



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- -X

UNITED STATES OF AMERICA : **INDICTMENT**
 :
 - v. - : S14 03 Cr. 486 (DC)
 :
 BAZ MOHAMMAD, :
 a/k/a "Haji Baz Mohammad," and :
 BASHIR AHMAD RAHMANY, :
 :
 Defendants. :
 :
 ----- -X

COUNT ONE

The Grand Jury charges:

1. From in or about 1990, up to and including in or about October 2005, in the Southern District of New York and elsewhere, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of said conspiracy that BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, and others known and unknown, would and did distribute a controlled substance, to wit, one kilogram and more of a substance containing a detectable amount of heroin, intending and knowing that such substance would be imported into the United States from a place outside thereof, in violation of

Sections 959, 960(a)(3) and 960(b)(1)(A) of Title 21, United States Code.

3. It was a further part and an object of said conspiracy that BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, and others known and unknown, would and did import into the United States from a place outside thereof a controlled substance, to wit, one kilogram and more of a mixture and substance containing a detectable amount of heroin, in violation of Sections 812, 952(a) and 960(b)(1)(A) of Title 21, United States Code.

Means And Methods Of The Narcotics Conspiracy

4. Among the means and methods by which BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, and their co-conspirators would and did carry out the narcotics conspiracy were the following:

a. Since in or about 1990, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, led an international heroin-trafficking organization (the "Baz Mohammad Organization") responsible for manufacturing and transporting hundreds of kilograms of heroin in Afghanistan and Pakistan. The Baz Mohammad Organization then arranged for the heroin to be imported into the United States and other countries and sold for tens of millions of dollars.

b. During the course of the conspiracy, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," controlled opium fields in the Nangarhar Province of Afghanistan where poppies were grown and harvested to produce opium. After the opium was harvested, BAZ MOHAMMAD used laboratories in Afghanistan and Pakistan to process the opium into heroin. BAZ MOHAMMAD and his co-conspirators then transported the heroin from Afghanistan into the United States hidden inside suitcases, clothing, and containers. Once the heroin arrived in the United States, other co-conspirators of the Baz Mohammad Organization received the heroin and distributed the narcotics. These co-conspirators then arranged for the heroin proceeds to be laundered back to BAZ MOHAMMAD and other members of the Baz Mohammad Organization in Afghanistan and Pakistan.

c. At all times relevant to this Indictment, the Baz Mohammad Organization was closely aligned with the Taliban in Afghanistan. During the course of the conspiracy, the Baz Mohammad Organization provided financial support to the Taliban and related Islamic-extremist organizations in Afghanistan. In exchange for its support, the Taliban provided the Baz Mohammad Organization with protection for its opium crops, heroin laboratories, drug-transportation routes, and members and associates.

d. During the course of the conspiracy, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, was the leader of the Baz Mohammad Organization in Afghanistan. Among other things, BAZ MOHAMMAD controlled the organization's supply of heroin, arranged for the narcotics to be transported from Afghanistan and Pakistan to the United States and other countries for distribution, and coordinated the laundering of the organization's heroin proceeds back to Afghanistan.

e. During the course of the conspiracy, BASHIR AHMAD RAHMANY, the defendant, worked with other co-conspirators to distribute the Baz Mohammad Organization's heroin in the United States. Among other things, RAHMANY was responsible for the distribution of the Baz Mohammad Organization's heroin to customers in New York.

OVERT ACTS

5. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about 1990, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, discussed heroin trafficking with other co-conspirators not named as defendants herein in his Karachi, Pakistan, residence. During the meeting, BAZ MOHAMMAD told his co-conspirators that selling heroin in the United States

was a "Jihad" because they were taking the Americans' money and the heroin was killing them.

b. Between in or about 1991 and 2005, members of the Baz Mohammad Organization possessed more than \$1.4 million worth of heroin in the United States that was ultimately seized by law enforcement officers.

c. On or about September 13, 1991, law enforcement officers seized approximately 2.5 kilograms of the Baz Mohammad Organization's heroin from a co-conspirator not named as a defendant herein at JFK Airport in Queens, New York.

