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Summary of Administrative Review Board Proceedings for ISN 509

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-3, other unclassified information to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the (Muslim) oath.

The Designated Military Officer read the Unclassified Summary of Evidence to the Administrative Review Board.

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Designated Military Officer: The Detainee went to Afghanistan for jihad.

Assisting Military Officer: In response to the allegation the Detainee stated, "This is not true, these are all lies. The two of you (*referring to the Assisting Military Officer and translator*) have brains, is it really reasonable that al Qaida or the Taliban, in bad need of men to fight have to go to Yemen to find men at 60 years old to fight? Is this logical?"

Detainee: Before I start talking, I ask for God's help. I hope that you will be serious about looking for the truth. I left Yemen for the purpose of teaching the Koran and this information is available in my file, since the first time I arrived here. All the interrogators that [I have met], I told them that I would be telling the truth, because I am aware of the fact that the truth will set you free. I did tell the truth, but all the interrogators [went and got] some information that didn't have any basis, even though they had the truth. If anyone of you looks at my file he would find out that I never stated anything other than having gone over there to teach the Koran; nothing about the jihad. Ever since I turned [myself] over I [told] everybody I don't know anything about the Taliban or al Qaida and I'm not a member of them.

Designated Military Officer: The Detainee did not perform any formal military service. He received small arms training at al Farouq camp in Afghanistan.

Assisting Military Officer: In response to the allegation the Detainee stated, he enlisted in the army in Yemen for one year because the service was required for a compulsory, this service occurred right after high school. "I went to Afghanistan to teach the holy Koran. Abu Al Munther ask[ed] me to train for a week to defend myself because the Afghani people are of two types...one type against the Taliban and the other for the Taliban. If there is a fight between the Taliban and those against the Taliban and they found Arabs they will kill them all. They will not distinguish between the people who entered to fight or those who entered to teach the Koran or teach them any other thing with regards to their religion."

Detainee: It's a known fact the Arabs in Afghanistan help the Taliban. This is true.

Designated Military Officer: The Detainee trained at al Farouq for 18 to 20 days. He shot the Siminoff rifle and Kalashnikov rifle twelve times. He received map and land navigation training.

Assisting Military Officer: In response to the allegation the Detainee stated, "This is all lies, I have told them one hundred times. I received training with the Siminoff and Kalashnikov only. I don't know anything about the rest of this. Where did they get this information?"

Detainee: Yes, this is something I said. I said all that but I never said that I had training [for] land navigation. I don't have any knowledge about land navigation and maps. I'm ignorant about all these facts and I don't know where they got it from.

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Designated Military Officer: The Detainee's plane tickets from Yemen to Pakistan were provided by a man named Muad. Another man provided the Detainee with 3,000 Saudi Arabian riyals and a passport.

Assisting Military Officer: In response to the allegation the Detainee stated, "These are all lies, you should check my file. I talked about someone by the name [of] "Abu Al Munther" he gave me 3,000 Yemen rials and also he gave me some money to get a passport. Based on that I obtained a passport. Then he gave me the 3,000 Yemen rials to go to Sanaa and a telephone number and said, when I got their call this number."

Detainee: That is true. I would like to add. In the Muslim religion, God placed some responsibilities on [the] people who are wealthy and have financial means...that is set a side a certain part of their money and volunteer to build schools or mosques or giving it to somebody, who can call people to follow God...and they're able to do that...seeking God's forgiveness and their hopes to enter heaven. If that's the case, you should not be surprised if somebody was given \$3,000 or \$30,000. A lot of people give that kind of money, to convince people to follow God. The 3,000 rials we are talking about [are] equivalent to about \$100. How much can you do with \$100?

Designated Military Officer: The Detainee stayed at a guesthouse for Arabs in Karachi, [called] Madafat al Ansar, run by Riad.

Assisting Military Officer: In response to the allegation the detainee stated, "First of all it does not have a name, Madafat al Ansar. I talked about this being in Afghanistan, I don't know about Pakistan. I don't know anything about this house."

Detainee: The house that I stayed in, I don't know anything about it. I stayed there for one day and I don't know who ran it.

Designated Military Officer: Riad operates a safe house in Karachi, Pakistan, to facilitate movement of recruits into Afghanistan. He coordinates recruit travel to Kandahar, Afghanistan, via Quetta, Pakistan.

