

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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3 UNITED STATES OF AMERICA,

4 v. S4 00 Cr. 15 (JFK)

5 MOKHTAR HAOUARI,
6 Defendant.

7 -----x

8 July 3, 2001
9 9:15 a.m.

10 Before:

11 HON. JOHN F. KEENAN

12 District Judge

13 APPEARANCES

14 MARY JO WHITE
15 United States Attorney for the
16 Southern District of New York
17 JOSEPH F. BIANCO
18 ROBIN BAKER
19 Assistant United States Attorneys

20 DANIEL OLLEN
21 Attorney for Defendant

22 Also present:
23 ADAM COHEN, Special Agent, FBI
24 JAMES HELLY, Special Agent, FBI

25 ISABELLE DUCHESNE
MONIQUE DELIYANIDIS
French Interpreters

16 MR. BIANCO: Your Honor, the government calls Ahmed
17 Ressay.

18 THE COURT: I take it this gentleman is an
19 interpreter.

20 MR. BIANCO: Yes, your Honor.

21 THE COURT: Could you swear the interpreter.

22 (Interpreter sworn).

23 THE INTERPRETER: My name is Toufic Maged.

24 THE CLERK: State your full name and spell your first
25 name and your last name for the record.

SOUTHERN DISTRICT REPORTERS, P.C.
(212) 805-0300

1 THE WITNESS: Ressam, Ahmed; R-E-S-S-A-M, that's the
2 last name, Ahmed A-H-M-E-D.

3 THE COURT: You may proceed, Mr. Bianco.

4 MR. BIANCO: Thank you, your Honor.

5 Mr. Ressam, I'll ask you to please keep your voice up
6 and speak slowly so that the interpreter can hear you.

7 I would ask the interpreter to speak up because you
8 don't have a microphone, so that would help.

9 DIRECT EXAMINATION

10 BY MR. BIANCO:

11 Q. Mr. Ressam, how old are you?

12 A. 34 years old.

13 Q. Where are you currently living?

14 A. I live in prison.

15 Q. Where were you born?

16 A. In Algeria.

17 Q. What's your native language?

18 A. Arabic.

19 Q. Do you speak any other languages besides Arabic?

20 A. French, yes.

21 Q. How about English?

22 A. Very, very little.

23 Q. Would it assist you to testify with the aid of an
24 interpreter today?

25 A. Yes.

1 Q. Do you prefer an Arabic interpreter or a French
2 interpreter?

3 A. Arabic.

4 Q. Mr. Ressam, how long have you been in jail?

5 A. From December 14, 1999.

6 Q. Is that the date of your arrest near Seattle?

7 A. Yes.

8 Q. What were you charged with in connection with that arrest
9 on December 14th?

10 A. I was accused with nine accusations, nine charges.

11 Q. And what was the -- what were those charges related to?

12 A. Terrorism and transporting explosives and other matters.

13 Q. Did you have a trial?

14 A. Yes.

15 Q. Where was the trial?

16 A. In the city of Los Angeles.

17 Q. And what was the result of your trial?

18 A. I was found guilty.

19 Q. On all counts?

20 A. Yes.

21 Q. Approximately when did your trial end?

22 A. At the beginning of April.

23 Q. What year?

24 A. 2001.

25 Q. How much jail time, Mr. Ressam, are you now facing when

1 you're sentenced as a result of that conviction?

2 A. Life imprisonment.

3 Q. Is there a number?

4 A. The maximum sentence would be 130 years.

5 Q. Following that conviction, did there come a time when you
6 began meeting with the government in an effort to cooperate?

7 A. Yes.

8 Q. Approximately when did you begin meeting with the
9 government?

10 A. At the beginning of May 2001.

11 Q. And on approximately how many different days did you meet
12 with the government?

13 A. Between 10 to 15 days.

14 Q. And following those meetings, did you enter into a
15 cooperation agreement with the government?

16 A. Yes.

17 MR. BIANCO: May I approach, your Honor?

18 THE COURT: Yes.

19 Q. Showing you what's been marked for identification as
20 Government's Exhibit 3560-S, do you recognize that document,

21 Mr. Ressay?

22 A. Yes.

23 Q. What is it?

24 A. That is the agreement between me and the government.

25 Q. When was that agreement finalized?

- 1 A. As it is written here, the 23rd of June 2001.
- 2 Q. Did you sign it?
- 3 A. Yes.
- 4 Q. Can you tell the jury what your understanding is of what
5 you're required to do under that agreement?
- 6 A. To say everything that I've done and about the people that
7 I know in terrorism and to testify, also.
- 8 Q. Are you required to testify only at this trial?
- 9 A. No, in all -- in all the trials in the U.S.
- 10 Q. What is your understanding of the benefit you will receive
11 from the government if you comply with the terms of that
12 agreement?
- 13 A. It is to lower my prison sentence.
- 14 Q. What's your understanding of how that would work?
- 15 A. The government would address a letter to the Court, to the
16 judge, and he would make a decision on that.
- 17 Q. What would the letter contain?
- 18 A. It will state the cooperation that I have provided the
19 government and what assistance that I've given them.
- 20 Q. And you're hoping that letter would result in a reduced
21 sentence?
- 22 A. Yes.
- 23 Q. Under the agreement, what's the maximum sentence you now
24 face?
- 25 A. 130 years.

1 Q. Under the agreement, what is the lowest sentence that your
2 attorney is allowed to ask for at sentencing?

3 A. 27 years.

4 Q. Under the agreement, what's the highest sentence that the
5 government can recommend to the judge?

6 A. There is no limit, 130 years.

7 Q. Who ultimately will decide what sentence you will receive?

8 A. The judge.

9 MR. BIANCO: Your Honor, at this time, the government
10 offers 3560-S.

11 MR. OLLEN: No objection, your Honor.

12 THE COURT: Received without objection.

13 (Government's Exhibit 3560-S received in evidence)

14 Q. Mr. Ressay, you stated earlier that you were born in
15 Algeria; correct?

16 A. Yes.

17 Q. Did you go to school in Algeria?

18 A. Yes.

19 Q. How far did you get in school?

20 A. High school.

21 Q. When did you graduate?

22 A. As far as I remember, it was 1988.

23 Q. Did there come a time when you left Algeria?

24 A. Yes.

25 Q. Approximately when was that?

- 1 A. Fall, 1992.
- 2 Q. What were you doing in Algeria between 1988 and the fall
3 of 1992?
- 4 A. I used to work with my father in a coffee shop.
- 5 Q. When you left Algeria in 1992, where did you go?
- 6 A. I went to France.
- 7 Q. Why did you go to France?
- 8 A. Looking for work, looking for work.
- 9 Q. How long did you stay in France?
- 10 A. '92, until the beginning of '94.
- 11 Q. Were you legally in France?
- 12 A. No, I was illegal.
- 13 Q. Were you working there?
- 14 A. Yes, I worked in the island of Corsica.
- 15 Q. And what type of work were you doing in France during that
16 two-year period?
- 17 A. I worked in the vineyards collecting grapes, and the same
18 with oranges, and a painter in a tourist resort.
- 19 Q. What happened in early 1994?
- 20 A. I travelled from France to Canada.
- 21 Q. Why did you do that?
- 22 A. To improve my life situation and improve my life in
23 general.
- 24 Q. What type of travel document did you use to get into
25 Canada?

- 1 A. A fake French passport.
- 2 Q. What city did you go to?
- 3 A. To the city of Montreal.
- 4 Q. What happened when you arrived to Montreal?
- 5 A. Immigration stopped me.
- 6 Q. At the airport?
- 7 A. Yes. Immigration stopped me at the airport. At that
- 8 time, I requested asylum.
- 9 Q. And how did you request -- how did you request asylum?
- 10 A. I provided them with a false story about to request
- 11 political asylum. They kept me at their center there and then
- 12 they let me go.
- 13 Q. When they let you go, what city did you live in?
- 14 A. I lived in the city of Montreal.
- 15 Q. How long did you live in Montreal?
- 16 A. From 1994 to 1998.
- 17 Q. Did you live at one location in Montreal during those four
- 18 years?
- 19 A. No, I lived in many places.
- 20 Q. Did you live alone?
- 21 A. I lived at the beginning by myself and then I lived with
- 22 my friend Labsi Mustafa and with Boumezbeur Adel, and Atmani
- 23 Said, who is Karim, and also Labsi Mustafa.
- 24 Q. During that four-year period you were in Montreal, did you
- 25 have any jobs?

1 A. I worked only one week distributing advertising leaflets.

2 Q. How did you support yourself during that four-year period?

3 A. I lived on welfare and theft.

4 Q. What do you mean by "theft"?

5 A. I used to steal tourists, rob tourists. I used to go to
6 hotels and find their suitcases and steal them when they're
7 not paying attention.

8 Q. And what would you do with the contents of those
9 suitcases?

10 A. I used to take the money, keep the money, and if there are
11 passports, I would sell them, and if there are Visa credit
12 cards, I would use them up, and if there were any traveler's
13 checks, I would use them or sell them.

14 Q. Now, did you do this alone or with others?

15 A. Mostly with others.

16 Q. Approximately could you estimate how many times you did
17 that during that four-year period in Montreal?

18 A. Maybe 30 to 40 times.

19 Q. Did you ever get arrested for these thefts?

20 A. Yes, four times, I believe.

21 Q. Were you ever convicted?

22 A. Yes, one time.

23 Q. Did you serve any jail time from that conviction?

24 A. No, but I paid a fine.

25 Q. Mr. Ressam, do you know an individual named Mokhtar

1 Haouari?

2 A. Yes.

3 Q. Do you see him in court today?

4 A. Yes.

5 Q. Can you identify Mr. Haouari for the record?

6 A. He's sitting in the middle there with a blue shirt.

7 THE COURT: Indicating the defendant.

8 Q. Can you tell the jury when you first met Mokhtar Haouari?

9 A. At the beginning of '94, when I first got to Canada.

10 Q. In Montreal?

11 A. Yes, in Montreal in a building on Saint Hubert Street.

12 Q. And how did you meet him?

13 A. I knew some friends who lived there. I used to go meet
14 them there.

15 Q. Now, how often did you see Mokhtar Haouari in that
16 four-year period you were in Montreal from '94 to '98?

17 A. I don't remember precisely. I met him by coincidence or
18 in some -- at certain events.

19 Q. Social events?

20 A. Yes.

21 Q. From '94 to '98, did you ever hear the defendant discuss
22 criminal activity?

23 A. Yes.

24 Q. What did you hear Mokhtar Haouari talk about?

25 A. About bank accounts.

1 Q. What did he tell you about bank accounts?

2 A. He used to open accounts and deposit checks and once he
3 gets the bank statement, he withdraws the money.

4 Q. What type of checks?

5 A. I don't know precisely what type of checks, just checks
6 that are deposited in the bank.

7 Q. Were they real checks?

8 A. Yes, real checks, but stolen, probably stolen.

9 Q. Did you hear him talk about any other criminal activity
10 other than the bank accounts during that four-year period?

11 A. He used to sell passports, travel passports.

12 Q. Did you yourself engage in any fraud activity within that
13 four-year period?

14 A. Yes, I sent him identity papers with bank cards.

15 Q. When was that?

16 A. In '96 and '97, I don't remember precisely, in that
17 period.

18 Q. And can you explain to the jury what you did, what type of
19 identity papers are you talking about?

20 A. Social Security number, a driver's license numbers, and
21 bank cards, three types of cards.

22 Q. Where did you get them from?

23 A. My friend Mustafa stole them.

24 Q. What did you get in return for giving those identities to
25 Mr. Haouari?

1 A. I got \$60 for that from him.

2 Q. Were there any other occasions during that four years in
3 Montreal from '94 to '98 that you engaged in fraud with
4 Mr. Haouari?

5 A. I sent him -- I remember in that period -- in the fall of
6 '97, I sent him a Canadian passport that had my photograph in
7 it -- that I was using myself and I sent it to him.

8 Q. Why did you give that passport up?

9 A. I wanted a better passport.

10 Q. And did you receive anything for giving him that passport?

11 A. \$110.

12 MR. BIANCO: Your Honor, the next topic is going to
13 take about 15 minutes.

14 THE COURT: Fine. I was just going to say to you,
15 when you get to a point that's logical to break, we can take
16 our morning recess. I have two other cases I have to handle.
17 So, the recess is probably going to be until about five
18 minutes to 11.

19 Don't discuss the case or come to any conclusions.
20 See you in about 20 minutes.

21 (Jury excused)

22 (Recess)

23 (In open court; jury not present)

24 THE COURT: I understand that counsel wants to see me
25 at the sidebar before the jury comes in.

1 (At the sidebar)

2 MR. OLLEN: Judge, at the end of Ressam's testimony
3 before the break, Mokhtar Haouari started to percolate a
4 little bit. It looked like he was getting very upset. I
5 think it might be an appropriate time to tell him to calm
6 down.

7 THE COURT: Thank you very much.

8 MR. BIANCO: I don't know whether you want to do that
9 in front of the juror's spouse or in some other way.

10 THE COURT: Thank you very much.

11 Marshal, could you bring Mr. Haouari up to the
12 sidebar with the interpreter.

13 Hold the jury for a minute.

14 Good morning. How are you today. Are you all right?

15 THE DEFENDANT: (In English) It's O.K.

16 THE COURT: I don't know what Ressam is going to
17 testify to, I never saw Ressam until this morning, but it may
18 be that it's going to be testimony that's upsetting to you.
19 You have to control yourself.

20 THE DEFENDANT: Yes.

21 THE COURT: Remember that.

22 THE DEFENDANT: Yes.

23 THE COURT: Now, if you feel like you're upset, just
24 turn to the interpreter and Mr. Ollen and ask for a recess and
25 I'll give you a recess. But don't do anything stupid because

1 you're going to hurt yourself.

2 THE DEFENDANT: I'm sorry.

3 THE COURT: I accept your apology. And I called you
4 up because I don't want any problem; O.K.?

5 THE DEFENDANT: Yes.

6 THE COURT: Very good. Thank you.

7 Bring the jury in, sir, thank you.

8 (Continued on next page)

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1 THE COURT: Before you start, Mr. Bianco, I conferred
2 with counsel and direct is probably going to be several hours.
3 I told you that we would work until about 1:30. If it turns
4 out that you are not finished by Mr. Bianco, that's fine. If
5 you reach a logical stage shortly before 1:30 where you shift
6 into another subject and you are not going to finish, we will
7 break then, the point being I don't have to have to break in
8 the middle of a subject.

9 The other thing is it's only 5 after 11:00. We are
10 going to work until 1:30. We will probably take another
11 break. The next break would likely be around 12:15 or 12:30.
12 So you can pace yourself. If you think there is a logical
13 time, you can take it around then.

14 MR. BIANCO: Thank you, your Honor.

15 THE COURT: You may proceed.

16 BY MR. BIANCO:

17 Q. Mr. Ressam, during that four-year period in Montreal from
18 '94 to early '98, did you practice a religion?

19 A. Yes, the Islamic religion.

20 Q. While you were in Montreal during those four years, did
21 you attend a mosque?

22 A. Yes, especially on Fridays.

23 Q. Would you attend on other days other than Fridays?

24 A. Yes. When I had time, I used to do that.

25 Q. Did there come a time when you became interested in going

1 to Afghanistan?

2 A. Yes.

3 Q. Can you tell the jury approximately when that was?

4 A. When my friends returned from Afghanistan, toward the end
5 of summer, when they returned from Afghanistan.

6 Q. What year?

7 A. 1997.

8 Q. Can you describe to the jury how you became interested in
9 going to Afghanistan?

10 A. My friends came back and talked to me about the training
11 that they have received, the learning that they have gotten,
12 and about jihad, and I got, they encouraged me so I got
13 interested.

14 Q. Where did they tell you they had gotten that training?

15 A. In Afghanistan.

16 Q. Where in Afghanistan?

17 A. In the camp of Khalden.

18 Q. Did there come a time when you expressed interest in going
19 to the camp yourself?

20 A. Yes.

21 Q. Why did you want to go to the camp; what did you intend to
22 do?

23 A. I had an interest in joining jihad in Algeria.

24 Q. Did you subsequently go to Afghanistan?

25 A. Yes, I got my business in order and I went to Afghanistan.

- 1 Q. Approximately when was that?
- 2 A. In 17 March 1998.
- 3 Q. Who arranged that trip to Afghanistan for you?
- 4 A. My friend Abderraouf Hannachi.
- 5 Q. Who is Mr. Hannachi?
- 6 A. He is a friend who was in Afghanistan.
- 7 Q. Explain to the jury how you physically got from Montreal
- 8 to Afghanistan.
- 9 A. I bought a ticket, a ticket from Montreal to Karachi.
- 10 Q. Where is Karachi?
- 11 A. Karachi is in Pakistan.
- 12 Q. Where is Pakistan in relation to Afghanistan?
- 13 A. They share a border.
- 14 Q. What happened when you arrived in Pakistan?
- 15 A. I got in touch with Abu Zubeida when I reached Pakistan.
- 16 Abderraouf Hannachi left word for me with Abu Zubeida.
- 17 Q. You named Abu Zubeida; is that his real name?
- 18 A. No, it's not his real name.
- 19 Q. Do you know his real name?
- 20 A. No, I don't.
- 21 Q. What is Abu Zubeida, what is that name?
- 22 A. That is just an alias.
- 23 Q. Do many of the people in the camps use aliases?
- 24 A. Yes, all those who go to over there use aliases; they
- 25 never use their real names.

1 Q. What was your alias?

2 A. Nabil.

3 Q. Can you explain to the jury what Abu Zubeida really was in
4 connection with the camps?

5 A. He is the person in charge of the camps. He receives
6 young men from all countries. He accepts you or rejects you.
7 And he takes care of the expenses of the camps. He makes
8 arrangements for you when you travel coming in or leaving.

9 Q. Did you also meet any of his deputies or assistants?

10 A. Yes.

11 Q. What was his name?

12 A. Ben Sheik.

13 Q. Were Abu Zubeida and Ben Sheik affiliated with a terrorist
14 organization?

15 A. Yes.

16 Q. When you met with Abu Zubeida in Pakistan what happened?

17 A. He prepared the things for me to enter into Afghanistan.

18 Q. What camp were you assigned to in Afghanistan?

19 A. He sent me to Khalden camp.

20 Q. Can you explain in general terms how you got from meeting
21 with Abu Zubeida in Pakistan to Khalden camp in Afghanistan?

22 A. He sent me a letter, sent with me a letter in Afghani,
23 with an Afghani person to accompany me along the road. And he
24 gave me Afghani clothes to wear and I was told to grow a
25 beard. Then you go by car to the border of Afghanistan, and

1 then early in the morning you go in with other Afghanis, or
2 you can go by way of the mountain.

3 Q. When did you arrive to Khalden camp, what month?

4 A. The end of April approximately.

5 Q. What year?

6 A. 1998.

7 Q. How long were you in that camp for?

8 A. From five to six months.

9 Q. Approximately how many people were in that camp at any
10 given time?

11 A. They varied, the number varied from 50, goes up to 100,
12 goes down to 70.

13 Q. Who was leader of that camp?

14 A. The big chief there was Ben Sheik, but who the person in
15 charge on site in the camp was Farouk.

16 Q. Can you describe how the camp was organized?

17 A. It had people from all nationalities who were getting
18 training there, and each group stayed together, those who will
19 have some work to do together later on. Each group was formed
20 depending on the country they came from.

21 Q. Can you name some of the countries that were represented
22 at the camp?

23 A. Yes. Jordanians, Algerians, from Yemen, from Saudi
24 Arabia, from Sweden, from Germany also, French also, Turks
25 also, and Chechnyans also.

- 1 Q. Which group were you part of?
- 2 A. I belonged to the Algerian group.
- 3 Q. During those five or six months at that camp did you
- 4 receive training?
- 5 A. Yes, I received training.
- 6 Q. What type of training did you receive first?
- 7 A. I received training in light weapons, handguns, and small
- 8 machine gun and a large one, RPG.
- 9 Q. Explain what an RPG is.
- 10 A. It is a small rocket launcher that is used in fighting in
- 11 the mountains and in cities against tanks.
- 12 Q. Who supplied the weapons and ammunition that were used in
- 13 the camp?
- 14 A. They used to buy it from the taliban.
- 15 Q. Who is a taliban?
- 16 A. The rulers now in Afghanistan.
- 17 Q. How long did you receive this light weapons training for?
- 18 A. When I first joined, yes.
- 19 Q. For how long?
- 20 A. About a month, I remember about a month.
- 21 Q. What type of training did you receive next?
- 22 A. I received training in explosives.
- 23 Q. What type of explosives training did you have?
- 24 A. How to make a charge, the types of explosives, TNT, C4.
- 25 Q. What is C4?

1 A. It's a plastic explosive, and there is another one that
2 was called black plastic.

3 Q. Were you taught applications for the use of these
4 explosives in that training?

5 A. Yes, we used them; we blew them up.

6 Q. What was that type of training called, the applications
7 part of that training?

8 A. One involved the types of explosives and then one is
9 called sabotage.

10 Q. What did the sabotage part of the training consist of?

11 A. How to blow up the infrastructure of a country.

12 Q. What types of targets were you trained on?

13 A. The enemies' installations, special installations and
14 military installations, such installations such as electric
15 plants, gas plants, airports, railroads, large corporations,
16 gas, gas installations and military installations also.

17 Q. How about government targets?

18 A. Hotels where conferences are held.

19 Q. How long did you take this explosives and sabotage
20 training for?

21 A. It was, I don't remember precisely, but it was a little
22 bit over a month, a month and a few days.

23 Q. Can you tell us what your next training was?

24 A. I also got training in urban warfare.

25 Q. Describe in a few sentences what that training was.

1 A. We learned how to carry out operations in cities, how to
2 block roads, how to assault buildings, and the strategies used
3 in these operations.

4 Q. Did you receive training in tactics as well?

5 A. Yes.

6 Q. What types of things are you talking about were you taught
7 in tactics?

8 A. How to assassinate someone in an operation.

9 Q. What were you taught?

10 A. A person, for example, that you plan to assassinate, you
11 would first observe him, surveil him, you watch when he comes
12 in and leaves, and you find where he lives and you find out
13 where his vulnerabilities are, and that is the place where you
14 pick.

15 Q. Did you receive tactics training in connection with
16 explosives?

17 A. Yes.

18 Q. What were you taught in connection with explosives?

19 A. First, how to surveil a place. When you go to a place you
20 would wear clothing that would not bring suspicion to
21 yourself, you would wear clothing that tourists wear. You
22 would observe or you would also take pictures.

23 Q. Was security also taught at the camp?

24 A. Yes.

25 Q. Can you tell us generally what was taught about security?

1 A. One is to preserve your secrets. And when you work in a
2 group, each person knows only what he is supposed to do, not
3 more, to preserve your secrets. Avoid the places that are
4 suspicious or will bring suspicion upon you, such as mosques.
5 Avoid wearing clothing that would bring suspicion upon you.
6 When you speak on the phone, speak in a very natural, normal
7 language, or in a for foreign language.

8 Q. Do you know what a fatwah is?

9 A. Yes.

10 Q. Can you describe what you understand a fatwah to be?

11 A. A fatwah is something that a learned person would come up
12 with. If there is an issue that people want an opinion on,
13 the religious, learned man would study the issue and would
14 pass a judgment on it, whether it is permissible or not.

15 Q. Permissible under what?

16 A. In political or religious matters.

17 Q. Were any fatwahs issued while you were at the camp in
18 Afghanistan?

19 A. Yes.

20 Q. What were they?

21 A. A fatwah issued by Sheikh Omar Abdel Rahman with his
22 picture in on it, a piece of paper with his photograph on it.
23 It said it was a fatwah by Omar Abdel Rahman from prison. It
24 says fight Americans and hit their interest everywhere.

25 Q. Were there other fatwahs similar to that issued?

1 A. Yes, there were.

2 Q. You said you were part of the Algerian group in the camp,
3 correct?

4 A. Yes.

5 Q. Approximately how many people were in the Algerian group?

6 A. 30 or more; I don't remember precisely.

7 Q. Who were the leaders of the Algerian group?

8 A. The big person in charge was Montaz. He had others

9 working with him, Abu Doha and Abu Jaffar.

10 Q. Tell us how the people in the Algerian group were
11 organized?

12 A. They were a large group divided into cells. Each cell had
13 a certain area, for example, Europe. Each cell had its emir
14 that was in control. They stayed in touch in Pakistan with
15 Abu Jaffar and Abu Doha who was in Europe.

16 Q. Who was the leader of the Europe cell in the Algerian
17 group?

18 A. Fodail.

19 Q. Approximately how many people were in your cell?

20 A. I remember five.

21 Q. Who were those people?

22 A. Fodail, Abu Ahmed, Hakim, Mustapha, myself, and Karim was
23 also was with us.

24 Q. Were there discussions in your cell about conducting a
25 terrorist operation?

1 A. Yes.

2 Q. Can you describe to the jury what that discussion was?

3 A. We were all to meet in Canada and we were all to carry out
4 operations of bank robberies and then get the money to carry
5 out an operation in America.

6 Q. Did you discuss the timing of the operation in America?

7 A. We wanted to carry it out before the end of 1999.

8 Q. Did you discuss the type of target you would pick in the
9 United States?

10 A. Yes.

11 Q. What was that discussion?

12 A. The discussion was about an airport, an airport, a
13 consulate, that's what I remember.

14 Q. Were you aware of plans being made by other groups in the
15 camp as well?

16 A. Yes, there were others who were planning other than us.

17 Q. Generally what did you do know about what the other groups
18 were doing?

19 A. To carry out operations in Europe, in the Gulf, against
20 U.S. and Israel.

21 Q. What was the timing of those operations?

22 A. Before the year 2000.

23 Q. When did you complete your training at the Khalden camp
24 approximately?

25 A. September, as far as I remember.

1 Q. What year?

2 A. 1998.

3 Q. What did you do next?

4 A. Then I moved to a place in Jalalabad and outside Jalalabad
5 there is a place called Toronto. I stayed there. I studied
6 there. I had a course there in the manufacture of explosives.

7 Q. Is Toronto a camp?

8 A. It is a place and it has a camp.

9 Q. Is that also in Afghanistan?

10 A. Yes, also in Afghanistan.

11 Q. Who authorized you to take that explosive manufacturing
12 course training?

13 A. Ben Sheik.

14 Q. Who was the leader of that camp?

15 A. An Algerian called Abu Sulieman.

16 Q. Do you recall how long that explosive manufacturing
17 training was?

18 A. About a month and a half.

19 Q. Can you describe in general terms what that training
20 consisted of?

21 A. We learned how to put chemical substances together to form
22 explosives. We also learned how to make electronic circuits.

23 Q. For what purpose?

24 A. To use them to blow up things.

25 Q. After you completed the manufacturing of explosives

1 training, did you have further discussions with your cell
2 members about your plan?

3 A. Yes, I had discussions with Fodail and Montaz, also Abu
4 Jaffar.

5 Q. Leaders of the group?

6 A. Yes.

7 Q. When was that discussion approximately?

8 A. The beginning of Ramadan, I believe, 1998.

9 Q. When would the beginning of Ramadan have been?

10 A. In December I believe.

11 Q. What was discussed with leaders of the group regarding the
12 plan in December 1998?

13 A. How to travel individually and then meet up in Canada.

14 Q. What was discussed?

15 A. At first we discussed how to collect money then how to go
16 and carry out an operation in the United States.

17 Q. What was the plans as to how people would come to Canada?

18 A. I arrived first, first Mustapha was going to follow me.

19 He was stopped by immigration in Britain. He went first and
20 stopped, then I followed, and then the others would meet in
21 Great Britain and follow up one by one.

22 Q. Did you discuss what you would do after you conducted the
23 terrorist attack in the United States?

24 A. We didn't; we weren't very specific. We said we either
25 leave the United States or go to Algeria.

1 Q. After that meeting did there come a time when you left
2 Afghanistan and returned to Canada?

3 A. Yes.

4 Q. When approximately was that?

5 A. The beginning of 1999, in February.

6 Q. Before returning to Canada did you meet again with Abu
7 Zubeida?

8 A. Yes, I passed by to see him and he made arrangements for
9 my travel.

10 Q. What country did you see Abu Zubeida in?

11 A. In Pakistan.

12 Q. He was leader of the camps?

13 A. Yes.

14 Q. Did you discuss anything when you met with Abu Zubeida on
15 your return back to Canada?

16 A. Yes. He asked me to send him some passports, some
17 original passports if I had that he can use to give other,
18 give to other people who had come to carry out operations in
19 U.S.

