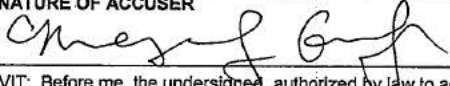
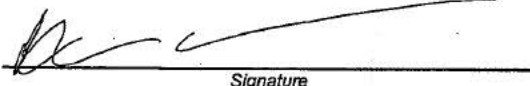


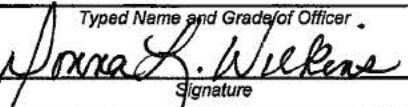


CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: ENCEP NURJAMAN; Mohammed Nazir Bin Lep; Mohammed Farik Bin Amin		
2. ALIASES OF ACCUSED: SEE APPENDIX A		
3. ISN NUMBER OF ACCUSED (LAST FOUR): Encep Nurjaman (10019); Mohammed Nazir Bin Lep (10022); Mohammed Farik Bin Amin (10021);		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.		
SPECIFICATION: See Attached Charges and Specifications.		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) Gentry, Megan L.	5b. GRADE O-5/Lt Col	5c. ORGANIZATION OF ACCUSER Office of Military Commissions
5d. SIGNATURE OF ACCUSER 	5e. DATE (YYYYMMDD) 20190405	
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>05</u> day of <u>April</u> , <u>2019</u> , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.		
<u>Kambhampaty, Ravi T.</u> <small>Typed Name of Officer</small>	<u>Office of Military Commissions</u> <small>Organization of Officer</small>	
<u>O-3/CPT</u> <small>Grade</small>	<u>Judge Advocate, Article 136(a)(1), UCMJ</u> <small>Official Capacity to Administer Oath</small> <small>(See R.M.C. 307(b) must be commissioned officer)</small>	
 <small>Signature</small>		

MC FORM 458 JAN 2007

IV. NOTICE TO THE ACCUSED		
6. On <u>19 April</u> , <u>2019</u> the accused was notified of the charges against him/her (See R.M.C. 308).		
<u>Hracho, Matthew R., O-4</u> <small>Typed Name and Grade of Person Who Caused Accused to Be Notified of Charges</small>	<u>Office of Military Commissions</u> <small>Organization of the Person Who Caused Accused to Be Notified of Charges</small>	
 <small>Signature</small>		
V. RECEIPT OF CHARGES BY CONVENING AUTHORITY		
7. The sworn charges were received at <u>1405</u> hours, on <u>8 October 2019</u> , at <u>Arlington, Virginia</u> <small>Location</small>		
For the Convening Authority: <u>Donna L. Wilkins</u> <small>Typed Name of Officer</small>		
<u>GS-15</u> <small>Grade</small>		
 <small>Signature</small>		
VI. REFERRAL		
8a. DESIGNATION OF CONVENING AUTHORITY Convening Authority, 10 U.S.C. § 948h, designated on 17 April 2020	8b. PLACE Alexandria, VA	8c. DATE (YYYYMMDD) 20210121
Referred for trial to the (non)capital military commission convened by military commission convening order <u>21-01</u> dated 21 January 2021		
subject to the following instructions ¹ : <u>The charges against the above named accused will be tried at a joint trial with the trials of Mohammed Nazir Bin Lep and Mohammed Farik Bin Amin</u>		
By <u>Direction</u> of <u>the Convening Authority</u> <small>Command, Order, or Direction</small>		
<u>Donna L. Wilkins, GS15</u> <small>Typed Name and Grade of Officer</small>	<u>Convening Authority, Chapter 47A of Title 10 U.S.C. § 948h</u> <small>Official Capacity of Officer Signing</small>	
 <small>Signature</small>		
VII. SERVICE OF CHARGES		
9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.		
_____ <small>Typed Name of Trial Counsel</small>	_____ <small>Grade of Trial Counsel</small>	
_____ <small>Signature of Trial Counsel</small>		
FOOTNOTES		
¹ See R.M.C. 601 concerning instructions. If none, so state.		

MC FORM 458 JAN 2007

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

COMMON ALLEGATIONS

These common allegations set forth the manner and means by which the accused, Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a "**HAMBALI**," Mohammed Nazir bin Lep, a/k/a "**LILLIE**," and Mohammed Farik bin Amin, a/k/a "**ZUBAIR**," (see Appendix A for a list of aliases) and their co-conspirators participated in a common plan and agreement, and aided, abetted, counseled, commanded, and procured the commission of each of the offenses listed at Charges I through VIII. Further, these common allegations set forth the manner and means by which the accused, by virtue of their positions, knew, had reason to know, and should have known that their co-conspirators were about to commit such acts and had done so and that the accused failed to take the necessary and reasonable measures to prevent such acts.

The accused, people subject to trial by military commission as alien unprivileged enemy belligerents, did, from multiple locations in or around Afghanistan, Southeast Asia and other locations, in the context of and associated with hostilities, from approximately January 1993, 1996 through approximately August 2003, knowingly conspire and agree with each other, Usama bin Laden, a/k/a UBL (UBL), Khalid Shaikh Mohammad, a/k/a Mukhtar, a/k/a KSM (KSM), Abu Hafs al-Masri, a/k/a Mohammed Atef (al-Masri), Abu Bak'r Ba'aysir (Ba'aysir), Abdullah Sungkar (Sungkar), and other individuals, known and unknown (see Appendix B for a list of co-conspirators and aliases), to commit substantive offenses triable by military commission, including murder in violation of the law of war, attempted murder in violation of the law of war, intentionally causing serious bodily injury, terrorism, attacking civilians, attacking civilian objects, and destruction of property in violation of the law of war. To that end, the accused and their co-conspirators committed the following overt acts to accomplish the objectives and purposes of the conspiracy:

1. In the mid-1980s, **HAMBALI**, then in his early 20s, went to Malaysia. There, he met Abdullah Sungkar and Abu Bak'r Ba'aysir, who later founded the Southeast Asian terrorist organization Jemaah Islamiyah (JI). **HAMBALI** came to believe that he was obligated to personally practice "jihad," which he understood as using violence to advance the interests of the Islamic faith and to oppose enemies of Islam. With Sungkar's encouragement, **HAMBALI** traveled to Afghanistan in 1986 or 1987 and fought with Muslims against Soviet forces.
2. In 1996, KSM, a senior leader of the international terrorist organization al Qaeda, brokered a meeting in Afghanistan between Usama bin Laden (UBL), al Qaeda's leader, and Sungkar and Ba'aysir, JI's senior leaders. The JI leaders agreed to partner with al Qaeda in jihad.
3. In August 1996, UBL publicly called for attacks on U.S. military personnel serving on the Arabian Peninsula, in what he referred to as a "Declaration of Holy War Against the Americans Who Are Occupying the Land of the Two Holy Places."
4. In 1997, **HAMBALI** became the leader of Mantiqi 1, one of JI's four organizational regions. In this capacity, and in furtherance of his belief in the duty to carry out violent jihad, from 1997 until at least 2000, **HAMBALI** recruited prospective jihadi fighters in Southeast Asia, to include Malaysia and Singapore, and facilitated their travel to other countries in order to receive

Met
1/13/21

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

military training, including mixing and handling explosives. The training locations included Afghanistan and the Philippines.

5. In 1997, **HAMBALI** sent Abdul Aziz, a/k/a Imam Samudra (Samudra), Noordin Mat Top, a/k/a Top (Top), and Dr. Azahari Husin (Dr. Azahari) to the Philippines to receive military training. Dr. Azahari eventually became an explosives expert and participated in building explosive devices for several terror attacks. Samudra and Top eventually participated in the 2002 terror bombings in Bali, Indonesia, and Top in the 2003 terror bombing of the J.W. Marriott Hotel in Jakarta, Indonesia (both discussed in detail below).

6. In 1998, UBL issued further calls for violent jihad against the United States and its allies. In February 1998, UBL issued a *fatwah*, or purported religious ruling, declaring that "to kill Americans and their allies, both civilian and military, is the individual duty of every Muslim able to do so, and in any country where it is possible" or words to that effect. UBL's 1998 *fatwah* further declared it is "God's order to kill Americans and plunder their wealth wherever and whenever they find it," or words to that effect. UBL repeated this call to attack the United States during a May 1998 interview with ABC News, during which he also stated, "We do not differentiate between those dressed in military uniforms and civilians. They are all targets in this *fatwah*." UBL further stated that if his demands were not met, al Qaeda would "send" to the United States "the wooden boxes and the coffins" containing "the corpses of American troops and the American civilians."

7. After UBL's 1998 *fatwah* and until on or about October 2001, **HAMBALI** recruited jihadi fighters in Southeast Asia, to include Fateh Bafana, a/k/a Fathi (Fateh Bafana), Zulkepli bin Marzuki, a/k/a Zulkifli (Marzuki), Jack Roche (Roche), Mohamed Ellias (Ellias), Muhammad Rais (Rais), Ja'afar Bin Mistooki (Mistooki), and others, and facilitated their travel to Afghanistan to train for and practice jihad.

8. Between 1999 and the first half of 2000, at a Mosque in Malaysia, **HAMBALI** delivered a sermon on jihad to **LILLIE** and others. **LILLIE** told **HAMBALI** that he (**LILLIE**) was willing to travel for jihad.

9. In or about June 2000, **HAMBALI** arranged for **LILLIE** and **ZUBAIR**, to travel to Afghanistan so that they could train for jihad with al Qaeda. **HAMBALI** provided both **LILLIE** and **ZUBAIR** with airline tickets for travel from Malaysia to Pakistan and coordinated their illegal border crossing into Afghanistan. In accordance with **HAMBALI**'s plan, **LILLIE** and **ZUBAIR** traveled from Malaysia to Qandahar, Afghanistan, where they stayed at an al Qaeda guesthouse. Beginning in approximately early July 2000, **LILLIE** and **ZUBAIR** attended approximately two months of basic military training at an al Qaeda camp near Qandahar.

10. While in Afghanistan, in accordance with the common practice for jihad fighters to adopt a pseudonym, **LILLIE** adopted the name "Bashir," and **ZUBAIR** adopted the name "Ahmed al Filipini."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

11. In late 2000, **HAMBALI** arranged for Masran Bin Arshad, a/k/a Abdul Aziz (Masran) to receive basic training similar to that arranged for **LILLIE** and **ZUBAIR**.
12. In or around September 2000, **LILLIE** traveled to the front lines of the battle between the Taliban and the Northern Alliance near Kabul, Afghanistan. There, **LILLIE** guarded Taliban positions and received basic training on using a surface-to-air missile (SAM).
13. Between approximately October 2000 and December 2000, **ZUBAIR** helped treat wounded fighters at an al Qaeda medical clinic near Qandahar, Afghanistan.
14. Between in or around November 2000 and in or around March 2001, at or near Qandahar, Afghanistan, **LILLIE** continued to hone his military training from al Qaeda, to include urban warfare, the use of SAMs and rocket propelled grenades (RPG). After completing this training, **LILLIE** worked for several months as a "storekeeper" at an al Qaeda camp, maintaining inventory of the camp's property, including RPGs, SAMs, explosives, and clothing.
15. Beginning in or around February 2001, at the "Al Farouq" training camp in Afghanistan, **ZUBAIR** received advanced training from al Qaeda in tactical movements, ambushes, land navigation, and guerrilla warfare. He also trained and helped erect buildings at another camp located about a 45-minute walk away from Al Farouq.
16. Between in or around June 2000 and November 2001, while **LILLIE** and **ZUBAIR** were training in Afghanistan, UBL visited their training sites. UBL spoke about jihad and the duty to fight Americans. Knowing this, **LILLIE** and **ZUBAIR** willingly remained and continued their training and preparation for combat.

SINGAPORE PLOT

17. Sometime after UBL's 1998 *fatwah*, at or near Johor Bahru, Malaysia, **HAMBALI** ordered the formation of a special group of JI members in Singapore (the "Singapore Special Group"). **HAMBALI** tasked this group with identifying U.S. military and civilian targets in Singapore. In accordance with **HAMBALI**'s order, the Singapore Special Group, led by Hashim Abas, conducted video surveillance of a bus station in Singapore used by U.S. military personnel. **HAMBALI** gave this video to JI member Faiz Abu Bakr Bafana, a/k/a Mahmoud (Faiz Bafana) and ordered him to draft a plan to attack U.S. military and civilian targets in Singapore.
18. On or about May 1999, at or near Kuala Lumpur, Malaysia, **HAMBALI** approved Faiz Bafana's plan to attack the Singapore bus station. **HAMBALI** ordered Faiz Bafana to travel to Afghanistan and present the plan to al Qaeda leader Abu Hafis al Masri, a/k/a Mohammed Atef (Abu Hafis). Abu Hafis agreed that al Qaeda would supply money and suicide bombers for the attack, but directed that JI would have to supply the explosives.
19. In or around April 2000, JI and al Qaeda members discussed an alternative plan for an attack on U.S. targets near Singapore – specifically, a plan to attack U.S. Navy warships in the Johor Straits. KSM sent al Qaeda operative Abu Hazem Sharqi, a/k/a Bandar, (Bandar) to Southeast Asia to work on this plan. In or around December 2000, **HAMBALI** facilitated

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

meetings between Bandar and members of JI, including Fathur Abd al Rahman al Ghozi, a/k/a Sa'ad (al Ghozi), who helped them obtain explosives.

20. In or around December 2000, **HAMBALI** ordered Faiz Bafana to carry out video surveillance of U.S. warships in Singapore. Faiz Bafana enlisted his brother, Fateh Bafana, to help with this surveillance. Shortly thereafter, Fateh Bafana, al Qaeda associate Mohammed Jabarah, a/k/a Ahmad, a/k/a, Sammy, a/k/a Amat (Jabarah), Mohamed Ellias, and other JI members conducted video surveillance of U.S. military warships in Singapore. The Singapore plot ultimately failed, and **HAMBALI** later planned an alternative to this plot.

AUSTRALIA PLOT

21. In or around early 2000, in Kuala Lumpur, Malaysia, **HAMBALI** tasked Australian JI member Roche to identify U.S. and Israeli interests in Australia, including airlines, embassies, and consulates. **HAMBALI** coordinated and funded Roche's travel to Afghanistan, where Roche received basic military training and met with al Qaeda members KSM, Saif al Adel, and Abu Hafs, who directed Roche to surveil U.S. and Israeli targets in Australia for possible attack. KSM gave Roche approximately \$4,000 to conduct the Australia surveillance, and told Roche that **HAMBALI** would give Roche additional money for the operation.

22. In or around early 2000, Roche returned to Kuala Lumpur, Malaysia, where he again met with **HAMBALI**. Roche presented **HAMBALI** with a note from KSM, and **HAMBALI** and Roche discussed the proposed terrorist attack in Australia, including that **HAMBALI** was to give Roche additional money. A few weeks later, at or near Kuala Lumpur, **HAMBALI** gave Roche additional money for the operation. In June 2000, using the money received from **HAMBALI**, Roche conducted video surveillance of the Israeli consulate in Sydney, Australia, and the U.S. and Israeli Embassies in Canberra, Australia.

CHRISTMAS EVE 2000 BOMBINGS IN INDONESIA

23. In mid-2000, at or near Kuala Lumpur, Malaysia, **HAMBALI** held a joint meeting of al Qaeda and JI members to discuss proposed operations in Singapore (described above) and a plan to bomb Christian churches in Indonesia on Christmas Eve.

24. In or around September 2000, at or near Surabaya, Indonesia, **HAMBALI** met with Ali Imron (Imron), Utomo Pamungkas, a/k/a Mubarak, (Mubarak) and Amrozi bin Nurhasyim, and told them about the plan to bomb churches in Indonesia. **HAMBALI** gave Amrozi money for the operation and ordered the group to make small bombs disguised as Christmas gifts.

25. On or about November 25, 2000, at or near Batam, Indonesia, **HAMBALI** ordered Abdul Rahim Ba'aysir (Rahim), Hashim Abbas, and Mistooki to wait in a hotel for further instructions. Samudra – whom **HAMBALI** had earlier sent to the Philippines to train for jihad – met the group and briefed them on the plan to surveil and bomb churches. Hashim Abbas, Mistooki, Rahim, Mubarak, Imron, and other co-conspirators surveilled churches and built bombs. On December 24

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

(Christmas Eve) of 2000, **HAMBALI'S** co-conspirators carried out the attacks on the civilian population and civilian property, killing more than a dozen Indonesian civilians.

PHILIPPINES PLOT

26. In or about December 2000, **HAMBALI** and Faiz Bafana met with al Ghazi in Manila, Philippines, to discuss potential attacks against the U.S. and Israeli embassies in Manila. **HAMBALI** and Faiz Bafana surveilled these embassies and other potential U.S. targets in Manila.

27. In or around September 2001, at or near Karachi, Pakistan, **HAMBALI** met with KSM and al Qaeda associate Jabarah. **HAMBALI** gave Jabarah information about the Philippines operation and provided him with contact information for JI members in Malaysia who were involved in the planning.

28. In September or October 2001, Jabarah traveled to Manila, Philippines. There, he met with al Ghazi and other co-conspirators and conducted surveillance of the U.S. and Israeli embassies.

29. In or around December 2001, at or near Kuala Lumpur, Malaysia, **HAMBALI** met with Jabarah and other co-conspirators to discuss the proposed Philippines and Singapore operations. **HAMBALI** ordered the Philippines attack because explosives were already in the Philippines and the attack could be executed sooner. The Philippines plot ultimately failed.

POST-9/11 PLOT TARGETING THE UNITED STATES

30. For several months leading up to the attacks of September 11, 2001, **HAMBALI** operated the "Philippine House," a guesthouse in Afghanistan at which **LILLIE**, **ZUBAIR**, Masran, and fellow Southeast Asian JI associates Yazid Sufaat and Abu Rahim, a/k/a Abu Harris (Abu Harris) stayed. The term "Philippine House" was a cover intended to disguise the fact that Malaysians were living there.

31. In or around October 2001 – after the attacks of September 11, 2001, and with knowledge that UBL and al Qaeda had directed and carried out those attacks – at or near Qandahar, Afghanistan, **HAMBALI** selected four co-conspirators—**LILLIE**, **ZUBAIR**, Masran, and Nik Amran bin Mustafa, a/k/a Afifi (Afifi) — to participate in a terrorist operation targeting civilians in the United States.

32. In or around October 2001, as part of the planning for this operation, **HAMBALI** arranged for the four co-conspirators, **LILLIE**, **ZUBAIR**, Masran, and Afifi, to meet UBL in or near Kabul, Afghanistan. The four co-conspirators traveled to Kabul and met UBL. They agreed to take part in an al Qaeda suicide operation to attack Americans and swore a personal oath of loyalty ("ba'yat") to UBL.

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

33. In or around October 2001, **HAMBALI** arranged a meeting between Masran and KSM in Qandahar, Afghanistan. KSM gave Masran instructions for a future task to transport money for **HAMBALI** to Bangkok, Thailand. KSM told Masran that **HAMBALI** would know what to do with the money.

34. In or around November 2001, Masran ordered **LILLIE**, **ZUBAIR**, and Afifi to return to Malaysia via Thailand in order to get new passports. On or around December 26, 2001, **LILLIE**, **ZUBAIR**, and Afifi traveled together from Pakistan to Thailand. Masran was arrested, and the plan to attack the United States was therefore cancelled. Around the same time, **HAMBALI** also instructed **LILLIE** and **ZUBAIR** to join him in Bangkok, Thailand.

LILLIE AND ZUBAIR'S SUPPORT TO HAMBALI
AND PREPARATION FOR ATTACKS

35. After returning to Southeast Asia from Pakistan, **LILLIE** and **ZUBAIR** used Thailand as a base of operations. They also traveled to Cambodia for operational purposes. During this period, from the end of 2001 until on or about August 2003 – and including the periods before, during, and after the October 12, 2002 Bali bombings (discussed below) – **LILLIE** and **ZUBAIR** helped **HAMBALI** transfer money for operations, and obtain and store items such as fraudulent identification documents, weapons, and instructions on how to make bombs. On **HAMBALI**'s orders, **LILLIE** and **ZUBAIR** also conducted surveillance for potential attacks on an airport in Bangkok, Thailand.

36. On multiple occasions, between January 2002 and August 2003, in or near Bangkok, Thailand, Dr. Azahari trained **LILLIE** and **ZUBAIR** on making bombs. **LILLIE** also received CD-ROMs containing bomb-making instructions from **HAMBALI** and, on **HAMBALI**'s orders, stored these CD-ROMs in an apartment in Bangkok.

37. From the end of 2001 until on or about August 2003, **HAMBALI** gave **LILLIE** and **ZUBAIR** money to buy fraudulent identification documents for **HAMBALI**. On multiple occasions, **LILLIE** helped obtain fraudulent identification documents for **HAMBALI**.

38. Between in or around early 2003 through mid-2003, in Cambodia, **ZUBAIR** bought an M-16 rifle, a handgun, and ammunition for **HAMBALI**'s use and smuggled them into Thailand. **ZUBAIR** also tried to buy explosives and a SA-7 SAM in Cambodia.

39. On two separate occasions in early 2002, **HAMBALI** ordered **LILLIE** to surveil an Israeli airline counter at an airport in Bangkok, Thailand, as part of a plan to conduct an attack targeting Israeli airline customers. **HAMBALI** also ordered **ZUBAIR** to surveil the counter of an Israeli airline counter at an airport in Bangkok, and to determine how many people were near the counter during the busiest time of the day. On multiple occasions in 2002 and 2003, **ZUBAIR** also surveilled the Israeli embassy in Bangkok on his own initiative.

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

2002 BALI BOMBINGS

40. Between on or about December 2001 and on or about February 2002, in Thailand, **HAMBALI** met with Marzuki, Top, Dr. Azahari, Mukhlas, and other co-conspirators. **HAMBALI** ordered the group to plan an operation to replace the Singapore Plot (discussed above) and to target embassies, Israeli buildings, and locations frequented by tourists such as bars, cafes, and nightclubs. **HAMBALI** said that he could get al Qaeda funding for such attacks. Around the same time, **HAMBALI** also instructed **LILLIE** and **ZUBAIR** to join him in Bangkok, Thailand (as stated above in common allegation 34).

41. In or around January 2002, **HAMBALI** met with Jabarah in Thailand. **HAMBALI** told Jabarah that he planned to have his group conduct small bombings in bars, cafes, or nightclubs frequented by "Westerners" in Indonesia, Malaysia, the Philippines, and Thailand. **HAMBALI** told Jabarah that he had one ton of explosives in Indonesia.

42. In or around ^{October}~~August~~ 2002, co-conspirators Mubarok and Amrozi delivered a Mitsubishi L300 van to co-conspirators Imron and Jhoni Hendrawan, a/k/a Idris (Idris), in Bali, Indonesia. On or about September 9, 2002, Idris, Joko Pitono a/k/a Dulmatin, a/k/a Abdul Matin (Abdul Matin), Abdul Ghoni, Amrozi, Mubarok, and Imron surveilled areas in Bali to identify a target to bomb.

SDW
1/21/21

43. In mid-2002, **HAMBALI** told **LILLIE** to meet an Arab, "Mansour," who would be traveling to Thailand to deliver money. Mansour obtained **LILLIE'S** phone number from **HAMBALI** and contacted **LILLIE** when he arrived in Thailand. **LILLIE** and Mansour had lunch at the Bangkok Marriott Hotel, where Mansour gave **LILLIE** a plastic bag containing money. **LILLIE** later gave that money to **HAMBALI**.

44. In September and October 2002, Dr. Azahari, Amrozi, Mubarok, Imron, Samudra, Mukhlas, Umar Patek, and others fabricated a suicide vest, and built and installed a bomb in the Mitsubishi L300. They also built a bomb to be used against the U.S. Consulate in Bali, Indonesia.

45. Knowing that the bombing was imminent, **HAMBALI** instructed Marzuki to rent a hotel room with a television that carried CNN so that he could watch television coverage of the bombing. **HAMBALI** also kept in contact with Mukhlas before, during, and after the Bali attacks, until Mukhlas's arrest in December 2002.

46. On October 12, 2002, a group of co-conspirators attacked the civilian population and civilian property at Paddy's Pub on Legian Street, Sari Club on Legian Street, and the U.S. Consulate, all located in Bali, Indonesia. One suicide bomber walked into Paddy's Bar and detonated the suicide vest. A second suicide bomber drove the explosives-laden Mitsubishi L300 van to a location near the Sari Club and detonated the bomb. Finally, Imron placed a third bomb on a sidewalk near the U.S. Consulate, and Idris remotely detonated it using a cellular telephone. Collectively, the attacks killed approximately 202 civilians, including seven U.S. civilian citizens

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

(See Charge Sheet Appendix C for list of victims killed in attack), injured at least 28 civilians (See Charge Sheet Appendix D for list of victims injured), and destroyed civilian buildings.

2003 J.W. MARRIOTT BOMBING IN JAKARTA

47. On or about late 2002, **HAMBALI** told **ZUBAIR** that he would receive money from al Qaeda. **ZUBAIR** understood that when al Qaeda sent money, it was to be used for an "operation" in which people would be killed.

48. KSM and Ali Abdul Aziz Ali a/k/a Ammar al Baluchi (Ali) directed Majid Shoukat Khan (Khan) to deliver \$50,000 to **HAMBALI** to fund an attack. **HAMBALI** directed **ZUBAIR** to serve as an intermediary and to receive the money from Khan on **HAMBALI**'s behalf. KSM directed Khan to retrieve the money in Bangkok from a *hawala* - an underground banking system based on trust whereby money can be made available internationally without actually moving it or leaving a record of the transaction - so as to avoid traveling and passing through customs while carrying a large amount of cash. Ali Abdul Aziz Ali provided Khan with **ZUBAIR**'s phone number in Thailand and the phone number for a Bangkok-based *hawaladar* - a hawala dealer.

49. On or about December 24, 2002, Khan and his wife traveled from Pakistan to Bangkok, Thailand. As instructed, he retrieved \$50,000 from a Bangkok-based *hawala*. On or about December 28, 2002, Khan notified Ali that he had successfully received \$50,000 and that he would deliver the money to **ZUBAIR**.

50. On or around December 28, 2002, in Bangkok, Thailand, Khan delivered \$30,000 of al Qaeda money to **ZUBAIR**. The two arranged to meet again later in order to transfer additional money.

51. On or about December 28, 2002, at or near Bangkok, Thailand, **ZUBAIR** and Khan met a second time. Khan delivered an additional \$20,000 of al Qaeda money to **ZUBAIR**.

52. On or about December 28, 2002, on **HAMBALI**'s orders, **ZUBAIR** took the \$50,000 he had received from Khan and stored it for safekeeping in the apartment he shared with **LILLIE** in Bangkok, Thailand.

53. In or around January 2003 on **HAMBALI**'s orders, **ZUBAIR** met with a second al Qaeda money courier at or near Bangkok, Thailand. At this meeting, the courier gave **ZUBAIR** approximately \$49,900. **ZUBAIR** stored this money in the apartment he shared with **LILLIE** in Bangkok.

54. In the spring of 2003, **HAMBALI** directed **LILLIE** to deliver al Qaeda money to Indonesia and the Philippines. **HAMBALI** told **LILLIE** and **ZUBAIR** that **HAMBALI** was sending money to Indonesia for two reasons, one of which was to fund an upcoming operation.

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

55. In the spring of 2003, **LILLIE** met with a friend, Muhammad Nazir bin Ismail, a/k/a Johan (Johan), at a restaurant in Hat Yai, Thailand. **LILLIE** instructed Johan to deliver money to Indonesia. During the meeting, **LILLIE** gave Johan money, recognition codes, and a codename and phone number for the individual in Indonesia who would receive the money.

56. Johan delivered the money to JI associate Mohammed Ikhwan, a/k/a Agus, a/k/a Ismail, (Ismail) at the Dumai Harbor in Sumatra, Indonesia. Johan then notified **LILLIE** that the delivery was complete. Sometime thereafter, **HAMBALI** told **LILLIE** that the money which Johan had delivered to Indonesia was intended for Dr. Azahari.

57. After receiving the money, Ismail took it to a rented room in Lampung, Sumatra, Indonesia, where he met with Top, Dr. Azahari, Asmir Latin Sani (Asmir), and Masrizal Bin Ali Umar, a/k/a Tohir (Tohir). Top assigned each of the others tasks relating to the planning and execution of a bombing using a vehicle-borne explosive device.

58. In or around July 2003, Asmar and Tohir rented a house with a garage in Jakarta, Indonesia. Tohir and Asmar bought a Toyota truck. Ismail and Dr. Azahari built a bomb to place in the truck.

59. In or about mid-July 2003, Ismail, Top, Tohir, Dr. Azahari, Asmar, and others began surveilling potential targets in Jakarta, Indonesia. They sought a target that was American-owned and where many Americans were likely to be present. The group selected a set of potential targets, one of which was the J.W. Marriott Hotel in Jakarta ("J.W. Marriott"). In or around July of 2003, Dr. Azahari and Top chose the J.W. Marriott as the specific target. The group surveilled the J.W. Marriott for approximately one week to determine the time and manner of delivering the bomb that would cause the most destruction and loss of life.

60. On August 5, 2003, the group attacked the civilian population and civilian property at the J.W. Marriott. Dr. Azahari and Ismail, riding on a motorcycle, escorted Asmar to the J.W. Marriott. Asmar drove the truck bomb into the J.W. Marriott's front entrance and detonated it. The explosion killed 11 civilians (See Charge Sheet Appendix E for a list of victims killed), wounded 81 other civilians (See Charge Sheet Appendix F for a list of victims injured), and damaged the J.W. Marriott (civilian property).

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE I: VIOLATION OF 10 U.S.C. § 950t(15), MURDER IN VIOLATION OF THE LAW OF WAR

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, intentionally and unlawfully kill one or more persons in violation of the law of war by intentionally detonating explosives in Paddy's Pub on Legian Street, in front of the Sari Club on Legian Street, ~~and near the U.S. Consulate~~, located in or around Bali, Indonesia. (See Charge Sheet Appendix C for a list of victims killed in the attack). Nov 7 1/13/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, intentionally and unlawfully kill one or more persons in violation of the law of war by intentionally detonating a vehicle laden with explosives in front of the J.W. Marriott Hotel located in or around Jakarta, Indonesia. (See Charge Sheet Appendix E for a list of victims killed in the attack).

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE II: VIOLATION OF 10 U.S.C. § 950t(28), ATTEMPTED MURDER IN VIOLATION OF THE LAW OF WAR

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, with the specific intent to commit Murder in Violation of the Law of War, attempt to intentionally and unlawfully kill one or more persons in violation of the law of war, by detonating explosives in Paddy's Pub on Legian Street in front of the Sari Club on Legian Street, ~~and near the U.S. Consulate~~, located in Bali, Indonesia, which actions amounted to more than mere preparation and apparently tended to effect the commission of the offense of Murder in Violation of the Law of War. (See Charge Sheet Appendix D for a list of victims injured).

ANA
MLT
1/13/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, with the specific intent to commit Murder in Violation of the Law of War, attempt to intentionally and unlawfully kill one or more persons, by intentionally detonating a vehicle laden with explosives in front of the J.W. Marriott Hotel located in or around Jakarta, Indonesia, which actions amounted to more than mere preparation and apparently tended to effect the commission of the offense of Murder in Violation of the Law of War. (See Charge Sheet Appendix F for a list of victims injured).

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE III: VIOLATION OF 10 U.S.C. § 950t(13), INTENTIONALLY CAUSING SERIOUS BODILY INJURY

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, intentionally cause and inflict serious injury to the body and health of one or more persons, with unlawful force or violence, in violation of the law of war, by intentionally detonating explosives in Paddy's Pub on Legian Street, in front of the Sari Club on Legian Street, ~~and near the U.S. Consulate,~~ located in or around Bali, Indonesia. 827
1/13/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, intentionally cause and inflict serious injury to the body and health of one or more persons, with unlawful force or violence, in violation of the laws of war, by intentionally detonating a vehicle laden with explosives in front of the J.W. Marriott Hotel located in or around Jakarta, Indonesia. JW
1/24/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE IV: VIOLATION OF 10 U.S.C. § 950t(24), TERRORISM

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, intentionally kill and inflict great bodily harm on one or more protected persons and engage in an act that evinced a wanton disregard for human life, in a manner calculated to influence and affect the conduct of government and civilian population by intimidation and coercion, and to retaliate against government conduct, by intentionally detonating explosives in Paddy's Pub on Legian Street, in front of the Sari Club on Legian Street, and near the U.S. Consulate located in Bali, Indonesia. (See Charge Sheet Appendix C for a list of victims killed in the attack and Appendix D for a list of the injured persons).

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, intentionally kill and inflict great bodily harm on one or more protected persons and engage in an act that evinced a wanton disregard for human life, in a manner calculated to influence and affect the conduct of government and civilian population by intimidation and coercion, and to retaliate against government conduct, by intentionally detonating a vehicle laden with explosives in front of the J.W. Marriott Hotel located in or around Jakarta, Indonesia. (See Charge Sheet Appendix E for a list of victims killed in the attack and Appendix F for a list of the ~~144~~ injured persons).

Jpw
1/21/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE V: VIOLATION OF 10 U.S.C. § 950t(2), ATTACKING CIVILIANS

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, intentionally engage in an attack on a civilian population to wit: the civilian population of Bali, Indonesia, by intentionally detonating explosives in Paddy's Pub on Legian Street, ^{across} in front of the Sari Club on Legian Street, ~~and near the U.S. Consulate~~, located in or around Bali, Indonesia, intending the object of the attack to be, and the object of the attack in fact was, a civilian population as such, and individual civilians not taking direct or active part in hostilities, and knew or should have known of the factual circumstances that established the civilian status. (See Charge Sheet Appendix C for a list of the civilians killed and Appendix D for a list of civilians injured).

~27
1/13/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, intentionally engage in an attack on a civilian population, to wit: by intentionally detonating a vehicle laden with explosives in front of the J.W. Marriott Hotel located in or around Jakarta, Indonesia, intending the object of the attack to be, and the object of the attack in fact was, a civilian population as such, and individual civilians not taking direct or active part in hostilities, and knew or should have known the factual circumstances that established the civilian status. (See Charge Sheet Appendix E for a list of the civilians killed and Appendix F for a list of civilians injured)

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE VI: VIOLATION OF 10 U.S.C. § 950t(3), ATTACKING CIVILIAN OBJECTS

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien ~~UNPRIVILEGED ENEMY~~ ^{ENEMY} belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, intentionally engage in an attack on civilian property, to wit: Paddy's Pub on Legian Street, the Sari Club on Legian Street, and near the U.S. Consulate located in ^{Bali} ~~Jakarta~~, Indonesia, that is, property that was not a military objective, intending such civilian property to be an object of the attack, knowing or having reason to know that such property was not a military objective, by intentionally detonating explosives in Paddy's Bar on Legian Street, ~~near~~ the Sari Club, and near the U.S. Consulate located in or around Bali, Indonesia. ^{in front of} ^{on Legian Street}

ALY
1/13/21

ALY
1/13/21

SOV
11/21/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien ~~UNPRIVILEGED ENEMY~~ ^{ENEMY} belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, intentionally engage in an attack on civilian property, to wit: the J.W. Marriott Hotel located in or around Jakarta, Indonesia, that is, property that was not a military objective, intending such civilian property to be an object of the attack, knowing or having reason to know that such property was not a military objective, by intentionally detonating a vehicle laden with explosives in front of the J.W. Marriott Hotel located in or around Jakarta, Indonesia.

ALY
1/13/21

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE VII: VIOLATION OF 10 U.S.C. § 950t(16), DESTRUCTION OF PROPERTY IN VIOLATION OF THE LAW OF WAR

Specification 1: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about October 12, 2002, at or near Bali, Indonesia, in the context of and associated with hostilities, and in violation of the law of war, intentionally destroy property belonging to another person, without that person's consent, to wit: Paddy's Pub and the Sari Club on Legian Street, in Bali, Indonesia.

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

Specification 2: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, on or about August 5, 2003, at or near Jakarta, Indonesia, in the context of and associated with hostilities, and in violation of the law of war, intentionally destroy property belonging to another person, without that person's consent, to wit: J.W. Marriott Hotel located in or around Jakarta, Indonesia.

The accused Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a HAMBALI, Mohammed Nazir bin Lep, a/k/a LILLIE, and Mohammed Farik bin Amin, a/k/a ZUBAIR, are liable for the above alleged offense as principals, as co-conspirators, and as participants in a common plan as set forth under the "Common Allegations."

CONTINUATION SHEET - MC Form 458, Block II. Charges and Specifications in the case of the UNITED STATES OF AMERICA V. ENCEP NURJAMAN; United States of America v. Mohammed Nazir Bin Lep; United States of America v. Mohammed Farik Bin Amin

CHARGE VIII: VIOLATION OF 10 U.S.C. §950t(29), CONSPIRACY

Specification: In that Encep Nurjaman, a/k/a Riduan bin Isomudin, a/k/a "HAMBALI," Mohammed Nazir bin Lep, a/k/a "LILLIE," and Mohammed Farik bin Amin, a/k/a "ZUBAIR" (see Charge Sheet Appendix A for a list of aliases), persons subject to trial by military commission as alien unprivileged enemy belligerents, did, from on or about August 1996 to on or about August 2003, at multiple locations in or around Afghanistan, Southeast Asia, and elsewhere, in the context of and associated with hostilities, knowingly conspire and agree with the following persons: Usama bin Laden, Khalid Shaikh Mohammad, Abu Bak'r Ba'aysir, Abdullah Sungkar and others, known and unknown (see Charge Sheet Appendix B for a list of known co-conspirators), to commit one or more substantive offenses triable by military commission, to wit: murder in violation of the law of war, attempted murder in violation of the law of war, intentionally causing serious bodily injury, terrorism, attacking civilians, attacking civilian objects, and destruction of property in violation of the law of war. Each of the three accused, knowing the unlawful purposes of the agreement, willfully joined the agreement with the intent to further its unlawful objectives and purposes and, thereafter, knowingly committed one or more overt acts in order to accomplish some objective or purpose of the agreement, with the said conspiracy resulting in the deaths of civilians (see Charge Sheet Appendices C and E for a list of victims killed in the attacks), injuries to civilians (see Charge Sheet Appendices D and F for a list of victims injured in the attacks), and damage to personal property.

The paragraphs numbered 1-60, listed in the section entitled "Common Allegations," are hereby re-alleged and incorporated by reference as overt acts as if set forth fully here.

CHARGE SHEET: APPENDIX A

Aliases of Encep Nurjaman

- Hambali
- Riduan Bin Isomuddin
- Riduan Isamuddin
- Hendrawan
- Mizi
- Halim Osmann
- Azman
- Osama Turkestani

Aliases of Mohammed Nazir Bin Lep

- Lillie
- Lilie
- Bashir Al Filipini
- Bashir bin Lep
- Bashir bin Lap
- Nazir Lep
- Nazir
- Daoud
- Ali
- Nazir
- Wak bin Lep
- Dawud
- Dawod

Aliases of Mohammed Farik Bin Amin

- Zubair
- Ahmed
- Achmad
- Fariq
- Fariq Amin
- Muhammad Fariq bin Amin
- Mohd Farik bin Amin
- Mohammad Bin Amin
- Mohammed Farik bin Amin
- Zack
- Awe bin Amin
- Muhammad Zubair
- Zaid
- Mussa
- Ahmed al-Filipini

CHARGE SHEET: APPENDIX B

List of Known Co-Conspirators

- a) Usama bin Laden, a/k/a UBL
- b) Khalid Shaikh Mohammad, a/k/a Mukhtar, a/k/a KSM
- c) Abu Hafs al Masri, a/k/a Mohammed Atef
- d) Abu Bak'r Ba'aysir
- e) Ali Abdul Aziz Ali, a/k/a Ammar al Baluchi
- f) Majid Shoukat Khan
- g) Dr. Azahari Husin
- h) Nik Amran bin Mustafa, a/k/a Afifi
- i) Masran Bin Arshad, a/k/a Abdul Aziz
- j) Hashim Abbas
- k) Faiz bin Abu Bakr Bafana, a/k/a Mahmoud
- l) Mohammed Khalim Bin Ja'afar
- m) Ja'afar Bin Mistooki
- n) Mohammed Jabarah, a/k/a Ahmad, a/k/a, Sammy, a/k/a Amat
- o) Wan Min Wan Mat
- p) Abdullah Sungkar
- q) Abdul Rahim Ba'aysir
- r) Nordin Bin Mat Mahd Top, a/k/a Top
- s) Nasir Bin Abas
- t) Fateh Bafana, a/k/a Fathi
- u) Fathur Abd al Rahman al Ghozi, a/k/a Sa'ad
- v) Jack Roche
- w) Masrizal Bin Ali Umar, a/k/a Tohir
- x) Muhammad Rais
- y) Zukepli bin Marzuki, a/k/a Zulkifli
- z) Mohamed Ellias
- aa) Muhammad Nazir bin Ismail, a/k/a Johan
- bb) Ali Imron
- cc) Abdul Aziz, a/k/a Imam Samudra
- dd) Utomo Pamungkas, a/k/a Mubarak
- ee) Amrozi Bin Nurhasyim
- ff) Ali Ghufroon Bin Nurhasyim, a/k/a Mukhlas
- gg) Rusman Gunawan
- hh) Joko Pitono, a/k/a Dulmatin, a/k/a Abdul Matin
- ii) Yazid Sufaat
- jj) Saif al Adel
- kk) Jhoni Hendrawan, a/k/a Idris
- ll) Abdul Ghoni
- mm) Umar Patek
- nn) Abdul Rauf
- oo) Muhammed Ikwan, a/k/a Agus, a/k/a Ismail
- pp) Abu Hazem Sharqi, a/k/a/ Bandar

qq) Arnasan a/k/a Iqbal One
rr) Isa, a/k/a Iqbal Two
ss) Ismail
tt) Abu Rahim, a/k/a Abu Harris
uu) Mohammed Farooq Ali
vv) Asmir Latin Sani

CHARGE SHEET: APPENDIX C

The following 202 People were killed in the 2002 Bali Bombing

UNITED STATES

Dead - 7

Megan Eileen Heffernan
Deborah Lea Snodgrass
Karri Jane Casner
George Hamilton Milligan
Robert Alan McCormick II
Steven Brooks Webster
Jacob Cardwell Young

CANADA

Dead – 2

Richard Gleason
Mervin Popadyne

UNITED KINGDOM

Dead – 23

Timothy John Arnold
Neil Bowler
Daniel Braden
Christopher Bradford
Jonathon Ellwood
Lucy S.O. Empson
Ian Findley
Emma Louise Fox
Laura France
Marc Gajardo
Tom Holmes
Paul Martin Hussey
Christopher John Kays
Annika Kerstin Linden
Dan (Nathaniel) Miller
Natalie Perkins
Peter Record
Christian Redman
Stevie Speirs
Michael Standring
Ed Waller

Clive John Walton
Douglas Warner

SWEDEN

Dead – 5

Linda Cronqvist
Ulrika Gustafsson
Maria Johansson
Johanna Bergander
Carina Rafling

GERMANY

Dead – 6

Marie Cecile Wendt
Angelika Helene Kohnke
Caludia Dietlinde Thiele
Bettina Christina Brandes
Alexandra Koppke
Udo Paul Hauke

FRANCE

Dead – 4

Guillaume Breant.
Lionel Erisey
Manuel Mordelet
Anthony Underwood

NETHERLANDS

Dead – 4

Norbet Edgar Freriks
Sander Harskamp
Mark Antonio Schippers
Marjanne Van Lijen Noomen

DENMARK

Dead – 3

Lise Tanghus Knudsen
Laerke Cecile Bodker
Anette Overgaard Jensen

SWITZERLAND

Dead – 3

Serina Leish
Michale Pascal Dolf
Andrea Gian Rupp

AUSTRALIA

Dead – 88

Gayle Airlie
Belinda Allen
Rena Anderson
Peter Basioli
Christina Betmilik
Matthew Bolwerk
Abbey Borgia
Debbie Borgia
Gerardine Buchan
Steve Buchan
Chloe Byron
Anthony Cachia
Rebecca Cartledge
Bronwyn Cartwright
Jodie Cearn
Jane Corteen
Jenny Corteen
Paul Cronin
Donna Croxford
Kristen Curnow
Francoise Dahan
Sylvia Dalais
Joshua Deegan
Andrew Dobson
Michelle Dunlop
Craig Dunn
Shane Foley
Dean Gallagher
Angela Golotta
Angela Gray

Byron Hancock
Simone Hanley
James Hardman
Billy Hardy
Nicole Harrison
Tim Hawkins
Andrea Hore
Adam Howard
Paul Hussey
Josh Iliffe
Carol Johnstone
David Kent
Dimmy Kotronakis
Elizabeth Kotronakis
Aaron Lee
Justin Lee
Stacey Lee
Danny Lewis
Scott Lysaght
Linda Makawana
Sue Maloney
Robert Marshall
David Mavroudis
Lynette McKeon
Marissa McKeon
Jenny Murphy
Amber O'Donnell
Jessica O'Donnell
Sue Ogier
Jodie O'Shea
Corey Paltridge
Charles van Renen
Brad Ridley
Ben Roberts
Bronwyn Ross
David Ross
Kathy Salvatori
Greg Sanderson
Cathy Seelin
Lee Sexton
Tom Singer
Anthony Stewart
Julie Stevenson
Jason Stokes
Behic Sumer
Nathan Swaine

Tracy Thomas
Clint Thompson
Robert Thwaites
Jonathan Wade
Vanessa Walder
Jodie Wallace
Shane Walsh-Till
Robyn Webster
Marlene Whiteley
Charmaine Whitton
Gerard Yeo
Luiza Zervos

NEW ZEALAND

Dead – 3

Mark Parker
Jamie Wellington
Jared Gane

INDONESIA

Dead – 38

I Wayan Yustara
R Destria Bimo Adhi Wibowo
Ni Kadek Alit Margarini
Gusti Ayu Made Artini
Arsoyo Rahmat
I Made Wija
I Ketut Nana Wijaya
I Nyoman Mawa
Elly Susanti Suharto
I Wayan Sukadana
I Ketut Cindra
Ati Savitri
I Ketut Sumarawat
I Gede Badrawan
Hanny
I Made Wijaya
I Komang Candra
Tata Duka
Lilis Puspita
Jonathan Simanjuntak
I Made Mertana

I Made Sujana
Salwindar Singh
Juniardi
I Kadek Ngartina
I Wayan Tamba
Rudy Armansyah
Mochamad Khotib
Imawan Sardjono
Endang
Mugianto
Widayati
Faturrahman
Achmad Suharto
Arismanandar
Agus Suheri
Kadek Sukerna
I Kadek Beni Prima