Assisting Military Officer: In response to the allegation the Detainee stated, "I arrived to the place where there were Arabs. The head of these people was Riad, but I don't know [whether] they were [all] Arabs. The head of these people was Riad, but I don't know what Riad does."

Detainee: In addition to Arabs, I would like to add Afghans as well.

Designated Military Officer: The Detainee stayed in Jalalabad in the safe house of Abu Hatib al Libi.

Assisting Military Officer: In response to the allegation the Detainee stated, "Yes, yes but this man I only met him once in my life. He told me that he would give me some form of medication for my knee. He is a doctor. He took me to a house, it's a clinic and

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there was another individual injured in the clinic. How did they come up with a safe house? He took me to the clinic and he left me there and he gave me some medication. If the Afghani's knew that there were Arabs they would kick them out of the clinic."

Detainee: He asked me to stay there. If they found out they would [have] kick[ed] us out.

Designated Military Officer: Abu Hatib al-Libi, a member of the Libyan Islamic Fighting Group (LIFG), was in charge of the guesthouse in Jalalabad, Afghanistan, that belonged to al Qaida. They used it as a residence complex before they moved to Kandahar, Afghanistan. Later it became the guesthouse for the al Qaida leaders when they visited Jalalabad. Usama bin Laden used it during his visits.

Assisting Military Officer: In response to the allegation the Detainee stated, "All this should be read to Abu Hatib, not me. I don't understand what they're trying to say. I don't know Abu Hatib. I don't know him and I don't know his profession. I only met him once. If I knew that Abu Hatib was a member of a terrorist group or al Qaida, I would not have mentioned his name and I would not have met him."

Detainee: I was sent to him so he can treat me, because he's a doctor. The clinic that [I was taken] to...the interrogator [said it was used to] house al Qaida or things like that and to hide Usama bin Laden...in that particular place. They also indicated that's where all the leaders of al Qaida meet as if they were with me when I went to that house or clinic. That clinic is well known in Jalalabad and all the safe houses [are] known in Jalalabad. Any member in al Qaida or Taliban or any terrorist organization they would have hundreds...you know maybe twenties of houses available that they could go to. He (*referring to Usama bin Laden*) can go over there to conduct his business. It doesn't make any sense that you are going to bring Usama bin Laden to a clinic that's known to the public. He (*referring to Abu Hatib al-Libi*) treats the Arabs and the Afghan in that clinic. It doesn't make any sense that Usama bin Laden is going to conduct all of his activities from that clinic. Maybe he is a terrorist, but maybe the house that you are talking about is not the house that I was sent. I was sent to the clinic and not to a safe house. If I knew that I was in a place that housed the al Qaida or any terrorist organization. I would have taken my passport and would have gone back to my hometown. I requested my passport to go back to Yemen more than twenty times and that's all available in my file. Ever since I went to al Farouq camps for training, I requested my passport, because I wanted to go back to Yemen. They refused. So I went and I figured that when I come back I would get my passport so I could go back [to Yemen]. Before we went back to al Farouq camp they asked us to go to another safe place and that's when the war started. When I found out that I could not go anywhere without my passport, I turned myself over to the Afghans and the Afghani people turned me over to the Americans. Ever since I met the Americans I've told them what I know and my story is true and it is in my file.

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Designated Military Officer: The Libyan Islamic Fighting Group (LIFG) was designated for asset freeze under Executive Order 13224 and United Nations Security Council Resolution 1333 in September 2001. Some members organize strictly against Libyan Government interests, but others are aligned with Usama bin Laden's al Qaida organization or are active in the international mujahedin network.

Assisting Military Officer: In response to the allegation the Detainee stated, "Again this does not concern me. I don't know anything about this. How does this concern [me]?"

Detainee: I don't know anything about this. This is the first time I've heard it.

Designated Military Officer: The Detainee was injured during the bombing in Tora Bora. He walked with a group towards Pakistan, but near the border he was stopped. He was taken to prison in Kabul, Afghanistan, and subsequently turned over to United States' forces.

Assisting Military Officer: In response to the allegation the Detainee stated, "There was no truth in the statement. In the first place, when you say injured...I am in Guantanamo...the Americans have doctors. Why don't they examine me and show me where I was injured. Let them point to me where I was injured. If this statement is true, then let them show me. I went with a group of people from Afghanistan to Pakistan so I could go back to my home in Yemen. Then the bombing started, a lot of people got killed and some got injured. I was not injured. I did not carry any weapons and I went looking for someone to help the injured people. I did not carry any weapons. I found three Afghanis and told them about the injured people and they said they would treat them. They told me that they were going to take the injured people and myself to Pakistan. They kept us for two days and then came and told us they would take us to Pakistan but took us to Afghanistan. Then these three Afghanis turned us over to some people, these people were called the Haj-Kadeer."

Detainee: This is true.

Designated Military Officer: The Detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11th, and also denied knowledge of any rumors or plans of future attacks on the United States or its interests.

Assisting Military Officer: In response to the statement the Detainee stated, "I have been hear for four years every time I went for [an] interrogation not once did I say I was an enemy to the U.S. or any other nation. I don't have any problems with the government or the people. You have tremendous means, you can ask about me in Yemen. If you asked the government or public, you people have my address in Yemen. I have never gone to the police station."

Detainee: Yes, ever since I came here I am not an enemy to the United States or any other nation or even human being. In Yemen I have no problems with anybody. I've never gone to the police station. I never went with any group of people whether they

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were religious or not religious. I spent most of my life with my family and working. It does not make any sense and it is not reasonable for me become an enemy combatant...you know [it's like] between day and night. My life is very, very peaceful I have no problems with any individual and I don't think of hurting any individual.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Assisting Military Officer presented letters from the Detainees family, Exhibit EC-C1 to Exhibit EC-C13, to the Administrative Review Board.

The Assisting Military Officer read the following additional comments the Detainee made:

Assisting Military Officer: The Detainee stated, "I have letters from my family that prove what I've said and what I've said during my interrogation. I said that I teach the Koran and I went to teach the Koran and ask people to follow God. I have letters from my family to prove that I can present that so you can read it. In the letter they say that the U.S. and other nations will know that you are innocent. The nature of the Muslim is different because they volunteer with their money [by giving it] to the needy people, anybody that needs. For anybody that needs forgiveness from God gives money to the needy, similar to the Red Cross. This is a religious responsibility and this is part of our religion. I repeated for one thousand times that I am not a member of al Qaida or Taliban. I don't know anything about them. The period of time from the time I left my country until the time I turned myself over to the Afghans does not exceed four months."

The Detainee made the following statement:

Detainee: I am referring to the additional information. There are so many missionary organizations here in the States. [They] work, you know, [the same as a] missionary situation and helping people...this is the same way the Muslim do things. God asked me to help all these needy people. We perform our duty to keep God happy. We have nothing to do with terrorism or anything else about it. I hope you can consider that seriously. I hope that you can arrive to a fine decision that's just for your conscience and for God. It's like any misunderstanding on your part and misunderstanding on the interrogator's part could cost me my life. What I am saying is any kind of slight error on your part or on the interrogator that's going to cost me not only my life, you may not kill me, but I might spend the rest of my life either in this prison or another prison. I am fully aware that I am innocent and I am not a terrorist and I don't know anything about terrorism. I don't know anything about terrorism. If there are any secret allegations that prove different, then what I said, in my file...[then it's] not true. It's a bit old that information you have in your secret file [and it] is not correct, because I feel I'm

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innocent. I want the truth in my file. The truth you cannot break [the] truth in different parts. Whatever I know I told you and my final destination is in your hands right now. That concludes my statement.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Did you teach the Koran in Yemen?

Detainee: Yes, I did.

Board Member: Where were you going in Afghanistan?

Detainee: Kandahar or Jalalabad.

Board Member: Were you going to a particular mosque? Did you have a point of contact?

Detainee: Yes, Abu Al Munther was over there.

Board Member: How did you know Mr. Abu Al Munther?

Detainee: Abu Al Munther was in Yemen; he's the person that gave me the 3,000 Yemeni rials and the money to obtain my passport and the price of the passport. He sent me to his cousin or relative or somebody that works for him. When he sent me to that individual he gave me the plane ticket and he sent me to Pakistan, somebody was present there with them.

Board Member: Whom did you give your passport up to?

Detainee: When I got there I was told that Abu Al Munther was in the front line and I stayed there for one week. He came back and he said, "Give me your passport." That's what we do. It's the same system as in Saudi Arabia. If you work for somebody, the guy that you work for gets to keep your passport.

Board Member: When you were at the al Farouq camp, you were there for 18 to 20 days?

Detainee: Yes, I did.

Board Member: You only shot weapons twelve times.

Detainee: Three times...each time...four bullets.

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Presiding Officer: [You] shot twelve rounds total?

Detainee: Twelve rounds, right.

Board Member: What did you do the rest of the times you were there?

Detainee: I was living in a tent. I would just walk around. Do my writing and pray. I read the Koran. I've been here for four years and I still do the same thing.

Board Member: This Board is to determine whether you're going to be a continuing threat. What kind of assurances can you give this board that you will not be a continuing threat?

Detainee: I cannot believe you're asking me these kinds of questions or maybe I did not absorb it. How do I cause a threat to the United States or someone? Whether it was the United States or even a person? How do I cause a threat? For example, if I was a young man...I don't know anything about how to make bombs. I don't even have the means. You can send me to my country, my hometown...and ask my country not to let me leave the country. How is it possible that I can cause a threat? You are thousands of kilometers away from me. How do I cause a threat? I believe that even the super power countries next to the United States, they don't even cause a threat to the United States. This is what I hear that the United States is a super power, [whom] is going to pose a threat? How can I pose a threat to the United States...one person?

Board Member: You're a wise man. Are you well respected in Yemen?

Detainee: The people respect me because I follow God and I follow my religious belief. I [have] never hurt or bothered anybody. I am a friend to everybody...very friendly person. When I call people, I don't tell people to fight or be terrorist and I know nothing about that. You can be convinced of that if you were to go to Yemen and you ask there. I never thought of threatening a human being. How is it possible that I'm going to hurt or cause a threat to a country? All the western people there are in Yemen all the time...American or otherwise. I never thought of hurting anyone of them. Isn't that enough assurance for you!

Board Member: Why were you selected to go to Afghanistan?

Detainee: I did not find employment opportunity in Yemen. Whatever I was earning from teaching the Koran there was just simply just a few rials. [My brothers and I were barely able to provide for our families.] We are a very big family.

Board Member: Were there other places that you could've gone besides Afghanistan or Pakistan?

Detainee: I went to Saudi Arabia, but entering into Saudi Arabia became very costly.

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Board Member: What did you do in Saudi Arabia?

Detainee: I use to work for a guy that [exchanged coins] and he used to take care of meat service.

Board Member: Can you tell me one thing about yourself that nobody else knows?

Detainee: What do you mean that nobody else knows?

Board Member: What else would you like to say? What is something else that no interrogator has asked him?

Detainee: I don't have any secrets. Everybody knows my life. My life is pure. Whatever I know about myself...everybody else knows it.

Board Member: When you write, what do you write about?

Detainee: The prophets saying from the Koran and all his followers, as well. The stuff that I write...I write it so hopefully I can remember.

Presiding Officer: You mentioned that you saw a doctor in Jalalabad. How is your health now?

Detainee: Everything's fine, thank God. I still take the medication.

Presiding Officer: What did you do for a job before you traveled to Afghanistan?

Detainee: I was teaching the kids the Koran. I also worked for another company. My brothers worked at that company up until now. I worked for another company.

Presiding Officer: What type of work?

Detainee: I was working quality assurance there. I was working for that company for quality assurance, this company used to make bags...like when you go shopping...plastic bags.

Presiding Officer: You said that you did not go to Afghanistan for jihad you went to teach the Koran, but did you know of others who traveled for jihad?

Detainee: I don't know anybody that went to jihad and even if I did know somebody I wouldn't be associated with him.

Presiding Officer: In either one of the two houses you were in...Karachi or in Afghanistan, did you meet anyone there who was there for jihad?

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Detainee: I did not meet anybody. The only people I met there were people for Jamat-al-Tabligh organization and even this [is] in the United States. These people are teaching other people, along with the Muslim, how to follow God...the teaching of God.

Presiding Officer: In your training on the Kalashnikov and Siminoff rifle, did you meet anyone there who had been engaged in combat?

Detainee: I was outside the camp. They did not allow me to go inside the camp.

Presiding Officer: Someone gave you the rounds to shoot. The twelve rounds you shot. Someone gave to you. The people, who trained you, were they warriors?

Detainee: Those [people] were helping the Afghanis. They were training Afghanis and Arabs. I don't know if they were fighters, terrorists, or they're for jihad.

Presiding Officer: You never spoke with anyone? You just shot the weapons?

Detainee: I did speak with them, but we never discussed the jihad or fighting or things like that.

Presiding Officer: When the American bombings started, did you carry any weapons after that point and time? Did you ever carry any weapons after this training?

Detainee: No, I did not.

Presiding Officer: Did you ever travel with others that carried weapons?

Detainee: No I didn't.

Presiding Officer: Why did you go to the Tora Bora Mountains?

Detainee: I don't know Tora Bora Mountains, but I never climbed mountains...maybe it is Tora Bora.

Presiding Officer: When you were captured, between the times you left the training camp to the time you were captured, did you ever travel with men, who were carrying weapons?

Detainee: No I did not.

Presiding Officer: Did you ever hear anywhere, during your training, any others who were helped by Riad, and if any of those people may have been fighters?

Detainee: I don't know anybody.

Presiding Officer: What do you think of Usama bin Laden? Do you believe in him and his teachings?

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Detainee: As a Muslim person, I do not recommend the killing of innocent people. I don't know Usama bin Laden and I don't agree with what he does.

Presiding Officer: How is your family? I see you have letters. Are your brothers' and sisters' health well?

Detainee: The letters [I have received] state they are okay.

Presiding Officer: Did any of them travel to teach the Koran?

Detainee: No, nobody did.

Presiding Officer: If you go back to Yemen, what would you like to do Mr. Khusruf? What are your plans if you return?

Detainee: I just want to continue with the rest of my life as normal as possible until God takes me and I face my death. [There are only] a few years left for me to live.

Presiding Officer: Mr. Khusruf will you travel again from Yemen? Will you travel again with these organizations to teach the Koran?

Detainee: No, I will not travel again. One experience is enough.

Presiding Officer: Last time you traveled you were [at] places with Riad, the facilitator, with these other people in Afghanistan...in Karachi, who are involved in dangerous things. So your choice of travel was not the safest.

Detainee: Ever since I got to Afghanistan and Pakistan, I was asking every step of the way to get my passport so I could go back to Yemen. Ever since they asked me to go to the al Farouq camp, I requested my passport. They refused to give it to me and they said, "You are going to train for just one week to protect yourself."

Presiding Officer: Did you ever fight against the northern alliance at all?

Detainee: I never did. It's proven fact, and it's available in my file, I told them, "I didn't come here to fight. I came here to teach the Koran. Why would I want to go to the camp?"

Presiding Officer: But you did go to the camp!

Detainee: They insisted that I go there. I was reasoning that I would put up with that for one week and then I get my passport, so I can go back to Yemen.

Presiding Officer: Mr. Khusruf, thank you very much for all of your answers. I look forward to reading all of your letters and we will continue here in a second.

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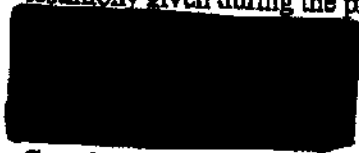
The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Captain, USN
Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 511

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee declined taking the oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer, please read your comments from the Assisting Military Officer's comment block.

Assisting Military Officer: The Detainee's ARB interview was conducted on 2 November 2005, and lasted 30 minutes. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. The Detainee stated he understood the difference between the CSRT and the ARB. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee said "in God's willing (I will come)." The Detainee was very polite, attentive, and would like to respond to the Unclassified Summary of Evidence after each point is read. A copy of the translated Unclassified Summary of Evidence was given to the Detainee for his review.

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The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1 and DMO-2 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

The Detainee chose to respond to the Unclassified Summary of Evidence as each point was presented. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) Approximately June 2001, the Detainee traveled to Mecca, Saudi Arabia and Jeddah, Saudi Arabia to visit the "Holy Places".

Detainee: Yes.

Designated Military Officer: (3.a.2) After traveling to Saudi Arabia, the Detainee traveled to Afghanistan to receive training as outlined in a Fatwa he heard issued by Sheik Hammoud al-Oqalah.

Detainee: Yes.

Designated Military Officer: (3.a.3) Abu Shakeirly also preached about the Fatwa and sent the Detainee to Sanna, Yemen to see Abdal Kalik, who could assist the Detainee in getting to Afghanistan.

Detainee: Yes.

