

Exhibit “8”

to the Affirmation of Sean P. Carter Transmitting Evidence in Support of Plaintiffs’
Memorandum of Law in Opposition to the Motion to Dismiss of the Kingdom of Saudi Arabia
and Saudi High Commission for Relief of Bosnia & Herzegovina

STATEMENT UNDER OATH

OF

ZACARIAS MOUSSAOUI

The following statement was taken at 1:18 p.m.
before Priscilla Naff Medina, Registered Professional
Reporter and Notary Public in and for the State of
Colorado:

ADMAX USP
5880 Highway 67
Florence, Colorado 81226
October 21, 2014

PRESENT:

For the Federal
Insurance Plaintiffs
and Plaintiffs'
Executive Committees:

SEAN P. CARTER, ESQ.
J. SCOTT TARBUTTON, ESQ.
Cozen O'Connor
1900 Market Street
Philadelphia, Pennsylvania 19103

For the Ashton
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victims, and
Plaintiffs' Executive
Committees:

ANDREW J. MALONEY, III, ESQ.
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Plaintiffs and
Plaintiffs' Executive
Committees:

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For the O'Neill
Plaintiffs, and
Plaintiffs' Exexutive
Committees:

JERRY S. GOLDMAN, ESQ.
Anderson Kill, P.C.
1251 Avenue of the Americas
New York, New York, 10020

Also Present:

John Fawcett
Evan Kohlmann

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Examination by Mr. Carter

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E X H I B I T S

Exhibit Number

Initial Reference

(No exhibits were marked for identification.)

1 P R O C E E D I N G S

2 MR. CARTER: Mr. Moussaoui, we -- we would like
3 to speak with you and take your statement concerning
4 certain operations that you might have been familiar with
5 at -- during your time with al-Qaeda. Will you take an
6 oath at the beginning of the testimony?

7 THE WITNESS: Yes, indeed. I swear by Allah
8 that everything I say -- I say now is the truth. I swear
9 by Allah that everything I say is the truth. I swear by
10 Allah that everything I say is the truth. I swear by
11 Allah that everything I say is the truth.

12 EXAMINATION

13 BY MR. CARTER:

14 Q By late 1998 had you become a member of Osama
15 bin Laden's organization?

16 A Yes, in practice, yes, I was definitely a
17 member of them. I was given money and given work, and I
18 was receiving a kind of financial allocation on a monthly
19 basis from Shaykh Saeed, and it was Shaykh Abu Hafs that
20 told me that I will receive 'cause I was a member of
21 al-Qaeda.

22 Q During the time that you were a member of
23 al-Qaeda did you participate in any training for any
24 operations against the United States?

25 A Yes, I undertook -- took dusnia(phonetic),

1 handmade explosive training, initially with Abdullah
2 Mohaja, who is the person who supervise East African
3 bombing, okay; and, then, I went also in the camp --
4 return to the camp of Derunta in Jalalabad in Fiba where I
5 conducted a trial test of -- of explosive for bomb of 750
6 kilogram of ammonium nitrate. It was -- this was
7 specifically a training done in order to later on do the
8 same thing to -- to attack the United States Embassy in
9 London in Hyde Park Court.

10 Q Did that plot pursue beyond the test you
11 conducted in Derunta?

12 A The plot -- the plot was agreed with Shaykh
13 Osama bin Laden and Abu Hafs, okay, and I had assembled a
14 team where there was a Richard Reid, or Abu Talha, and --
15 and oth -- other member, okay.

16 And I had the final agreement -- I had made
17 reconnaissance to the -- to the rich embassies, okay, and
18 also know -- knew where to buy the ammonium in the United
19 Kingdom, 'cause I made habit -- I make reconnaissance
20 investigation when I was there for the purpose; and, then,
21 when I came back -- I came back I had a final agreement
22 with Shaykh Abu Hafs, the commander, and when I left
23 Kandahar, Kabul, to reassemble my team, Richard Reid and
24 other people -- because they had been sent to the front --
25 front line, okay -- I went by car, and Shaykh Abu Hafs,

1 the commander, went by plane, and came in Kabul as -- as
2 well, to tell me that my operation against the United
3 States Embassy in London was being canceled because of the
4 order of the Chief of the Believer, Mohammed al-Mullah,
5 okay, the Chief of the Taliban was forbidding al-Qaeda to
6 do any operation insi -- outside of Kandisa when -- when
7 they were inside Afghanistan.

8 Q Do you remember where the U.S. Embassy in
9 London is located?

10 A Is it located in Hyde Park? The U.S. Embassy
11 is there. Big park, the big park, the big -- big square,
12 okay. It's just next to marble arch, just a -- two minute
13 from the U.S. Embassy marble arch, not far, okay, in the
14 Hyde Park there, okay.

15 Q How did you intend to deliver the ammonium
16 nitrate bomb?

17 A Through a truck. The same mode apparently that
18 was done in the East African bombing.

19 Q Do you remember the names of each of the
20 individuals who were supposed to be part of your team for
21 this operation?

22 A I knew that -- the -- the Kunya from which we
23 used to call each other, okay, Richard Barr or Richard
24 Reid, okay; Hafez, who -- who I used to call him "Ladak"
25 'cause he's a -- he's a -- he's member of the Quran, okay,

1 and just, once again, seeing the -- the -- the other
2 member, I know -- I know his name, but even at the time I
3 only find -- Abdul -- he will come back. I -- I know
4 because -- he -- he will come back.

5 Q Do you remember the nationalities of the
6 members of that team?

7 A They were all Pakistan. Pakistan-British.

8 Q After the cancellation of that operation did
9 you become involved in plotting for a -- another operation
10 against the United States?

11 A There was operation, yes, to -- to free up the
12 Imam, okay, and the idea was taken from the -- the
13 operation where an Indian airliner was highjacked and
14 brought to Kandahar. So that was the idea that -- Shaykh
15 Abu Hafs and me talk about this, okay, and that's the main
16 thing, okay.

17 And I was sent to -- to flying school in
18 Malaysia to learn to be a pilot, to which I had some idea
19 there was no school there, okay. So I went there, okay,
20 and discover that I was right, that there was no school,
21 and I get involved with Yazid Sufaat in the idea of
22 blowing up the United State Embassy in Kuala Lumpur,
23 okay -- and that was not under the -- the order of -- of
24 Shaykh Osama or Shaykh Abu Hafs -- and at the -- at the
25 end -- because Hambali, who is -- used to be the head

1 of -- of the Jamaat jihad in -- in Malaysia -- Abu
2 probably informed -- didn't inform Mukhtar, and they told
3 me to leave because they saw that -- they become aware
4 that Yazid Sufaat bought 10 ton of ammonium nitrate, so
5 they knew he had to do -- they thought he had to do
6 something with me, but it didn't have to do with me
7 because I didn't specifically give him the order, but I
8 was in that agreement philosophically.

9 THE COURT REPORTER: Field(sic) of what?

10 MR. CARTER: Philosophically.

11 MR. MALONEY: Philosophically.

12 THE COURT REPORTER: Thank you.

13 Q (By Mr. Carter) Did you get in trouble with
14 the al-Qaeda leadership for your involvement with Yazid
15 Sufaat in the Indonesian plot?

16 A Yeah, that's why -- that's why I was recalled,
17 'cause I was already -- already -- after Malaysia I went
18 to London, okay, and I was -- I already have renew my
19 passport so not to have Pakastani stamp on the passport
20 because I was thinking I was going to the United State
21 now, okay, and instead of these Mukhtar personally, by
22 phone, informed me that I was being recalled to -- to
23 Afghanistan.

24 So I returned to Afghanistan, and he -- I get
25 the idea that I was in trouble because after -- have to do

1 with up in Malaysia, okay, but also because -- so when I
2 went to Kandahar I had a meeting with the -- a one-to-one
3 meeting with Osama bin Laden, and he asked me, and I just
4 told him in a general way, because I -- I didn't want
5 to -- I just say I admitted that I get involved in thing
6 that I was not supposed to get involved, and he told me,
7 okay, because you -- you confess that make we are not
8 going to kick you out.

9 Q Did you at that time get assigned to
10 participate in an operation?

11 A Yes, I was -- at this time after that I went
12 to -- to Shaykh Abu Hafs, okay, and he specifically told
13 me -- and this time we make -- we make the agreement in
14 that writing, because we had -- there was a bit of
15 discrepancy about what was my order when I left the first
16 time for Malaysia, okay -- so because I get involved in
17 different thing he told me, okay, let's do it in writing,
18 okay, and, so, after that we make it in writing -- and it
19 was I was going to become a pilot, I was going to buy crop
20 dusting plane, okay, and also organize everything to do to
21 ship chemical, material, and all this; and -- and also I
22 was going to see the feasibility of -- of doing an attack
23 on Air Force One, okay, and he told me that they will give
24 me more information about this, okay. Okay.

25 But the idea was -- the -- the idea that we had

1 general discussion about this, okay, because I knew that
2 we had stinger, I saw them, okay, because initially when
3 they moved to Kandahar the -- they were -- the stinger
4 were in the -- in the house -- in the first secret house,
5 then after they -- they were brought to the airport, and,
6 then, finally they were brought to the camp in the middle
7 of -- of nowhere, okay. So I know that they had stinger,
8 okay.

9 And he -- we talk about the feasibility of --
10 of -- of shooting Air Force One. And I knew from
11 Afichisi(phonetic) or -- he was sweno(phonetic) -- sent on
12 base sweno, okay, people in -- who are just west of
13 Medina, okay, and, so, I told them that we talk about
14 this, okay, and I said -- he said to me that they had
15 abi -- ability to -- to -- to have people inside the --
16 the Saudi Arabian Embassy to help them and to work for
17 them, because they had secure, okay, the fatwa from --
18 from Shehri Uthaimen, okay, let's say that even Saudi
19 embassy employee can have an obligation to -- a personal
20 obligation to help the jihad if they can, even if they
21 were not order by their -- their -- the Saudi government.

22 Q Focusing on the feasibility of a plot to attack
23 Air Force One, how -- how did you envision that that might
24 be carried out?

25 A I met the -- the -- the -- the brother in

1 Kandahar, he came, okay, in the airport I met him, and he
2 was somewhat -- he spoke English, and he was working into
3 the Dawa, the Islamic Department in the Saudi Embassy
4 and -- in -- in Wash -- in Washington, okay, and after
5 that we -- I was supposed -- Shaykh Abu Hafs told me that
6 I was supposed to go to Washington and to go with him to
7 find -- to see a location -- to find a location where it
8 may be a -- suitable to launch a stinger attack and, then,
9 after be able to escape, okay. That was the idea who was
10 not put into action because I was the -- I was arrested
11 before going to Washington.

12 But my -- my plan was not to launch the attack,
13 it was only to see the feasibility of the attack.

14 Q When you said that you met this person at the
15 airport in Kandahar, are you referring to the al-Qaeda
16 compound that was known as the "airport"?

17 A Yes, I -- yeah, that's where I met him. And
18 he -- he -- if I'm not wrong, he -- he was into -- he came
19 initially to the -- the Arabic Institute, he stayed there,
20 because he was a -- he was a -- a kind of Islamic scholar,
21 he was involved in the Dawa; but he -- he spent a lot of
22 time in talking with the Shaykh Abu Hafs al Mauritani.

23 Q Can you tell us what the Arabic Institute was?

24 A Can you repeat that?

25 Q What was the Arabic Institute in Kandahar?

1 A It -- it was across the road of the guest
2 house, okay, and it was the center of the Ching Arabic,
3 and also Islamic study to the top of the Taliban, and also
4 used at the time of the secret or -- secret guest house
5 for important people before going to the airport.

6 Q Was the Arabic Institute run by al-Qaeda?

7 A It was created by al-Qaeda, financed, and
8 the -- the bookkeeping was signed by Uthameen.

9 Q Okay, the individual from the embassy in
10 Washington, do you remember his name?

11 A Yes, but -- I think it's Muawiya. Mu --
12 Muawiya.

13 Q Do you know if that's his real name?

14 A No, I -- Abu Omar. Abu Omar ~Muawiya.

15 Q You understood that he was some sort of Islamic
16 scholar?

17 A I understood clearly through -- through what we
18 talked, because he speak English quite well, I mean -- and
19 also by seeing talking with Shaykh Abu Hafs, the -- the
20 Mauritani, who was somebody with -- a scholar by himself.

21 Q Do you recall what they spoke about?

22 A No, I mean, they were talking about -- all the
23 time talking about Islamic knowledge.

24 Q Do you know what role this individual from the
25 embassy played within the embassy?

1 A I think -- I'm pretty sure it was the fact that
2 he was in charge of the Dawa Department in the embassy.
3 The Islamic it -- Dawa was always preaching education,
4 Islamic study in -- inside the embassy.

5 Q Do you know what the Islamic Affairs Department
6 of the embassies is?

7 A I don't understand the question.

8 Q Would the Dawa office of an embassy possibly be
9 referred to as the "Islamic Affairs Department"?

10 A Yeah, that's what it really -- I believe so, or
11 education or presenting(phonetic). I don't know if it's
12 English or French.

13 Q (Attorney nodded.)

14 Did you ever have an opportunity to meet this
15 individual in the United States?

16 A No, because I was -- I had this e-mail address,
17 I had this telephone number, but I never use it, and I
18 didn't meet him because I was arrested before came to
19 Washington.

20 Q But the plan as -- as you had received it from
21 al-Qaeda leadership was that you were to meet him in the
22 United States to assess the feasibility of a plot that was
23 to take place in the United States?

24 A Absolutely, that's -- and that's what we
25 talk -- talked, and it -- it was Abu Hafs and me and --

1 and Abu -- Mu -- Muawiya, and -- and we talk -- we talk
2 about this, and -- and that was what was agreed, but he --
3 he knew that it was about attacking Air Force One; and
4 also he knew that -- because I knew that he was the one
5 who was supposed to smuggle the -- the stinger in the
6 United State through the --

7 THE COURT REPORTER: Through what?

8 THE WITNESS: Through the embassy.

9 THE COURT REPORTER: Thank you.

10 MR. CARTER: That's all I have, Mr. Moussaoui,
11 do you want to take your oath now again at the end of your
12 testimony?

13 THE WITNESS: I swear by Allah that everything
14 I say was true. I swear by Allah that everything I say
15 was true. I swear by Allah that everything I say was
16 true.

17 (The statement under oath was concluded at 1:36
18 p.m., on Tuesday, October 21, 2014.)

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REPORTER'S CERTIFICATE

I, Priscilla Naff Medina, Registered Professional Reporter and Notary Public in and for the State of Colorado, do hereby certify that prior to the commencement of the examination the Witness first duly swore to testify the truth; that said statement under oath was taken in shorthand by me at the time and place hereinabove set forth and was thereafter reduced to typewritten form by me, as per the foregoing transcript; that the same is a full, true, and correct transcription of my shorthand notes then and there taken.

I further certify that I am not related to, employed by, nor of counsel for any of the parties or attorneys herein, nor otherwise interested in the event of the within action.

My commission expires July 2, 2015, and I have hereunto set my hand this October 24, 2014.

Registered Professional Reporter
and
Notary Public

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