d. On or about September 21, 1991, law enforcement officers seized approximately 1 kilogram of the Baz Mohammad Organization's heroin from a co-conspirator not named as a defendant herein at Washington Dulles Airport in Dulles, Virginia.

e. On or about November 25, 1991, law enforcement officers seized approximately 3 kilograms of the Baz Mohammad Organization's heroin from a co-conspirator not named as a defendant herein at Chicago O'Hare Airport in Chicago, Illinois.

f. In or about 1992, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, provided a co-conspirator not named as a defendant herein ("CC-1") with a suitcase in Pakistan that contained a quantity of heroin which CC-1 later smuggled into the United States for distribution.

g. From in or about 1994 through in or about 2000, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," a co-conspirator not named as a defendant herein ("CC-2"), and other co-conspirators not named as defendants herein collected heroin proceeds in the United States for the Taliban in Afghanistan.

h. In or about 1996, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, sent heroin concealed in clothing from Pakistan to co-conspirators not named as defendants herein in New York for distribution.

i. In or about 2000, BASHIR AHMAD RAHMANY, the defendant, distributed approximately 500 grams of heroin in Queens, New York.

j. In or about 2001, CC-1 met with another co-conspirator not named as a defendant herein in Queens, New York and discussed the importation and distribution of heroin.

k. On or about December 5, 2001, two other co-conspirators not named as defendants herein ("CC-3" and "CC-4") sent a package containing approximately 220 grams of heroin concealed in clothing from Pakistan to a post office box in New York, New York. A photograph of the clothing and heroin is attached hereto.

l. In or about February 2002, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, met with CC-2 in Pakistan and discussed heroin trafficking.

m. On or about June 5, 2002, CC-3 spoke with a confidential source ("CS-1") concerning CC-3 shipping approximately one kilogram of heroin from Pakistan to a post office box in New York, New York.

n. In or about August 2002, law enforcement officers seized approximately 7 kilograms of heroin belonging to BASHIR AHMAD RAHMANY, the defendant, and CC-1 from a co-conspirator not named as a defendant herein in Queens, New York.

o. On or about September 26, 2002, CC-3 and CC-4 sent a package containing approximately 330 grams of heroin concealed in clothing from Pakistan to a post office box in New York, New York.

p. On or about October 9, 2002, CC-4 spoke with CS-1 concerning shipments of heroin from Pakistan to New York, New York.

q. In or about March 2003, BASHIR AHMAD RAHMANY, the defendant, provided a sample of heroin to a co-conspirator not named as a defendant herein in connection with the distribution of 500 grams of heroin.

r. On or about June 19, 2004, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, and other co-conspirators not named as defendants herein possessed approximately 120 kilograms of chemical powder, a drug ledger, and written records reflecting sales of missile explosive devices, rocket shells, rocket

accessories, AK-47s, pistols, bullets, and other weaponry at a petrol station in the Nangarhar Province of Afghanistan.

(Title 21, United States Code, Section 963.)

COUNT TWO

The Grand Jury further charges:

6. From in or about 1990, up to and including in or about October 2005, in the Southern District of New York and elsewhere, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

7. It was a part and an object of said conspiracy that BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one kilogram and more of a mixture and substance containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

8. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others,

were committed in the Southern District of New York and elsewhere:

a. In or about 1990, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, discussed heroin trafficking with other co-conspirators not named as defendants herein in his Karachi, Pakistan, residence. During the meeting, BAZ MOHAMMAD told his co-conspirators that selling heroin in the United States was a "Jihad" because they were taking the Americans' money and the heroin was killing them.

b. Between in or about 1991 and 2005, members of the Baz Mohammad Organization possessed more than \$1.4 million worth of heroin in the United States that was ultimately seized by law enforcement officers.

c. On or about September 13, 1991, law enforcement officers seized approximately 2.5 kilograms of the Baz Mohammad Organization's heroin from a co-conspirator not named as a defendant herein at JFK Airport in Queens, New York.