JAPAN

Dead – 2

Kosuke Suzuki
Yuka Suzuki

SOUTH AFRICA

Dead – 2

Godfrey Fitz
Craig Russel Harty

SOUTH KOREA

Dead – 2

Moon Eun-Young
Moon Eun-Jung

UNKNOWN

Dead – 2

BRAZIL

Dead – 2

Alexandre Moraes Watake
Sargento Marco Antonio Farias

GREECE

Dead – 1

Dimitris N Panagoulas

POLAND

Dead – 1

Daneta Beata Pawlak

PORTUGAL

Dead – 1

Diogo Miguel Dantas Riberinho

ITALY

Dead – 1

Antonio Roberto Sbironi

ECUADOR

Dead – 1

Ana Cecilia Aviles

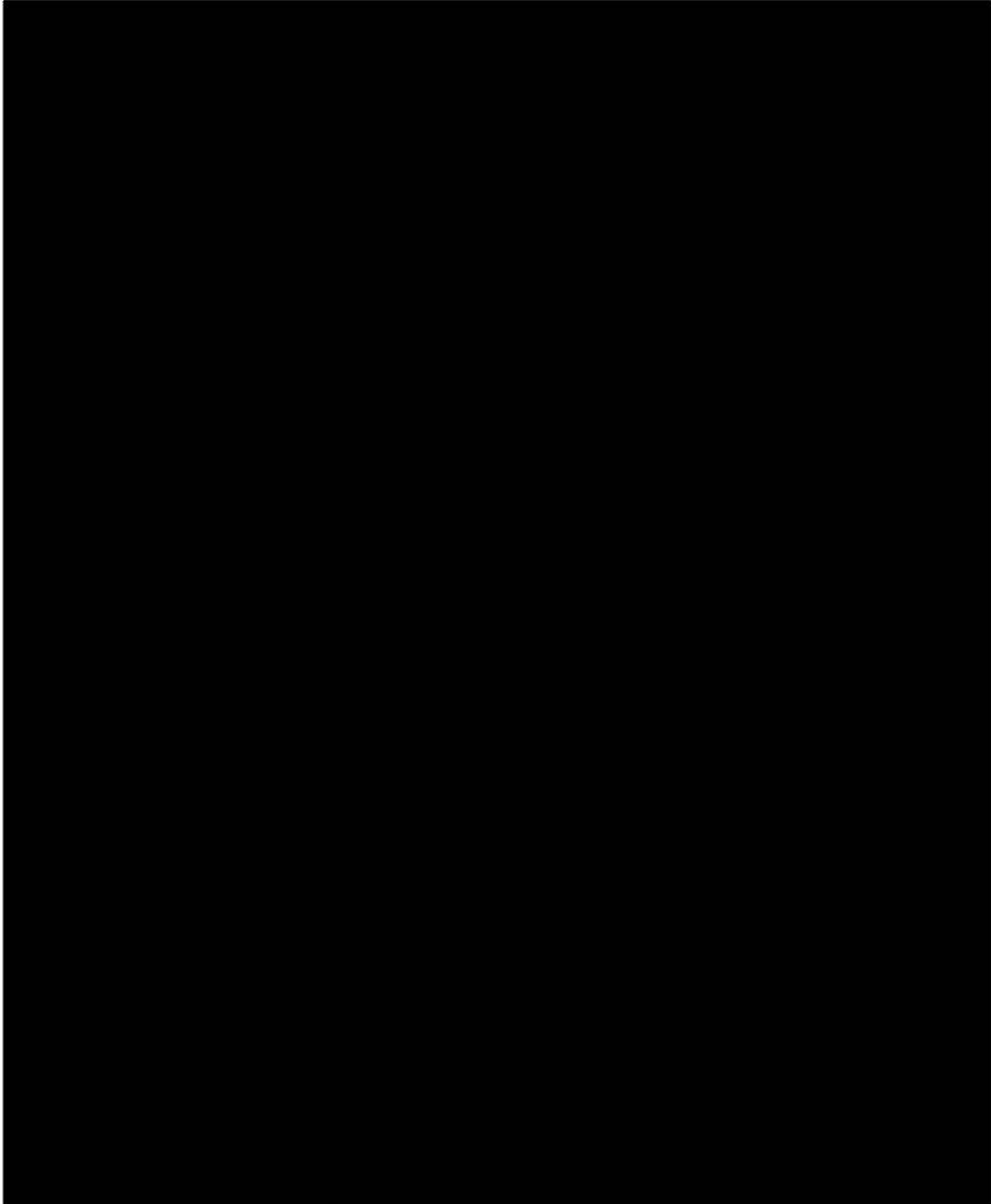
TAIWAN

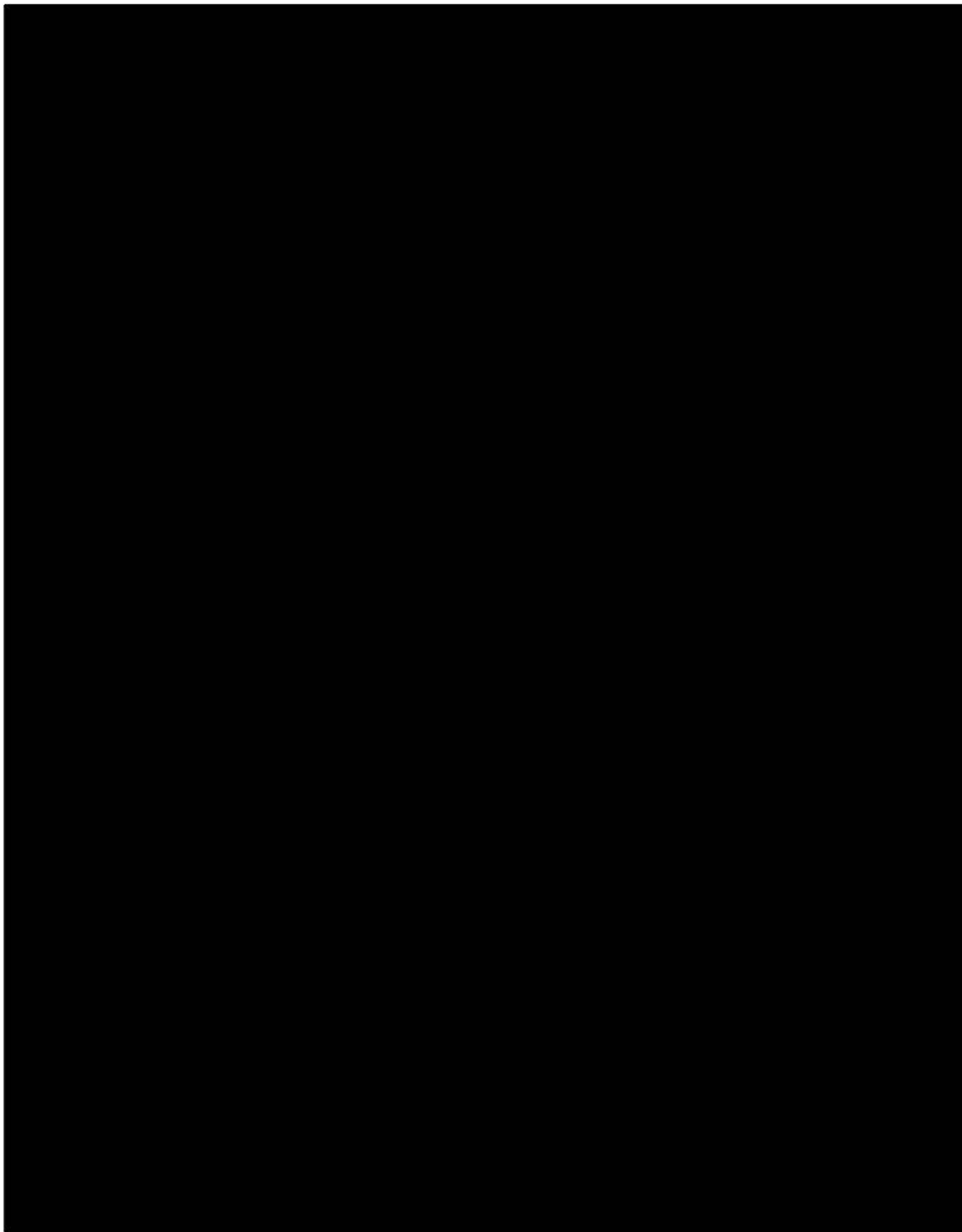
Dead – 1

Miss Hui-Min Kuo

CHARGE SHEET: APPENDIX D

The following 28 people were injured in the 2002 Bali Bombing





CHARGE SHEET: APPENDIX E

The following 11 people were killed in the 2003 J.W. Marriott Bombing

DUTCH

Dead – 1

Hans Winkelmolen

INDONESIA

Dead – 10

Slamat Hariyanto

Eyoh Zakaria

Hidayat

Harna

Yohanes Bolan

Rudi Dwi Laksono

Miftah Tobiin

Syamsudin

Edi Haryanto

Edi Sucipto

CHARGE SHEET: APPENDIX F

The following three people were injured in the 2003 J.W. Marriott Bombing

