



December 8, 2005

The Honorable Condoleezza Rice
Secretary of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary of State Rice:

As counsel for Mr. Khaled El-Masri, a German citizen who was “rendered” by agents of the United States from Macedonia to a CIA-controlled prison in Afghanistan, we write to seek clarification regarding statements that you reportedly made to German Chancellor Angela Merkel regarding Mr. El-Masri’s case.

It has been widely reported that during a meeting with Chancellor Merkel on December 6, 2005, you acknowledged that Mr. El-Masri’s seizure and detention had been a mistake. Thereafter, U.S. officials are reported to have insisted that you never made such an admission. Today, in a news conference, Chancellor Merkel reaffirmed that you did indeed discuss Mr. El-Masri’s case and that you did acknowledge to her that Mr. El-Masri’s “rendition” had been a mistake on the part of the CIA.

In light of the confusion that now surrounds this important issue, we write to request clarification of the following matters:

1. In your meeting with Chancellor Merkel, did you discuss Mr. El-Masri’s case?
2. If you did discuss Mr. El-Masri’s case, did you acknowledge that Mr. El-Masri had been in U.S. custody in Afghanistan from January until May of 2004?
3. If you did discuss Mr. El-Masri’s case, did you acknowledge that Mr. El-Masri’s “rendition” was a result of CIA errors?
4. Finally, did you offer the German government an official apology on behalf of the United States government for the unlawful abduction and detention of Mr. El-Masri?

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
LEGAL DEPARTMENT
NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500
F/212.549.2651
WWW.ACLU.ORG

OFFICERS AND DIRECTORS
NADINE STROSSEN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

KENNETH B. CLARK
CHAIR, NATIONAL
ADVISORY COUNCIL

RICHARD ZACKS
TREASURER

We look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ann Beeson', with a stylized, flowing script.

Ann Beeson
Ben Wizner
Melissa Goodman
American Civil Liberties Union
National Legal Department

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION