

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ABUKAR HASSAN AHMED, : CASE NO. 2:10-cv-00342
Plaintiff, :
 : Electronically Filed
v. : District Judge: George C. Smith
 : Magistrate Judge: Mark R. Abel
 :
ABDI ADEN MAGAN, : **DECLARATION OF**
 : **ABDULLAHI MOHAMED JIMALE**
 : **IN SUPPORT OF**
Defendant. : **MOTION FOR**
 : **SUMMARY JUDGMENT**

Pursuant to 28 U.S.C. § 1746, I, Abdullahi Mohamed Jimale, hereby declare and state as follows:

1. I am over eighteen years of age and am otherwise qualified to testify to the facts set forth below. All of the facts rendered herein are based upon my personal knowledge, save where I indicate otherwise.
2. I have known Abukar Hassan Ahmed since about 1980. He was a professor at the Somali National University, and I was his student. After I finished my studies, I became Professor Ahmed's private assistant in Public Law and Constitutional Law.
3. Professor Ahmed taught public and constitutional law and often lectured on topics such as human rights and the rule of law. I recall that Professor Ahmed had great respect for the rule of law and wanted to see the justice system in Somalia function properly. Mr. Ahmed was and is well known by educated people in Somalia. I know him to be a very kind man who stands up for people and, in particular, the underprivileged.

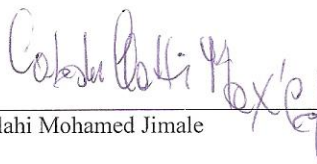
4. From approximately 1987 to 1992, I was the Deputy Attorney General for Somalia. In my capacity as the Deputy Attorney General, I was responsible for representing the government, enforcing the Barre Constitution, and prosecuting citizens. As a result of this work, I was quite familiar with the workings of both the National Security Service (NSS) and the National Security Court (NSC).
5. I recall that around the year 1988, while I was Deputy Attorney General, the NSS arrested and detained Professor Ahmed. I learned of his arrest and detention from his sister who called me to inquire why Professor Ahmed was arrested. She thought I might have more information because of my position and because I was his good friend. After I received her call, I spoke to the prosecutor's office for the NSC and other officials at the National Security Court (NSC) and learned that Mr. Ahmed had been detained for treason against the government. I asked to see the arrest warrant but recall being told that his arrest was made without a warrant.
6. I was not allowed to see Mr. Ahmed during his detention because the NSS did not allow visitors. I had personal relationships with several high-rank people from the NSS prisons guards and interrogators. One of these individuals was a man named Jimhuriya. Jimhuriya had grown up with my brother, so I knew him fairly well. Because of the stories that I heard from the people like Jimhuriya and through speaking with and observing the injuries of detainees through my work, I knew what the usual interrogation practices for political detainees included. The NSS had a reputation for conducting violent interrogations and torture.

7. Also, in my professional capacity, I had interacted with detainees who had been tortured: many told me they were taken out of their cells in the middle of the night, taken to the sea, hit with the backs of guns, thrown into a sack and dumped into the sea. Such interrogation tactics usually guaranteed that there was no record or witnesses of the interrogations other than the torturers and the detainee. But I observed injuries consistent with what they told me. Knowing the NSS's reputation, hearing the stories from detainees, and observing injured detainees, I asked my contacts at the NSS prison to protect Professor Ahmed from being tortured. Unfortunately, he had already been tortured.
8. The first time I saw Professor Ahmed after his detention was when he was brought in the courtroom for his trial before Judge Shongole. Because the court proceedings were public, I was able to attend his trial. When Professor Ahmed walked into the court room, I was shocked to see that he looked extremely weak and he had lost a lot of weight. He looked like half of the man I knew. I also noticed that he had a cut on his face. During his trial, Professor Ahmed detailed what had happened to him and how members of the NSS had tortured him under Colonel Abdi Aden Magan's leadership. As he testified, I remember seeing that he rolled up his sleeves and legs of his pants to reveal bruises and scars on his arms and legs.
9. I recall that after Professor Ahmed testified, he was released. I saw him after his release and again had the opportunity to observe the scars and bruises from his torture.
10. I knew Colonel Magan personally, due to my work at the Attorney General's office. I would see Colonel Magan several times a month because he was in charge of bringing new cases to our office. He was the third in command for the NSS and was the person directly

responsible for overseeing the investigations and interrogations of political detainees. Colonel Magan of the NSS had the authority to order interrogation techniques in the NSS Department of Investigations prison, not any other agency. Colonel Magan was the individual specifically in charge of handling high profile political detainee cases, such as the case of Professor Ahmed. I recall that Colonel Magan was extremely loyal to the Barre regime and Siad Barre himself. He had a bad reputation precisely because of the torture techniques of the NSS, and he was greatly feared.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my recollection.

Dated: July 5, 2012

A handwritten signature in black ink, appearing to read "Abdullahi Mohamed Jimale", written over a horizontal line. The signature is somewhat stylized and includes some additional markings to the right.

Abdullahi Mohamed Jimale