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Folder Title: Terrorism: Individuals: Rashid,
Mohammad, June 1988 (1)

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Ronald Reagan Library

Collection Name COUNTERTERRORISM AND NARCOTICS, NSC:
RECORDS

Withdrawer

SMF 5/11/2010

File Folder TERRORISM: INDIVIDUALS: RASHID, MOHAMMAD
JUNE 1988 RICHARD PORTER, NSC STAFF (1)

FOIA

F97-082/4

Box Number 92270 RAL Box 8

WILLS

1

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
91033	CABLE	KUWAIT 02592	13	4/28/1988	B1
91041	INDICTMENT	GRAND JURY INDICTMENT	13	7/14/1987	B3
91035	CABLE	ATHENS 8531	1	5/30/1988	B1

The above documents were not referred for declassification review at time of processing

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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The Embassy of the United States of America presents its compliments to the Government of the Hellenic Republic and has the honor to refer to its May 30th, 1988 request for the provisional arrest of Mohammad Rashid.

The United States Government views the May 30 request as entirely adequate and consistent with previous provisional arrest requests by the United States to the Hellenic Republic. However, in accordance with the request of the Government of the Hellenic Republic and in light of the overriding importance the United States attaches to bringing this dangerous terrorist to justice, the Government of the United States of America, based on a thorough review by the Department of Justice, presents attached hereto additional evidence of Mr. Rashid's guilt for the crimes cited in our aforementioned May 30 diplomatic note for which he is wanted in the United States. The additional evidence presented herein is substantial and has met the stringent standards for acceptance by a U.S. Federal Grand Jury. Based upon these criteria, the evidence is entirely adequate for the purposes of effecting a provisional arrest of Mr. Rashid in accordance with our Bilateral

Extradition Treaty. The Government of the United States of America will be forwarding its formal request for extradition and supporting documentation expeditiously and well within the two month timeframe mandated under our Bilateral Extradition Treaty.

The Embassy of the United States of America avails itself of this occasion to renew to the Ministry of Foreign Affairs the assurances of its highest considerations.

Embassy of the United States of America,

Athens, June 1, 1988



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

United States of America

v.

Mohammed Rashed
aka Rashid Mohammed

Cr. No. 87-0308

Affidavit in Support of
Request for Extradition

I, Donald W. Lyon, being duly sworn, depose and state:

1. I am a citizen of the United States.

2. I have been a Special Agent of the Federal Bureau of Investigation (FBI) for 18 years. I am presently assigned to FBI Headquarters in Washington, D.C. Since March 14, 1988, I have had supervisory responsibility for the investigation of the August 11, 1982 bombing of Pan American World Airways Flight 830 (hereinafter referred to as Pan Am 830). In that capacity, I have received and reviewed reports of the results of the FBI's investigation of the bombing. In addition, I have spoken personally with FBI agents who conducted the investigation regarding the evidence obtained in the course of the investigation. I am, therefore, familiar with the evidence in this case and, in particular, the evidence against the defendant identified in the course of the investigation as Mohammed Rashed.

3. In sum, the evidence establishes that Mohammed Rashed, while traveling on a Pan Am aircraft, planted a bomb under his

assigned seat on that aircraft. The bomb exploded during a subsequent leg of that aircraft's flight, thus killing a 14-year-old boy (who was sitting in that seat) and injuring other passengers.

4. On July 15, 1982, at the Japanese Embassy in Baghdad, Iraq, Mohammed Rashed (and a woman, Christine Pinter), filed applications for visas for a man, woman and child to enter Japan as tourists. The applications are in the names of Mohamed Harouk (the man), Bin Al-Hadi Fatima (the woman), and the child, Bin Al-Hadi Zuhair. These applications are attached as Exhibits C-1 and C-7. The visa applications bear photographs of the applicants. The photograph of applicant "Mohamed Harouk" is a photograph of Mohammed Rashed. Other information which the applicants provided on the applications includes an intention to travel on Iraqi Airways from Baghdad; a claim of Moroccan citizenship and an intent to travel on Moroccan passport numbers 378505 and 398383; a business telephone number of 55 12 578; and a child, date of birth of April 21, 1980.

5. Morocco officials advised a Special Agent of the FBI that, in fact, no Moroccan passports have been issued in the names of Mohamed Harouk, Fatima Bin-Al, or Zuhair Bin-Al Hadi.

6. The visas for entry to Japan as tourists were issued and Mohammed Rashed and his purported wife and child, traveling as the "Harouk" family, began their 14-day journey on July 27,

1982. The FBI's investigation has included an analysis of immigration records from Thailand, Hong Kong, and Japan, of Pan Am Airlines tickets; and of a Tokyo hotel record. Those records indicate the following:

(a) A "Mohamed Harouk" entered the Kingdom of Thailand on July 27, 1982, aboard Iraqi Airways Flight 433 and departed Thailand on July 31, 1982, aboard Singapore Airlines Flight 23. The Official Airlines Guide indicates that Iraqi Air Flight 433 departs Baghdad, Iraq, goes via Dubai, and flies to Bangkok, Thailand.

(b) On August 4, 1982, in Singapore, Pan Am Airlines tickets were issued as follows: Pan Am ticket 0264406510413 was issued in the name of "Mr. Mohd. Harouk;" Pan Am ticket 0264406510414 was issued in the name of "Mrs. Fatima Binal Hadi;" Pan Am ticket 0264406510415 was issued in the name of "Zuher Bin Al Hadi." These tickets indicated travel from: (leg 1 on Pan Am) Singapore to Hong Kong on Pan Am Flight 006 on August 7; (leg 2 on Pan Am) Hong Kong to Tokyo on Pan Am Flight 002 on August 11; (leg 3 on Pan Am) (return) Tokyo to Hong Kong on Pan Am Flight 001 on August 13; and (leg 4 on Pan Am) Hong Kong to Singapore on Pan Am Flight 005, also on August 13. (This represents a stay in Japan of approximately one (1) day and twenty-two-and-one-half (22 1/2) hours on a tourist visa.

(c) On August 7, 1982, the Harouk family traveled from Singapore to Hong Kong.

(d) On August 11, 1982, the Harouk family traveled from Hong Kong to Tokyo, Japan. (The Pan Am tickets are attached as Exhibits C-3 and C-4.)

7. A review of the Japanese entry and exit records in the names of Mohamed Harouk, Fatima Bin Al-Hadi, and Zuhair Bin Al-Hadi revealed that three individuals identified as Harouk, Bin Al-Hadi, and her son, Zuhair, with the same passport numbers and other identification information as is listed on the "Harouks'" visa application, entered Japan on August 11, 1982, aboard Pan Am Flight 002 and departed Japan on August 13, 1982, aboard Pan Am Flight 001.

8. A review of records of a hotel in Tokyo, Japan, determined that "Harouk - Bin Al-Hadi Fatima" registered as "Mr. and Mrs." with son at the hotel on August 11. A check out date was listed as August 13. The registrants also listed the same Moroccan passport number, home address, business name and telephone as were listed on the Japanese visa applications. See Exhibit C-5. A Tokyo hotel employee advised the FBI that the Harouks, who were on tourist visas, did not ask for any tour information and did not go out in the evening.

9. On October 29, 1984, an individual advised a Special Agent of the FBI that he was in Tokyo during August 1982 and came into contact with foreign visitors as a result of his

employment and recalled the Harouk family, which consisted of a man, woman, and male child.

10. On October 31, 1984, another individual employed in Tokyo during August 1982 identified a copy of the Harouk visa application photograph from an array of photographs as being similar to the Mohamed Harouk, who was accompanied by his family, whom he saw between August 11 and 13, 1982, in Tokyo.

11. After a stay of approximately 48 hours (from August 11 to August 13, 1982), the Harouk family returned to Iraq via the same route they used to come to Japan.

12. The FBI Laboratory in Washington, D.C., conducted an analysis of the handwriting which appears on the Visa Application Form to Enter Japan in the name of Mohamed Harouk, Visa Application Form to enter Japan in the name of Fatima Bin Al-Hadi, and the hotel registration card in the name of Harouk - Bin Al-Hadi Fatima. As a result of this examination, it was determined that the handprinting of these documents was printed by the same person.

13. During the Hong Kong to Tokyo leg of the "Harouk" family's trip, the Harouks occupied seats 47H, J, and K on the Pan Am aircraft identified as N 754. The Harouks deplaned in Tokyo and the aircraft continued to Honolulu as Pan Am Flight 830. The bomb which killed Toru Ozawa (a passenger on Pan Am 830) was planted under seat 47K, between the webbing and seat cushion.

14. Pan Am records and the statements of crew and passengers of Pan Am 830 indicate that on August 11, 1982, at approximately 9:05 a.m., Hawaiian Standard Time, a bomb exploded on Pan Am 830. At the time of the explosion, the plane was just beginning its descent. The explosion occurred on the right side of the aircraft containing seats H, J, and K. The male passenger (Toru Ozawa) who was seated in Seat 47K was mortally wounded by the explosion and was pronounced dead by a medical doctor at Honolulu. An autopsy revealed that Mr. Ozawa died as a result of extensive blast injuries caused by a bomb which had been implanted under his seat cushion.

15. The crime scene investigation conducted by the FBI revealed that the aircraft N 754 suffered substantial damage both inside and outside the aircraft. Interior damage included severe damage to seat 47K and the adjacent area including the interior cabin wall, cabin ceiling, and a large hole in the cabin floor exposing the lower cargo compartment. Exterior damage to the fuselage included a number of rivet heads popped out, paint chipped, and bulging out in the area of the explosion. FBI Laboratory analysis by an FBI explosives analyst expert of the evidence collected as a result of that crime scene investigation identified the remains of an improvised explosive device, hereafter referred to as a bomb, consisting of a high explosive main charge, a detonator, and a time delay electrical firing circuit. The firing circuit was

constructed with at least two "AAA" alkaline batteries, with a manufacturer's code date of "081" indicating the date of manufacture as August 1981, as the power source and an electro-chemical "E-cell" serving as the time delay element. Also located was a specimen of high explosive pentaerythritol tetranitrate (PETN). This crime scene investigation also determined that the bomb had been placed under the seat cushion of 47K. The explosives analyst expert above advised that he has been assigned to the Explosives Unit of the FBI Laboratory for approximately 10 years. His duties are to examine items submitted to the FBI Laboratory as a result of bombings or attempted bombings for the purpose of identifying bomb components and reconstructing bomb devices. He is certified as a Hazardous Devices and Explosives Specialist by the FBI Laboratory. He possesses a Master of Forensic Science degree from George Washington University and has attended a Hazardous Explosives Devices Course at Red Stone Arsenal in Huntsville, Alabama. He also attended a course of instruction at the Naval School, Explosive Ordnance Disposal, at Indian Head, Maryland, which trains bomb technicians for all branches of the military service. On numerous occasions, he has been qualified as an expert witness in the field of explosives in both federal and state courts.

16. FBI investigation has also revealed that on August 25, 1982, an explosive device was found between the seat cushion

and webbing of seat 29A, of a Pan Am jet (aircraft number N 748) in Rio de Janeiro. The device was recovered intact. The FBI's explosives expert, who examined this device and the remnants recovered from the bomb on Pan Am 830, has advised that both devices had an electrical time delay firing system employing an E-cell; were powered by 1.5-volt triple-A batteries; and utilized PETN as an explosive main charge. The expert has concluded that both devices had sufficient characteristics in common as to bear the "signature" of the bomb-maker and were constructed by the same person.

17. On August 28, 1982, Swiss authorities arrested a man utilizing a passport from the United Arab Emirates in the name of Jessem Kalfam who was in possession of a bomb concealed in a suitcase. The FBI explosives expert has examined that explosive device and compared it to the bomb found on the Pan Am aircraft in Rio de Janeiro, and the remnants from the Pan Am 830 bomb. He has concluded that all three devices have the same characteristics and components and that all three bombs bear the "signature" of the same bomb-maker. In September 1982, while Mr. Kalfam was in custody in Switzerland, another individual using the name Abdalla Al-Hadi Ben and traveling came to see Mr. Kalfam and was also arrested by Swiss authorities. In Abdalla Al-Hadi's possession was a vinyl shoulder bag which was confiscated and examined. A piece of vinyl had been cut from the bottom of this bag. The missing

piece of vinyl was found in Rio de Janeiro; the vinyl had been used by the bomb-maker to encase the bomb which was found between the webbing and cushion of a seat on the Pan Am jet in Rio de Janeiro on August 25, 1982.

18. The FBI has interviewed a man who was a personal associate of Mohammad Rashid during the early 1980's. During this association, Rashid and this man had lengthy conversations in Baghdad, Iraq, during which Rashid explained that he was a member of the 15 May organization and that the organization's goals were to promote the Palestinian cause by using violence against American and Israeli persons and economic interests. Rashid told this man about the methods which Rashid and other 15 May members used to conceal and transport bombs for bombing missions. This man has agreed to testify against Mohammad Rashid in a United States court.

Rashid told the man that he (Rashid) was a captain in the organization and was the right hand of the organization's leader. Rashid recruited the man to go on a bombing mission and told the man that he (Rashid) had himself gone on bombing missions. Rashid also told the man that his (Rashid's) wife was also a hero. Rashid told the man that if he needed to reach Rashid, he could call telephone number 55 12 578. (This is the same telephone number that the "Harouks" put on their Japanese visa application and their hotel registration form in Tokyo.

The man was given a bomb and was instructed how to operate it. The FBI explosives expert states that these instructions coincide with the manner in which the bomb placed on Pan Am 830 operated. The man (who was recruited by Rashid) has, as part of a group of photos of men's faces, been shown a copy of the photograph on the "Harouk" visa application. The man has identified the "Harouk" photo as Mohammad Rashid.

19. The photograph of Bin Al-Hadi Fatima has been identified by Austrian authorities as an Austrian national named Christine Pinter. During interviews by Austrian officials in 1984 and 1985, Pinter denied having ever been in the Far East.

20. In 1982, Pan Am aircraft numbers N 754 and N 748 were owned by Bankers Trust Company and were leased by Bankers Trust Company to Pan American World Airways. Bankers Trust Company is a corporation created under the laws of the State of New York.

21. At the time of the explosion aboard Pan Am 830 on August 11, 1982, the aircraft was in flight over the high seas and out of the jurisdiction of any state.

22. During August 1982, Pan Am aircraft numbers N 754 and N 748 were being used in foreign commerce with the United States.

Debra J. Stevenson

Sworn to me this 1st day of June, 1988,
in Washington, D.C.

~~My Commission Expires April 30, 1991~~

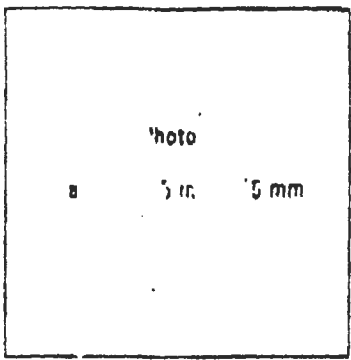
Donald W. Lyon
Donald W. Lyon, Special Agent
Federal Bureau of Investigation
U.S. Department of Justice

00-01-00 04:34 T- #028 P02
VISA APPLICATION FORM TO ENTER JAPAN

C-1

Name in full HAROUK MOHAMED
(Surname)

MOHAMED
(Given and middle name)



Different name used, if any -

Sex male Marital status married ~~single~~

Nationality or citizenship MALLOCAINE

Former nationality, if any -

Date and place of birth 5 11 1949 CASABLANCA MAROC
(Day) (Month) (Year) (City) (Province) (Country)

Criminal record, if any -

Home address Rue - al - Sada 9

1-1-1-1 Tel. _____

Profession or occupation Ingénieur

Name and address of firm or organization to which applicant belongs AL-BASIL CONSTRUCTION & TRADING Tel. 55 12 538

Post or rank held at present Ingénieur

Principal former positions _____

Passport (Refugee or stateless should note the title of Travel Document) _____

No. 398383 Diplomatic, Official, Ordinary Issued at CASABLANCA on 4. 2. 1980

Issuing authority Le Gouverneur Valid until 4. 2. 1985

Purpose of journey to Japan TOURIST

Length of stay in Japan intended 10 days

Route of present journey : Name of ship or airline IRAQI AIRWAYS

Port of entry into Japan NAATA Probable date of entry 29. 7. 1982

Address of hotels or names and addresses of persons with whom applicant intends to stay _____

Dates and duration of previous stays in Japan -

Guarantor or reference in Japan : Name -

Address _____ Tel. _____

Relationship to applicant _____

Persons accompanying applicant and included in his passport	Name	Relationship	Birthdate

I hereby declare that the statement given above is true and correct. Also, I understand that immigration status and period of stay to be granted are decided by the Japanese immigration authorities upon my arrival.

Date of application 15. 2. 1982

Signature of applicant [Signature]

5-14

NOT FOR USE BY TRAVEL AGENTS ISSUING OFFICE: ALOSTPA 02010		GATE NO. 1 AIRLINE 02010	
CARRIER 02010 CLASS 02010		FARE BASIS 02010 TICKET NO. 02010	
DATE OF ISSUE 02010 EXPIRES 02010		AIRLINE 02010 CLASS 02010	
CARRIER 02010 CLASS 02010		FARE BASIS 02010 TICKET NO. 02010	
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5/17/05

DO NOT MARK OR WRITE IN THE WHITE AREA ABOVE

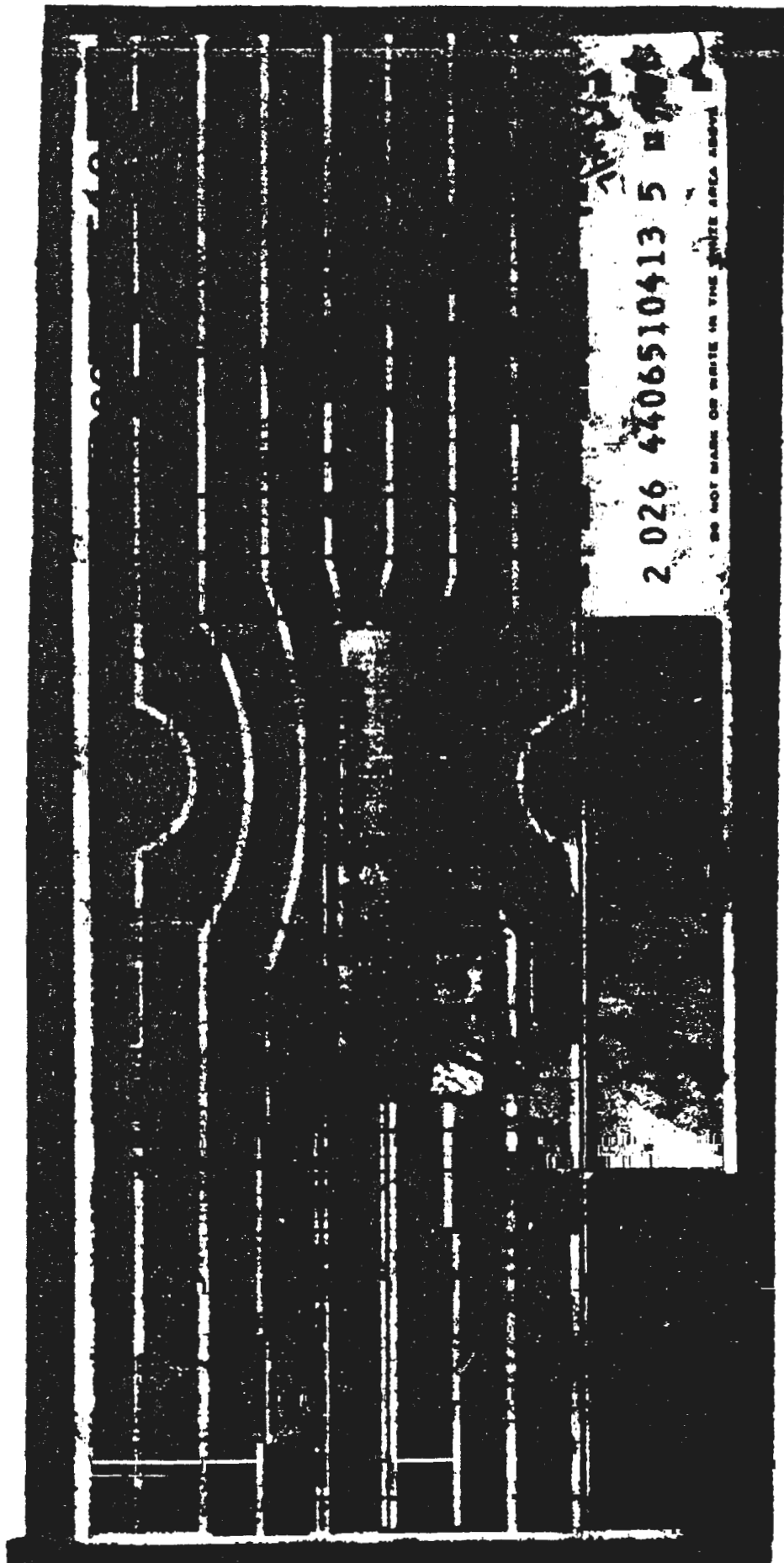
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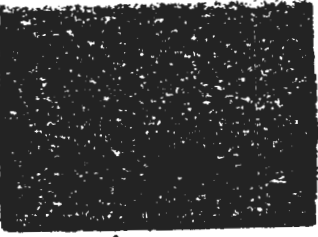
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C-35



TO Tokyo Hotel ^{Y/M} SON A-3.
HAN FATIMA ^{MR} MISS

PR-PI-PR PA:52 T-

LAST		FIRST		AGE	YOUR SIGNATURE		
NAME ADDRESS		RUE AL-SADA 9		NATIONALITY	MAROC PASSPORT No. 398383		
OFFICE OF FIRM		AL-BACIL CONST. & TR.		HOME PHONE	6512578 東京オーナーズ No.		
CHECK-OUT DATE	8/14/53	LAST PLACE OF LODGING	前夜宿泊地		DESTINATION 行先地		
<p>THE HOTEL CANNOT ACCEPT RESPONSIBILITY FOR LOSS OF MONEY OR VALUABLES. SAFETY DEPOSIT BOXES ARE AVAILABLE FOR CONVENIENCE OF GUESTS. 貴重品はフロントキャッシャーでお預り致します。お預り以外の貴重品については責任を負いません。</p>							
COUPON	<input checked="" type="checkbox"/> ROOM	ROOM NO.	703	RATE	20,000	CLERK	
<input type="checkbox"/> VOUCHER	<input type="checkbox"/> MEN & B.L.D.					<input checked="" type="checkbox"/> 田丸	
<input type="checkbox"/> BATH-ROOM	<input type="checkbox"/> MEN & MILS					BILL	
<input type="checkbox"/> CHAIR	<input type="checkbox"/> ILL					CHECK-IN 27	
RESERVATION	¥ 54,000	REMARKS				MORNING-CALL	
CANCELLATION	B	着類 ¥2,000 取付 OK'D.					
<input type="checkbox"/> S.M.	<input type="checkbox"/> DOR	<input type="checkbox"/> ONR	成田 ③分				
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PR-PI-PR

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モハメド ハルマ 入国記録

RECORD OF ENTRY, MOHAMED HARPOUK

360354

No. of
 Place of Birth **HANOI**
 Name **MOHAMED**
 Date of Birth **5** Month **11** Year **1949**
2107
 Identification No. **398383**
 Occupation **INGÉNIEUR**
 Address **RUE AL-SABA 9**
 Address in Japan **77**
 Purpose of Visit **TOURIST**
 Intended Length of Stay in Japan **5 DAYS**
 Airline **COZ. PAN AM**
 Port of Call **HCP**
 Signature *[Signature]*
 Date **4/10**
 026-82081

RECEIVED

AUG 10 1982
SECURITY DEPT.

1 NYCAMPA CPYXXXX HKGEJPA TYOOUFA
HKGEJPA 160531
E NYCOX 140550 PA00208 AUG N754 HKG STATION INFO SUBMITTED
N 2 SEPARATE WIRES TO COVER INFO ITEM 1 AND INFO ITEMS 2/3
ESPECTIVELY STP THIS WIRE COVERS INFO ITEM 1 STP
ITEM 1 CHA BOARDING PAX LIST/SEAT ASSIGNMENTS EX HKG EYCL
ONLY AS FLWS CLN

AGE ONE OF THREE

KG/TYO EY

- 0A] 2AHMAD
- 7JK 2BINALIHADI
- 8D] BRISTER
- 9G CHAN MM
- 14J CHEUNG LEE MI
- 19J CHAN MM
- 10K HUNG TH
- 11K FUNG CHI WON
- 17H HAROUK
- 18H HARRISON
- 15HJK 36JK SHILL
- 11H LEUNG WAI FUN
- 14K LEUNG YIU CHE
- 13FG 34FG 4LI TAN ALFRED
- 15K SEKIGUCHI
- 16C WATABE
- 14H TERADA
- 17G RAMALI
- 16H HARA
- 15D LIEN POH CHEW
- 12H LIN CHEN YH
- 18DEF 3LIUM NYI HOAM
- 19E LO HL
- 11A MOK KT
- 16C NATION
- 19D NG H
- 18G OKUYAMA
- 17AD 2PAGESOLIVER
- 18H QUINONES
- 13E SAM LUISA MS
- 17G SATO
- 22DE 2SEAVR SPND/VP RAYTHEON
- 31A SI CK
- 11K 0070

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1951

TREATY OF EXTRADITION

Signed at Athens, May 6, 1931; ratification advised by the Senate of the United States, February 19, 1932 (legislative day of February 17, 1932); ratified by the President of the United States, March 10, 1932; ratified by Greece, October 13, 1932; ratifications exchanged at Washington, November 1, 1932; proclaimed by the President of the United States, November 1, 1932; together with exchange of notes concerning most-favored-nation treatment and protocol of exchange of ratifications

(Treaty Series, No. 855; 47 Statutes at Large, 2185)

The United States of America and Greece, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the two countries and have appointed for that purpose the following Plenipotentiaries:

The President of the United States of America: Mr. Robert Peet Skinner, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Athens; and

The President of the Hellenic Republic; Mr. Andreas Michalakopoulos, Vice President of the Government, Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I. It is agreed that the Government of the United States and the Government of Greece shall, upon requisition duly made as herein provided, deliver up to justice any person, who may be charged with, or may have been convicted of, any of the crimes or offenses specified in Article II of the Present Treaty committed within the jurisdiction of one of the High Contracting Parties, and who shall seek an asylum or shall be found within the territories of the other; provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II. Persons shall be delivered up according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following crimes or offenses:

1. Murder (including crimes designated by the terms parricide, poisoning, infanticide, manslaughter when voluntary).
2. Malicious wounding or inflicting grievous bodily harm with premeditation.
3. Rape, abortion, carnal knowledge of children under the age of fifteen years.

4. Abduction or detention of women or girls for immoral purposes.
5. Bigamy.
6. Arson.
7. Wilful and unlawful destruction or obstruction of railroads, which endangers human life.
8. Crimes committed at sea:
 - (a) Piracy, as commonly known and defined by the law of nations, or by statute;
 - (b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;
 - (c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of such vessel;
 - (d) Assault on board ship upon the high seas with intent to do bodily harm.
9. Burglary.
10. The act of breaking into and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, ¹Insurance and other companies, or other buildings not dwellings with intent to commit a felony therein.
11. Robbery.
12. Forgery or the utterance of forged papers.
13. The forgery or falsification of the official acts of the Government or public authority, including Courts of Justice, or the uttering or fraudulent use of any of the same.
14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.
15. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds two hundred dollars or Greek equivalent.
16. Embezzlement by any persons hired, salaried, or employed, to the detriment of their employers or principals, when the crime or offense is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds two hundred dollars or Greek equivalent.

¹See Protocol of Exchange, p. 4295.

17. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families or any other person or persons, or for any other unlawful end.

18. Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more, or Greek equivalent.

19. Obtaining money, valuable securities or other property by false pretenses, or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds two hundred dollars or Greek equivalent.

20. Perjury.

21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars or Greek equivalent.

22. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

23. Wilful desertion or wilful non-support of minor or dependant children, or of other dependant persons, provided that the crime or offense is punishable by the laws of both countries.

24. Bribery.

25. Crimes or offenses against the bankruptcy laws.

26. Crimes or offenses against the laws for the suppression of traffic in narcotics.

27. Extradition shall also take place for participation in any of the crimes or offenses being mentioned as an accessory before or after the fact, or in any attempt to commit any of the aforesaid crimes or offenses. However, extradition for participation or attempt will be accorded in the case of a suspected person only if the maximum of the possible punishment is two years or more, and, in the case of one condemned, only if the sentence pronounced by the jurisdiction of the demanding State is six months or more.

ARTICLE III. The provisions of the present Treaty shall not import a claim of extradition for any crime or offense of a political character, nor for acts connected with such crimes or offenses; and no person surrendered by or to either of the High Contracting Parties in virtue of this Treaty shall be tried or punished for a political crime or offense committed before his extradition. The State applied to, or courts of such State, shall decide whether the crime or offense is of a political character. When the offense charged comprises the act either of murder or assassination or of poisoning, either

consummated

consummated or attempted, the fact that the offense was committed or attempted against the life of the Sovereign or Head of a foreign State, or against the life of any member of his family, shall not be deemed sufficient to sustain that such crime or offense was of a political character; or was an act connected with crimes or offenses of a political character.

ARTICLE IV. No person shall be tried for any crime or offense, committed prior to his extradition, other than that for which he was surrendered, unless he has been at liberty for one month after having been tried, to leave the country, or in case of conviction, for one month after having suffered his punishment or having been pardoned.

ARTICLE V. A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of either of the surrendering or the demanding country, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI. If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution, out on bail or in custody, for a crime or offense committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

ARTICLE VII. If a fugitive criminal claimed by one of the two parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes or offenses committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received unless the demand is waived. This article shall not affect such treaties as have previously been concluded by one of the contracting parties with other States.

ARTICLE VIII. Under the stipulations of this Treaty, neither of the High Contracting Parties shall be bound to deliver up its own citizens, except in cases where such citizenship has been obtained after the perpetration of the crime for which extradition is sought. The State appealed to shall decide whether the person claimed is its own citizen.

ARTICLE IX. The expense of transportation of the fugitive shall be borne by the government which has preferred the demand for extradition. The appropriate legal officers of the country where the proceedings of extradition are had, shall assist the officers of the government demanding the extradition before the respective judges and magistrates, by every legal means within their power; and no claim other than for the board and lodging of a fugitive prior to his surrender, arising out of the arrest, detention, examination and surrender of fugitives under this treaty, shall be made against the government demanding the extradition; provided however, that any officer or officers of the surrendering government giving assistance, who shall, in the usual course of their duty receive no salary or compensation

other

other than specific fees for services performed, shall be entitled to receive from the government demanding the extradition the customary fees for the acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE X. Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offense, or which may be material as evidence in making proof of the crime, shall so far as practicable, according to the laws of either of the High Contracting Parties, be delivered up with his person at the time of surrender. Nevertheless, the rights of a third party with regard to the articles referred to, shall be duly respected.

ARTICLE XI. The stipulations of the present Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the High Contracting Parties. In the event of the absence of such agents from the country or where extradition is sought from territory included in the preceding paragraphs, other than the United States or Greece, requisitions may be made by superior consular officers.

The arrest of the fugitive shall be brought about in accordance with the laws of the respective countries, and if, after an examination, it shall be decided, according to the law and the evidence, that extradition is due pursuant to this treaty, the fugitive shall be surrendered in conformity to the forms of law prescribed in such cases.

The person provisionally arrested, shall be released, unless within two months from the date of arrest in Greece, or from the date of commitment in the United States, the formal requisition for surrender with the documentary proofs hereinafter prescribed be made as aforesaid by the diplomatic agent of the demanding Government, or, in his absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime or offense for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII. The present Treaty, of which the English and Greek texts are equally authentic, shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Washington as soon as possible.

ARTICLE XIII.

ARTICLE XIII. The present Treaty shall remain in force for a period of five years, and in case neither of the High Contracting Parties shall have given notice one year before the expiration of that period of its intention to terminate the Treaty, it shall continue in force until the expiration of one year from the date on which such notice of termination shall be given by either of the High Contracting Parties.

In witness whereof the above named Plenipotentiaries have signed the present Treaty and have hereunto annexed their seals.

Done in duplicate at Athens this sixth day of May, nineteen hundred and thirty-one.

(Signed) Robert P. Skinner. A. Michalakopoulos.

EXCHANGE OF NOTES CONCERNING MOST-FAVORED-NATION TREATMENT, EXCHANGED AT THE TIME OF SIGNATURE OF THE EXTRADITION TREATY BETWEEN THE UNITED STATES OF AMERICA AND GREECE

The American Minister (Skinner) to the Greek Minister of Foreign Affairs
(Michalakopoulos)

LEGATION OF THE UNITED STATES OF AMERICA,
Athens, May 6, 1931.

Sir: In signing today the treaty of extradition between the United States of America and the Hellenic Republic, I have the honor to declare to your Excellency, under the authority and in the name of my Government, that the Government of the United States will extend to Greece the most favorable treatment now accorded, or which may hereafter be accorded, by the United States to a third Power, with respect to matters dealt with in Articles 9 and 11 of the above-mentioned treaty, particularly in that which concerns expenses of every nature, including the usual charges, and the procedure to be followed after the demand for extradition.

Accept, Sir, the renewed assurances of my high consideration.

(Signed) Robert P. Skinner.

His Excellency The Minister of Foreign Affairs, Athens.

The Greek Minister

The Greek Minister of Foreign Affairs (Michalakopoulos) to the American
Minister (Skinner)

(Translation)

MINISTRY OF FOREIGN AFFAIRS,
Athens, May 6, 1951.

Mr. Minister: I have the honor to acknowledge to Your Excellency receipt of your letter of this date, reading as follows:

"In signing today the treaty of extradition between the United States of America and the Hellenic Republic, I have the honor to declare to your Excellency under the authority and in the name of my Government, that the Government of the United States will extend to Greece the most favorable treatment now accorded, or which may hereafter be accorded, by the United States to a third Power, with respect to matters dealt with in Articles 9 and 11 of the above-mentioned treaty, particularly in that which concerns expenses of every nature, including the usual charges, and the procedure to be followed after the demand for extradition."

Acknowledging receipt of this communication, with the content of which the Hellenic Government is in agreement, I take this opportunity to renew to you, Mr. Minister, the assurance of my high consideration.

(Signed) A. Michalakopoulos.

His Excellency, Mr. Robert Peet Skinner,
Envoy Extraordinary and Minister Plenipotentiary of
The United States of America. City.

VII EXTRADITION

Prior to 1951 there was no Extradition Treaty in effect between the Government of Greece and the Government of the United States of America. In early 1951, negotiations were begun with a view of establishing such a Treaty and after several exchanges of communications between the two Governments, a pact was signed on May 6, 1951. It was formally ratified by Congress on March 10, 1952, and was approved by the Greek Government at about the same time and published in the Greek Government Gazette, and thus became law in both countries. After a formal exchange of instruments of ratification, the Treaty became operative. The Treaty provided that the agreement would be valid for five years, at which time it would cease to exist if one of the two countries had, at least one year previously to the expiration date, given formal notice of the abrogation of the Treaty. Otherwise, it would continue to be in effect and would only cease to operate upon formal notice of abrogation being given by one of the two countries, one year after which notice the Treaty would be considered non-existent.

In 1955 the United States Government served notice on the Greek Government that it desired to abrogate the Treaty at the earliest possible moment (1957, according to the terms of the Treaty) as a result of the actions of the Greek Government during the celebrated Insull case. However, that notice was withdrawn in 1956, and the Treaty continues in effect.

The Extradition Treaty, as it stands, follows the usual procedure of allowing either country to petition for extradition of fugitives from the other country as a result of specific crimes allegedly committed within the boundaries of the petitioning country. The usual crimes listed in the statutes of most countries are applicable with the exception of political crimes, which the Treaty does not recognize as grounds for extradition. The United States Government gives the guarantee, which apparently is not reciprocated, that it will grant to the Government of Greece the same ("most favored nation") treatment that it accords to other countries in connection with questions pertaining to extradition.

If the United States Government desires to effect the extradition of a fugitive temporarily residing in Greece, a request may be made by the United States "diplomatic agent" to the Greek Government to detain the fugitive under provisional arrest. The fugitive may not be detained under provisional arrest for a period exceeding sixty days, and it is therefore necessary that a formal request for extradition be handed to the Ministry of Foreign Affairs during that interval. Such a formal request must include a warrant of arrest issued by the Federal, State or Municipal authorities having jurisdiction where the alleged crime took place and must include sufficient details concerning the alleged crime to enable the competent Greek authorities to decide whether the individual is subject to extradition under the terms of the Treaty.

Upon receipt of a formal request for extradition, the fugitive is arraigned before the Court of Appeals. The fugitive is of course allowed to employ an attorney and rebut any charges made. The prosecuting attorney of the Court of Appeals presents all available evidence which might tend to substantiate the petition for extradition, and, in effect, represents the interests of the United States Government.

If the

If the Court of Appeals rules that the petition for extradition comes within the scope of the Treaty, the fugitive is detained under arrest until a properly documented representative of the United States Government, or of the State or Municipality in which the crime took place, applies for permission to return the fugitive to the United States.

An adverse decision of the Court of Appeals is final and cannot be appealed, but a new petition may be heard if important new evidence so warrants.

GREECE-EXTRADITION-SEPTEMBER 2, 1937

Protocol between the United States of America and Greece with respect to the interpretation of Article I of the Treaty of Extradition of May 6, 1931. Signed September 2, 1937.

Sept. 2, 1937
E.A.S.No. 114/

PROTOCOL

Whereas a difference has arisen between the Government of the United States of America and the Government of Greece with respect to the proper interpretation of Article I of the Treaty of Extradition concluded on May 6, 1931, between the United States and Greece, and in particular, with respect to the final clause of such Article which reads as follows:

"Provided That such surrender shall take place only upon such evidence of criminality as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offense had been there committed."

Whereas it is desirable that such differences should be resolved, it is agreed as follows:

The final clause of Article I of the Treaty of Extradition concluded on May 6, 1931, between the United States and Greece, shall, from and after this date, be understood to mean that the court or magistrate considering the request for extradition shall examine only into the question of the sufficiency of the evidence submitted by the demanding Government to justify the apprehension and commitment for trial of the person charged; or in other words, whether the evidence discloses probable cause for believing in the guilt of the person charged. It is further understood that the quoted treaty provisions do not signify that the court or magistrate is authorized to determine the question of the guilt or innocence of the person charged.

In faith whereof the undersigned plenipotentiaries have signed the present protocol and affixed thereto their respective seals.

Done in duplicate at Athens, Greece, the 2^d day of September 1937.

Protocol between the United States and Greece with respect to the interpretation of Article I of the Treaty of Extradition of May 6, 1931.
47 Stat. 2185.

Surrender of persons charged with crime.

Agreement.

Examination of evidence; limitation.

Signatures.

[SEAL]

Harold Shantz

[SEAL]

H. Mavroudis

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The above documents were not referred for declassification review at time of processing
Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

Note No. 155

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Hellenic Republic and has the honor to request the provisional arrest of Mohammed Rashid for the purposes of extradition.

Rashid is the subject of a nine count sealed indictment returned July 14, 1987 by a Federal Grand Jury in the United States District Court for the District of Columbia charging him with (1) one count of murder committed within the special maritime jurisdiction of the United States, in violation of 18 U.S.C. 1111; (2) two counts of malicious destruction and damage of property, in violation of 18 U.S.C. 844(I); (3) one count of assault with intent to commit murder within the special maritime jurisdiction of the United States, in violation of 18 U.S.C. 113(A); (4) two counts of destruction of aircraft through the wilful placing of a destructive device in the aircraft, in violation of 18 U.S.C. 32; (5) one count of placing a bomb aboard an aircraft in violation of 18 U.S.C. App. 1472(L) (2); (6) one count of conspiracy to commit the above crimes, in violation of 18 U.S.C. 371; and (7) one count of conspiracy to commit murder, in violation of 18 U.S.C. 1117. All of the above offenses are felony offenses, punishable by more than one year

imprisonment. A warrant for Rashid's arrest was issued by a United States Magistrate of the above Court on that same day.

Facts of the case indicate that on August 11, 1982, a bomb exploded aboard Pan American Flight No. 830 en route from Narita International Airport, Tokyo, Japan to Honolulu, Hawaii. The explosion killed a 16 year old Japanese citizen, Toru Ozawa, and injured 15 other individuals on board the flight. The bomb had been placed underneath Toru Ozawa's seat by individuals travelling as a Moroccan family using the name "Harouk" who had occupied seats in the same row as Ozawa's seat during the earlier Hong Kong to Tokyo portion of the Pan American flight. The "Harouk" family was actually Rashid, his wife and son. Additional facts of the case indicate that Rashid was also a participant in the conspiracy which placed a bomb aboard a Pan American jet in the early 1980's. That bomb was located and removed from the Pan American jet in Rio de Janeiro before it exploded.

Provisional arrest is covered by Article XI of the May 6, 1931 Extradition Treaty between the United States and Greece. Murder, assault, destruction of property and placing a destructive device aboard an aircraft (forms of inflicting grievous bodily harm with premeditation) by Article II(1) and Article II(2) of the treaty. Conspiracy to commit an extraditable offense and attempts to commit an extraditable offense by Article II(27) of the 1931 treaty. Murder, assault,

placing a destructive device aboard an aircraft, destruction of property and conspiracy to commit these offenses also are incorporated in the 1931 treaty by the terms of Article 8 of the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation of September 23, 1971. Both the United States and Greece are parties to this Convention and were parties at the time the offenses occurred. The United States Government is prepared to submit a formal request for Rashid's extradition with all necessary supporting documents within two months, as provided by the treaty.

Rashid is expected to be travelling on a Syrian passport. He was reportedly born in Jordan on April 24, 1949. He is between five feet eight inches and five feet ten inches; of slender build. He has slightly wavy black hair with a receding hairline and brown eyes. A photograph of Rashid is appended hereto.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Hellenic Republic the assurances of its highest consideration.



Embassy of the United States of America,
Athens, May 30, 1988.



ID# 702

(U)

Muhammad Rashid
May be traveling in the alias "Muhammad Hamdan" on a
probable false Syrian passport number 662345, issued in
Damascus, Syria in 1984.