20 Q. What type of passports was he looking for?

21 A. Canadian passports, but original.

22 Q. Did he tell you the names of the people he wanted those
23 passports for?

24 A. He gave me some of the names.

25 Q. Did you provide those names to the government when you

1 began cooperating?

2 A. Yes.

3 Q. Did you ever get those passports for Abu Zubeida?

4 A. I tried but I was not successful.

5 Q. Do you know whether those individuals ever got to the

6 United States?

7 A. I do not know.

8 Q. During your meetings with the government did you provide

9 the names of the leaders and trainers in the camps that you

10 could recall?

11 A. Yes.

12 Q. Did you provide the names of members of the various cells?

13 A. Yes.

14 Q. Approximately how many names did you provide to the

15 government from those camps?

16 A. Many.

17 Q. Did you provide the government with the terrorist

18 organizations that leaders were affiliated with?

19 MR. OLLEN: Objection; hearsay.

20 THE COURT: Could you read the question.

21 (Record read)

22 THE COURT: The fact that he did it I will permit.

23 He is not testifying as to who they are. Overruled.

24 You may answer.

25 A. Yes.

1 Q. When you traveled back to Canada in early 1999 did any of
2 your cell members travel back with you?

3 A. When I went to Canada, when I came to Canada?

4 Q. Yes.

5 A. No, I came alone.

6 Q. Did you bring anything back to Canada with you from
7 Afghanistan?

8 A. Yes.

9 Q. What did you bring?

10 A. I came with some chemical substances. I brought also a
11 notebook that had instructions on how to put together
12 explosives. I brought a sum of money.

13 Q. How much money did you bring back?

14 A. \$12,000.

15 Q. Where did you get that from?

16 A. From Montaz.

17 Q. Why did Al Montaz give you \$12,000?

18 A. To take care of our affairs; first to get a house, to buy
19 weapons.

20 Q. You mentioned you brought back chemicals; can you describe
21 what you brought back?

22 A. Yes. Hexamine.

23 Q. Explain what hexamine is.

24 A. It is a substance used in the manufacture of explosives.

25 It is a substance that is a booster that is used with

1 explosives.

2 Q. What form is it in?

3 A. It is in the form of tablets, but you grind it and then it
4 becomes like a white powder.

5 Q. Did you bring back any other chemicals?

6 A. Also glycol which is a liquid.

7 Q. What is glycol used for?

8 A. It is also used in explosives.

9 Q. When you left Afghanistan in February 1999, where did you
10 travel back to?

11 A. I went to Pakistan first. Then I went to Los Angeles in
12 transit, and then took a plan from Los Angeles to Vancouver.

13 Q. Who did you stay with in Vancouver?

14 A. Abdelmajid Dahoumane.

15 Q. Who was Abdelmajid Dahoumane?

16 A. He is an old friend.

17 Q. Can you tell us, from February of 1999 when you returned
18 to Vancouver until December of 1999, where were you living?

19 A. I lived in Montreal.

20 Q. Did you ever travel outside of Montreal during that
21 period?

22 A. I used to travel to Vancouver to take care of business.

23 Q. At that time were you legally in Canada?

24 A. No, illegal.

25 Q. What had happened to your political asylum claim?

1 THE INTERPRETER: Your Honor, I cannot understand the
2 word he is saying.

3 A. It was put in my file and the file was closed.

4 Q. It was rejected?

5 A. Yes, it was rejected.

6 Q. Was there an immigration warrant issued for your arrest?

7 A. I heard about that later after I left.

8 Q. Did there come a time when you returned to Montreal in
9 1999 when you reestablished contact with Mokhtar Haouari?

10 A. Yes, that summer.

11 Q. What year was that?

12 A. The summer of 1999.

13 Q. Who put you in contact with the defendant again?

14 A. Samir Ait Mohamed told me where he is working.

15 Q. Who is Samir Ait Mohamed?

16 A. He is a mutual friend of mine and Mokhtar.

17 Q. Why did you want to get in contact with Mokhtar Haouari?

18 A. I needed a Visa card.

19 Q. Did you meet with the defendant to discuss getting a Visa
20 card?

21 A. Yes, I asked him if I can use the name of his store and
22 pretend I am working in his store to obtain a Visa.

23 Q. What was the defendant's response?

24 A. He agreed.

25 Q. What type of business did the defendant have?

1 A. He had a store, silver; it was called Artisanat Nord-Sud.

2 Q. What name appeared on the credit card application?

3 A. Benny Noris.

4 Q. Who filled out that application?

5 A. Mokhtar did.

6 Q. After returning from Canada did you ever hear the
7 defendant talk about committing fraud?

8 A. Yes, in regard to Visa cards.

9 Q. What did you learn from your conversations with the
10 defendant; what was he doing?

11 A. We discussed having a business together, him and I, and
12 Samir Ait Mohamed. They asked me to open a store for them.

13 Q. Did you learn what type of credit card fraud the defendant
14 was involved in?

15 A. Yes, Visa cards.

16 Q. What were they doing with the Visa cards?

17 A. They used to get names of people from restaurants or other
18 stores and use that information to make cards.

19 Q. Did you learn who else was involved in this scheme with
20 the defendant?

21 A. I knew that it was Mokhtar and Samir Ait Mohamed.

22 Q. Did you ever observe the defendant with counterfeit credit
23 cards?

24 A. Once I was with Samir Ait Mohamed and Mokhtar in Samir's
25 car, and Mokhtar had some cards, he put them in an envelope,

1 he went to Federal Express to mail them, I believe to America.

2 Q. Do you remember approximately when that was?

3 A. I believe in October.

4 Q. What year?

5 A. 1999.

6 Q. Did you ever observe the defendant on any other occasions
7 with counterfeit credit cards?

8 A. Yes, I saw him in the house on Sherbrooke.

9 Q. What did you see?

10 A. It was a small place; there was a small computer and small
11 device next to it. He used to imprint the cards there. He
12 would type in some data and then swipe the card on the device
13 next to it.

14 Q. Did there come a time when you were asked to assist in the
15 credit card fraud scheme?

16 A. Yes.

17 Q. Approximately when was that?

18 A. Ends of October, the beginning of November.

19 Q. What year?

20 A. 1999.

21 Q. What were those discussions; who was involved in those
22 discussions; what were they about?

23 A. Samir Ait Mohamed and Mokhtar. They asked me to get a
24 store for them in order to collect information about Visa
25 cards, and also about ATM cards.

- 1 Q. In whose name was the lease going to be under?
- 2 A. In my name.
- 3 Q. Your real name?
- 4 A. No, Benni Noris.
- 5 Q. What was the name Benni Noris?
- 6 A. It was on the papers that I was using at that time.
- 7 Q. Was that one of the fake names you were using?
- 8 A. Yes. They are fake cards but they are original.
- 9 Q. You agreed to open the store for them?
- 10 A. Yes.
- 11 Q. Were you supposed to receive anything from the proceeds of
- 12 the fraud done through the store?
- 13 A. Yes. Said Arrar was also with them. Yes, I was to
- 14 receive something in return.
- 15 Q. By the way, when you spoke with the defendant what
- 16 language did you speak with him in?
- 17 A. In Arabic.
- 18 Q. When you go to the stores, when you went to stores in
- 19 Montreal, what language would you speak in stores in Montreal?
- 20 A. French, I used French.
- 21 Q. During your interactions with the defendant in 1999, did
- 22 you discuss the Afghanistan camps with him?
- 23 A. Yes, I did.
- 24 Q. Approximately when was that?
- 25 A. The period toward the end of October, beginning of

1 November.

2 Q. Do you recall how the subject came up?

3 A. I remember I was with Mokhtar and Samir Ait Mohamed. We
4 were talking about the jihad in Chechnya. He said he has a
5 friend in America who is very eager to join the jihad. I said
6 do you know this person well, this friend very well; if you
7 trust him, it's not a problem, we can get him a Visa. And
8 later on, I did call people in Afghanistan.

9 Q. Did you describe your experience in Afghanistan to the
10 defendant?

11 A. Yes, in general.

12 Q. What did you tell him?

13 A. That there is a lot of training, lot of military training
14 and people from all nationalities are there. You will have
15 some difficulty at the beginning but then you get used to it.
16 You learn a lot of military things, like explosives, weapons.
17 And there is the Algerian group; you will get to know them.

18 Q. What was the defendant's response when you described your
19 experience at the camp?

20 A. I don't remember precisely but he was interested in it.

21 Q. What did he tell you about his interests?

22 A. He wanted to go to Afghanistan also.

23 Q. Did he want to go at that time?

24 A. He wanted to leave later on, four to six months later
25 after they open the store and after collecting some money. He

1 said what shall I take with me. I said take a computer along
2 and some training clothes, sports clothes.

3 Q. Did you ever have political discussions with the
4 defendant?

5 A. Yes, not very much.

6 Q. What were those conversations about?

7 A. In regard to Algeria, the government of Algeria, the
8 situation in Algeria, and the different groups that are in
9 Algeria, and in regard to the Islamic jihad in Algeria.

10 THE INTERPRETER: I am sorry. Correction.

11 A. In regard to the enemies of Islam.

12 Q. Did you have discussions about any other countries other
13 than Algeria?

14 A. Yes, we talked about France and America.

15 Q. What were your discussions about America?

16 A. That it was an enemy of Islam and that if one is to carry
17 out an operation, it would be better to have to hit the
18 biggest enemy.

19 Q. The biggest enemy being who?

20 A. I mean America.

21 Q. Who is doing the talking?

22 A. I was talking.

23 Q. Did defendant have a response?

24 A. I don't remember precisely what he said, but he was
25 interested in the subject.

1 MR. BIANCO: Your Honor, this might be a good time.

2 THE COURT: We will recess for about ten minutes.

3 Don't discuss the case or come to any conclusions.

4 (Jury leaves courtroom)

5 (Recess)

6 (Continued on next page)

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1 (Robing room discussion off the record)

2 AHMED RESSAM, resumed.

3 (In open court; jury present)

4 THE COURT: You may proceed, Mr. Bianco.

5 MR. BIANCO: Thank you, your Honor.

6 DIRECT EXAMINATION Continued

7 BY MR. BIANCO:

8 Q. Mr. Ressam, when the time you returned from Afghanistan in
9 February of '99 in the months that followed, you did begin
10 making any preparation in connection with your plan to conduct
11 an attack on the U.S.?

12 A. Yes.

13 Q. What was some of the things you were doing in those few
14 months after you came back?

15 A. First I put my papers in order, my documents.

16 Q. What document do you mean? Documents? What type of
17 documents?

18 A. My bank card, driver's license, and insurance card.

19 Q. Under what name?

20 A. In the name of Benny Noris.

21 Q. And why was it important to get those papers in order?

22 A. So that if I want to travel, I want to -- after I carry
23 out the operation, so it would be in order.

24 Q. Were you doing anything else in those several months?

25 A. Yes, I also started looking for chemical substances to

1 find out where they are sold.

2 Q. Chemical substances for what?

3 A. To make explosives.

4 Q. Did you purchase any of those chemicals during those first
5 few months?

6 A. No, I just wanted to observe and get an idea.

7 Q. Did you do anything else?

8 A. Also, I wanted to know who sells weapons and I got in
9 touch with Samir Ait Mohamed.

10 Q. And what did you ask Samir Ait Mohamed for?

11 A. To find me a weapon.

12 Q. Why did you want a weapon?

13 A. So to use it and when my friends join me, arrive, we will
14 use it to carry out operations involving money.

15 Q. What do you mean "operations involving money"? What type
16 of operations?

17 A. Robbing currency exchanges, places that has money.

18 Q. In Canada?

19 A. Yes.

20 Q. Now, when you began cooperating with the government, did
21 you disclose the fact that you were going to use that gun in
22 connection with robbery?

23 MR. OLLEN: Objection, hearsay.

24 THE COURT: No. Under Rule 607, I'm going to permit
25 it because I take it as a preliminary question.

1 You may answer the question.

2 Could you read the question again so the interpreter
3 could give it to the witness. Thank you.

4 (Record read)

5 A. No, I did not tell them that.

6 Q. You held that back?

7 A. Yes, yes.

8 Q. What did you say it was for?

9 A. To protect myself.

10 Q. Did there come a time when you learned about travel
11 problems that your fellow cell members were having? Did there
12 come a time when you learned about problems -- travel problems
13 that your fellow cell members were having getting to Canada?

14 A. Yes.

15 Q. Approximately when did you hear about that?

16 A. At the beginning of the summer.

17 Q. In 1999?

18 A. Yes, in 1999.

19 Q. Do you recall how you learned about that?

20 A. Yes, by calling my friends.

21 Q. Which friends?

22 A. Labsi Mustafa and Abu Doha.

23 Q. Where were they?

24 A. They were in London.

25 Q. When you spoke to them, what did you learn?

1 A. I learned that they changed their plans. They're not
2 coming to Canada, however, they were staying in Europe;
3 however, Mustafa was still hesitant.

4 Q. Why did they change their plans?

5 A. Because of the problems with Immigration. When they were
6 trying to come to Canada, they were stopped in London at the
7 Immigration.

8 Q. Who was stopped?

9 A. They stopped Mustafa, first of all, and then at the
10 beginning of the summer, Fodail was going to come and they
11 also stopped him.

12 Q. Fodail was the leader of your cell?

13 A. He was going to be the leader of my cell.

14 Q. So, after Fodail got stopped, what did they decide?

15 A. To remain in Europe.

16 Q. After you learned that they were going to remain in
17 Europe, did you abandon your terrorist plan?

18 A. I started thinking of how am I going to carry out the
19 operation.

20 Q. So, you decided to continue anyway?

21 A. Yes.

22 Q. Now, did there come a time when you actively began
23 preparing your terrorist plan?

24 A. Yes.

25 Q. Approximately when was that?

1 A. In August, in the summer.

2 Q. Did you consider at that time what type of target your
3 attack would be on?

4 A. Yes.

5 Q. What did you decide?

6 A. An airport in America in Los Angeles.

7 Q. Why did you decide on an airport?

8 A. Because an airport is sensitive politically and
9 economically.

10 Q. Did you purchase anything in connection with picking the
11 target?

12 A. Yes, I bought a map and I also bought a tourist book for
13 North America.

14 Q. Did you make any markings on the map?

15 A. I put three circles around airports.

16 MR. BIANCO: May I approach, your Honor?

17 THE COURT: You may approach.

18 Q. You have before you what's in evidence as Government's
19 Exhibit 333. Do you recognize 333?

20 A. Yes.

21 Q. What is that?

22 A. It is a map.

23 Q. A map that you made the markings on?

24 A. Yes, I put the mark on it.

25 Q. Now, what do those three circles represent on that map?

- 1 A. Each one points to an airport.
- 2 Q. Were those potential targets?
- 3 A. Yes.
- 4 Q. Were you planning to attack all three?
- 5 A. No.
- 6 Q. What was your preference?
- 7 A. The airport of Los Angeles.
- 8 Q. Why was that your preference?
- 9 A. Because I have landed in it in the past, so I have an idea
10 about it.
- 11 Q. When did you land there in the past?
- 12 A. Upon my return from Afghanistan in February 1999.
- 13 Q. Did you ever consider hitting multiple targets?
- 14 A. No. By myself, I cannot do that without personnel. I
15 cannot do that.
- 16 Q. How about when you were back in Afghanistan, were multiple
17 targets discussed by yourself?
- 18 A. Yes.
- 19 Q. Now, did you develop some idea of how you would conduct
20 the attack at Los Angeles Airport?
- 21 A. Yes.
- 22 Q. What were you planning to do?
- 23 A. I will go to the city of Los Angeles. I will surveil the
24 airport. I will survey the airports until I find one -- a
25 good one, and then I will bring a cart that is used for

1 luggage. I will put the cart in a place that is not
2 suspicious and then I will observe the reaction of security,
3 how long it took them to observe it.

4 Q. Would that suitcase have any explosives in it?

5 A. No, this was for rehearsal only.

6 Q. And after you conducted this rehearsal, what was your
7 plan?

8 A. To actually execute the plan.

9 Q. Did you ever consider using more than one suitcase with
10 explosives?

11 A. Yes, to use another bag that has nothing in it.

12 Q. I'm sorry. I didn't --

13 A. To use another bag that has nothing in it.

14 Q. Did you ever consider using more than one suitcase to put
15 the explosives in?

16 A. I will first try to put the explosives in one suitcase and
17 if there was not enough room in one suitcase, then I would use
18 another suitcase.

19 Q. Now, by picking an airport as a target, Mr. Ressam, you
20 realize that many civilians would die; didn't you?

21 A. Yes, I would have tried to avoid that as much as possible.

22 Q. But you knew no matter how you planted it, many would die;
23 correct?

24 A. Yes.

25 Q. Now, in addition to picking a target, did you begin other

1 preparations for your attack?

2 A. For this plan?

3 Q. Yes. Starting after you picked the target, the airport,
4 when you were in Canada, did you start then making other
5 preparations for the attack?

6 A. Yes.

7 Q. When did you start doing that approximately?

8 A. In September.

9 Q. Can you explain to the jury what you did in September of
10 '99?

11 A. I started buying electronic equipment and electronic
12 components, small electronic components that will be used in
13 putting together electronic circuits.

14 Q. Timing devices?

15 A. Yes.

16 Q. How many timing devices did you make?

17 A. I made four.

18 Q. Where did you make them?

19 A. In Montreal, at home.

20 Q. Over the months following making of the timing device, did
21 you collect other materials for the bomb?

22 A. Yes, in Vancouver, I started collecting chemical
23 materials.

24 Q. What did you collect?

25 A. Urea.

- 1 Q. Can you explain?
- 2 A. I bought urea.
- 3 Q. Can you explain what that is?
- 4 A. It is a fertilizer used in agriculture. It is also a
- 5 component used in explosives, after I add to it nitric acids.
- 6 Q. When you add nitric acid to urea, what does it become?
- 7 A. It becomes an explosive substance similar to TNT.
- 8 Q. And where did you get the urea from?
- 9 A. I bought it in garden shops -- stores.
- 10 Q. Did you purchase anything else there?
- 11 A. I bought also aluminum sulfate.
- 12 Q. What is that for?
- 13 A. It is used also in agriculture as a fertilizer.
- 14 Q. How is it used in connection with a bomb?
- 15 A. Aluminum sulfate is mixed with urea.
- 16 Q. What else did you collect for the bomb?
- 17 A. Nitric acid and sulfuric acid. Those I stole from places
- 18 that manufactured agricultural fertilizers.
- 19 Q. Did -- with respect to the urea and the acid, did anyone
- 20 help you collect those materials?
- 21 A. Yes, Abdelmajid Dahoumane helped me.
- 22 Q. Over what period of time were you collecting those
- 23 materials?
- 24 A. In November.
- 25 Q. As you were collecting these materials, what was your

1 plan?

2 A. I was to go to the United States to the city of Los
3 Angeles.

4 Q. Did there come a time when you told Mokhtar Haouari about
5 your plan to come to the United States?

6 A. Yes, I told him I'm coming to the United States.

7 Q. How -- can you tell us how that came up, first of all?
8 When did you first discuss that with him?

9 A. I remember at the beginning of November, I asked him to
10 help me with some money and then I told him to take it out of
11 my share in the store. I need this money, I told him, because
12 I have some important business in the United States.

13 Q. And did you describe that important business to him?

14 A. In detail? No.

15 Q. What did you discuss with him?

16 A. I told him I need this money because you have -- I have
17 some very important business in the U.S. He said: No
18 problem. And he said: If you're going to America, I have a
19 friend in America who can help you. I said: Mokhtar, I'm not
20 going to America for tourism. I am going on some very
21 important and dangerous business.

22 He said: There's no problem. He will be able to
23 help you. I asked him: What does your friend do? He is
24 involved in bank fraud. I asked him: Does he speak English
25 well? And does he know how to drive? Is he well-known among

1 the Islamic community and in the mosques? He said: No, he's
2 not known in the mosques. And he speaks good English.

3 I said: Talk to him and explain to him it's -- this
4 matter very well. And see if he is able to help me. I need
5 somebody to help me in America.

6 Q. Now, why did you describe to him the business as
7 dangerous?

8 A. So, to know what kind of work I'm going to be doing when
9 he tells his friend to know -- to have to be responsible.

10 Q. Did you tell him that you were planning a target?

11 A. No, no, I did not tell him about the target.

12 Q. Why not?

13 A. For security reasons. I didn't want to tell him.

14 Q. Why did you ask him whether the friend he was proposing
15 was known in the Islamic movement?

16 A. If he is known among those people, he will bring suspicion
17 upon me.

18 Q. Now, you say you requested money at this meeting for your
19 trip; correct?

20 A. Yes.

21 Q. Did you receive any money at that meeting?

22 A. No.

23 Q. Did you then meet with the defendant again?

24 A. Yes, I met with him at his home.

25 Q. Approximately how much time went by between the first

1 meeting and the second meeting?

2 A. I don't remember precisely, just a few days.

3 Q. Do you recall what happened at the second meeting?

4 A. Yes, we met at his home. He gave me the money. And as I
5 said, \$3,000 Canadian dollars, and he spoke to me about his
6 friend.

7 Q. What did he tell you about his friend?

8 A. He said: My friend Abdelghani will help you. I said:
9 Mokhtar, did you explain to him well the business in this
10 work? He said: Yes, I told him about it. I told him it is a
11 business that has shteah in him.

12 Q. The term "shteah" what is that?

13 A. "Shteah" basically means "dance," but whenever there's
14 something that involves fear and danger, you say it is
15 something that makes you dance.

16 Q. Is that an Algerian term?

17 A. Yes.

18 Q. What else happened during that discussion?

19 A. I remember now, yes, I got the money. I told him: Did
20 you -- your friend is capable and then I -- I said to tell --
21 I told him to tell his friend not to worry right now about
22 going to Afghanistan.

23 I said: After the operation in two to three months
24 afterwards, he can leave.

25 Q. Now, around the time of these conversations, were you

1 making arrangements that would allow the defendant's friend to
2 travel to Afghanistan?

3 A. Yes, I did make some arrangement.

4 Q. What did you do?

5 A. I got in touch with my friend in Pakistan, Abu Jaffar,
6 asking him for visas. He said: I don't have them. Why don't
7 you ask Abu Doha in Great Britain.

8 Q. So, then what did you do?

9 A. So, I called Abu Doha. He said: Yes, he had some visas
10 and I believe I asked him for two. He said: I don't have
11 time to send them to you. I will give them to your friend,
12 Mustafa, who in turn will send them to you.

13 Q. Now, why did you ask for two visas?

14 A. One for Mokhtar's friend and one for my friend, Dahoumane
15 Abdelmajid to leave later on.

16 Q. Did you get those visas?

17 A. Yes.

18 Q. How did you get them?

19 A. By mail. They were received at the address of Dahoumane
20 Abdelmajid.

21 Q. What did you do when you got those two visas?

22 A. I called Mokhtar. I told him to meet me at the metro
23 station at St. Laurent metro station.

24 Q. Where is that? What city?

25 A. In Montreal.

1 Q. And then what happened? Did you meet at the metro
2 station?

3 A. Yes, we did.

4 Q. And what happened?

5 A. I gave him the two visas along with a piece of paper that
6 had instructions on how to fill out the forms and it had
7 stamps on it. I asked him to make those stamps.

8 Q. When you received the visas, how were they received? What
9 did they have on them when you first received them?

10 A. They were blank.

11 Q. So, the information in the stamps has to be filled in?

12 A. Yes, you stick it in the passport, you fill it out, and
13 then you put the stamps on it.

14 Q. And you gave those -- the two visas to the defendant?

15 A. Yes.

16 Q. Did you have any additional discussion with him about
17 getting another visa?

18 A. Yes.

19 Q. What was that discussion?

20 A. He said, can you get me another visa for my cousin, he
21 needs a visa? He wants to go along with his friend. The
22 friend and the cousin want to go together.

23 Q. And what was your response when he asked for that
24 additional visa?

25 A. I said: No problem. I'll contact my friend in Great

1 Britain and we will see. I asked him for his address on
2 Sherbrooke Street in the city of Montreal.

3 Q. Why did you ask him for his address?

4 A. Because I didn't want to send all of them to Abdelmajid to
5 open a P.O. box. He said, no, I was going to open a P.O. box;
6 however, he said, no, I'll give you my address.

7 Q. Once you had his address, what did you do?

8 A. I gave it to my friend in Great Britain.

9 Q. Abu Doha?

10 A. I'm not sure, Abu Doha or Mustafa.

11 Q. And do you know whether that additional visa ever arrived?

12 A. No, I don't know.

13 Q. Now, did you have any further discussions with the
14 defendant in early November of '99 about identification
15 documents?

16 A. Yes.

17 Q. When was that?

18 A. I asked him for an Algerian passport and a driver's
19 license.

20 Q. Let's start with the driver's license. What did you ask
21 him for?

22 A. To make me a driver's license.

23 Q. And what was his response?

24 A. He said, yes, he agreed.

25 Q. And did you give him any materials to make the license

- 1 with?
- 2 A. Yes, I give him a photograph and I gave him a name.
- 3 Q. You gave him your photograph?
- 4 A. Yes, my photograph.
- 5 Q. What name did you give him?
- 6 A. Mario Roig.
- 7 Q. Was it your understanding that the defendant himself was
- 8 going to make that license?
- 9 A. How?
- 10 Q. Did you know whether he was making the license or was
- 11 someone else making the license for him, if you know?
- 12 A. I don't know. I think another person.
- 13 Q. Did you give him any money for that license?
- 14 A. No.
- 15 Q. Did you tell him the purpose for the license?
- 16 A. I told him I needed it. I don't remember telling him the
- 17 purpose.
- 18 Q. What about the passport, what did you tell him you needed
- 19 the passport for?
- 20 A. Yes, I did.
- 21 Q. What did you tell him?
- 22 A. I said: Because after I'm through with America, I'm going
- 23 to go back to Algeria.
- 24 Q. What type of passport did you want?
- 25 A. An Algerian passport.

1 Q. And what was the defendant's response when you requested
2 the Algerian passport?

3 A. He said: Yes, and he found the passport.

4 Q. Now, after these conversations with the defendant in early
5 November of '99, what did you do next? Where did you go?

6 A. I went to Vancouver.

7 Q. Approximately when was that?

8 A. I think it was the 17th of November.

9 Q. Why were you going to Vancouver in mid-November?

10 A. To get all the chemical materials and to make the
11 explosives.

12 MR. BIANCO: Your Honor, I think this might be a good
13 point to break.

14 THE COURT: All right. I don't think anybody is
15 going to be mad. We'll break a little early for the 4th of
16 July.

17 So, have a very happy 4th of July, everybody. And
18 let me just take a minute. I've been discussing the
19 scheduling here with the lawyers and it's possible that the
20 case insofar as the proof will end Friday, it's possible.

21 Now, if that happens, know that you're off Monday and
22 I would have to work with the lawyers Tuesday without the jury
23 concerning the charge. So, very tentatively, this is still
24 very tentative because I don't know what's going to happen
25 Thursday and Friday. I don't know how long we're going to

1 take. There's a chance you'll be getting the case next
2 Wednesday. In other words, it will definitely be over a lot
3 quicker than originally anticipated and there's a chance
4 you'll be getting it Wednesday of next week. So that you know
5 that. And I'll see you then, please, on Thursday, July the
6 5th at 11:30.

7 Thank you very much. Have a nice 4th of July.

8 THE JURY: You, too.

9 (Jury excused)

10 (In open court; jury not present)

11 THE COURT: Do counsel need me for anything?

12 MR. OLLEN: No, your Honor.

13 MR. BIANCO: No, your Honor.

14 THE COURT: Have a nice holiday.

15 MR. BIANCO: You, too, your Honor.

16 (Proceedings adjourned to July 5 at 11:30 a.m.)