d. On or about September 21, 1991, law enforcement officers seized approximately 1 kilogram of the Baz Mohammad Organization's heroin from a co-conspirator not named as a defendant herein at Washington Dulles Airport in Dulles, Virginia.

e. On or about November 25, 1991, law enforcement officers seized approximately 3 kilograms of the Baz Mohammad

Organization's heroin from a co-conspirator not named as a defendant herein at Chicago O'Hare Airport in Chicago, Illinois.

f. In or about 1992, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, provided a co-conspirator not named as a defendant herein ("CC-1") with a suitcase in Pakistan that contained a quantity of heroin which CC-1 later smuggled into the United States for distribution.

g. From in or about 1994 through in or about 2000, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," a co-conspirator not named as a defendant herein ("CC-2"), and other co-conspirators not named as defendants herein collected heroin proceeds in the United States for the Taliban in Afghanistan.

h. In or about 1996, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, sent heroin concealed in clothing from Pakistan to co-conspirators not named as defendants herein in New York for distribution.

i. In or about 2000, BASHIR AHMAD RAHMANY, the defendant, distributed approximately 500 grams of heroin in Queens, New York.

j. In or about 2001, CC-1 met with another co-conspirator not named as a defendant herein in Queens, New York and discussed the importation and distribution of heroin.

k. On or about December 5, 2001, two other co-conspirators not named as defendants herein ("CC-3" and "CC-4") sent a package containing approximately 220 grams of heroin

concealed in clothing from Pakistan to a post office box in New York, New York.

l. In or about February 2002, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, met with CC-2 in Pakistan and discussed heroin trafficking.

m. On or about June 5, 2002, CC-3 spoke with a confidential source ("CS-1") concerning CC-3 shipping approximately one kilogram of heroin from Pakistan to a post office box in New York, New York.

n. In or about August 2002, law enforcement officers seized approximately 7 kilograms of heroin belonging to BASHIR AHMAD RAHMANY, the defendant, and CC-1 from a co-conspirator not named as a defendant herein in Queens, New York.

o. On or about September 26, 2002, CC-3 and CC-4 sent a package containing approximately 330 grams of heroin concealed in clothing from Pakistan to a post office box in New York, New York.

p. On or about October 9, 2002, CC-4 spoke with CS-1 concerning shipments of heroin from Pakistan to New York, New York.

q. In or about March 2003, BASHIR AHMAD RAHMANY, the defendant, provided a sample of heroin to a co-conspirator not named as a defendant herein in connection with the distribution of 500 grams of heroin.

r. On or about June 19, 2004, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," the defendant, and other co-conspirators not named as defendants herein possessed approximately 120 kilograms of chemical powder, a drug ledger, and written records reflecting sales of missile explosive devices, rocket shells, rocket accessories, AK-47s, pistols, bullets, and other weaponry at a petrol station in the Nangarhar Province of Afghanistan.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

9. As a result of committing one or more of the controlled substance offenses alleged in Counts One and Two of this Indictment, BAZ MOHAMMAD, a/k/a "Haji Baz Mohammad," and BASHIR AHMAD RAHMANY, the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting and derived from any proceeds that the said defendants obtained directly and indirectly as a result of the said violation and any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Counts One and Two of this Indictment including, but not limited to, the following: a sum of money equal to approximately \$25 million in United States Currency, representing the amount of proceeds obtained as a result of the controlled substance offenses for which the defendants are jointly and severally liable.

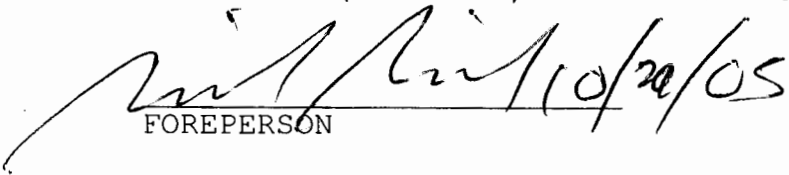
Substitute Assets Provision


10. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 21, United States Code, Sections 846, 853, 963.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney