when she faced tough questions about rendition.

"The United States does not use the airspace or the airports of any country for the purpose of transporting a detainee to a country where he or she will be tortured," Rice said.

President Bush further described the CIA secret prisons when he announced in September the transfer of 14 key Al Qaeda suspects from previously undisclosed locations to the U.S. Naval Base at Guantanamo Bay, Cuba, home to nearly 500 terrorism suspects detained without access to U.S. courts.

In addition to the criminal inquiry in Germany, prosecutors in Italy and Spain are investigating the complicity of local officials in rendition. It turns out the Spanish island of Mallorca was a regular stopover from the private rendition jets coming from and returning to the United States. Spain denies any role in renditions or granting permission for such flights to land.

Stephen Grey, the author of the just-published "Ghost Plane: The True Story of the CIA Torture Program" unearthed Spanish documents that point to the participation of Boeing through its subsidiary, Jeppesen.

"Certainly when they [those planes] passed through Spain, it was always Jeppesen that issued instructions for the local handlers of these planes," Grey told us in an interview from London. "Their name appears on the records, their employees appear on the records, telexes come from Jeppesen ordering these planes to be facilitated when they land at these airports."

The documents show Jeppesen would organize flight plans and refueling, crew hotel accommodations, immigration facilities. Some documents name the pilots of rendition flights, such as Capt. James Fairing, a cover name for the pilot of El-Masri's Jan. 23, 2004, flight to Afghanistan.

Grey is publishing the new documents on [his web site](#): ghostplane.net.

"It doesn't mean Jeppesen knew what the purpose of the flights were, but they obviously were key in organizing the logistics of all these rendition flights and other CIA flights around the world."

Boeing spokesman Tim Neale wouldn't say whether the company has done work for the CIA or not.

"Jeppesen plans flights for literally thousands of clients every year and provides those services on a confidential basis. We don't identify the names of clients," Neale says. "We wouldn't necessarily know who is on a plane."

If the federal appeals court allows El-Masri's case to go forward,

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he may sue Jeppesen as well.

A European Parliament report due to be published Wednesday supports the thrust of El-Masri's complaint. The parliament "fully endorses the preliminary findings" of German prosecutors "there is no evidence to refute Khaled El-Masri's version of events," according to the draft final report on rendition.

The report also concludes that European countries knew about U.S. secret jails for terrorism suspects and have obstructed an investigation into the transport and illegal detention of prisoners.

It also says a "secret detention facility" need not be a prison, "but includes all places where somebody is held *incommunicado*, such as private apartments, police stations or hotel rooms, as in the case of Khaled El-Masri in Skopje.

El-Masri says, "As long as the case has not been terminated or cleared up, clarified, people keep a certain distance to me."

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By Armen Keteyian and Phil Hirschhorn  
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