Designated Military Officer: (3.a.4) The Detainee went to Afghanistan to prepare for Palestine.

Detainee: I went to defend my country.

Presiding Officer: You did not prepare for Palestine?

Detainee: Yes, to include defending my country.

Presiding Officer: What does that mean? What does prepare for Palestine mean?

Detainee: The religious leaders asked for our help. The Sheiks and the Government, if they need our help and assistance, we will go.

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Presiding Officer: Were you going to Palestine to be a soldier?

Detainee: No, it was only an idea. There is no direct reason [answer] as to why I was there. It was just an idea.

Presiding Officer: So, you really did not know what to expect when you got there.

Detainee: Yes.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee trained for approximately one month with the Yemeni Military at Buwesh. During the training, the Detainee received instruction on the Kalashnikov and physical training.

Detainee: Yes. Not Military, Military Police.

Designated Military Officer: (3.b.2) The Detainee arrived at Camp Farouq sometime before Ramadan in 2001.

Detainee: Yes.

Designated Military Officer: (3.b.3) The al Farouq training camp was funded by al Qaida and therefore was more advanced than other camps in Afghanistan. The training at al Farouq consisted of two-week periods of weapons training, basic commando courses, topography, and explosives.

Detainee: Yes.

Designated Military Officer: (3.b.4) The Detainee knew al Qaida ran the al Farouq camp, but not everyone at the camp was necessarily a member of al Qaida.

Detainee: Going to a military base has nothing to do with al Qaida. I went just to train. Going to train had nothing to do with al Qaida.

Presiding Officer: Did al Qaida run the camp?

Detainee: I didn't know at first that [al Qaida] they ran the camp. I found out afterwards.

Board Member: But you were at al Farouq.

Detainee: Yes.

Presiding Officer: You were not aware at the time you went to al Farouq it was run by al Qaida. Subsequently, you found out that al Qaida ran the camp?

Detainee: Yes.

Presiding Officer: Thank you very much.

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Designated Military Officer: (3.b.5) The Detainee's training consisted of small arms training with the Kalashnikov and pistols.

Detainee: Yes.

Designated Military Officer: (3.b.6) The Detainee stayed for about twenty to thirty days before being told they were moving to another area for training.

Detainee: Yes.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The Detainee stayed at a guesthouse in Karachi, Pakistan, that was led by a man whom the Detainee knew only by the name of Riyadh.

Detainee: The name of the man is R-Y-A-T-H.

Presiding Officer: The name of the man is not Riyadh, but rather Ryath.

Designated Military Officer: (3.c.2) Once in Kandahar, the Detainee stayed at a safe house owned by Abu Khaled. The Detainee stayed at the safe house for approximately one week. The Detainee watched a film about Jihad in Bosnia and Chechnya that was narrated by a man named Katib.

Detainee: It was just a guesthouse; it was not a safe house.

Presiding Officer: Is the spelling of this individual's name correct?

Detainee/Translator: al K-A-T-A-B is the correct spelling.

Designated Military Officer: (3.c.3) Abu al Kholud was the Emir of the al Qaida guesthouse called Ansar in Kandahar.

Detainee: That person [Abu al Kholud] I do not know him.

Board Member: What about the guesthouse?

Detainee: I do not know Abu al Kholud. I know Abu Khaled, but I do not know Abu al Kholud.

Board Member: Did you stay at the guesthouse?

Detainee: Yes, I did stay at the guesthouse. Again, I know Abu Khaled, but I do not know Abu al Kholud.

Presiding Officer: Were there two guesthouses? Were both guesthouse run by al Katab?

Detainee: The guesthouse ran by al Katab was in Chechnya. I know Abu Khaled.

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Designated Military Officer: (3.c.4) About one week after the Detainee's arrival at the al Farouq camp, the Detainee saw Usama Bin Ladin.

Detainee: Yes.

Board Member: Can you tell us more about it?

Detainee: Like what for example.

Board Member: You tell me.

Presiding Officer: Did you see Usama Bin Ladin? Did you talk to Usama Bin Ladin? Did you dine with Usama Bin Ladin?

Detainee: No. I was in a Mosque and he [Usama Bin Ladin] was far away. I was sitting with some other people [in the Mosque] when I saw him. Usama Bin Ladin was talking to the people in the Mosque.

Presiding Officer: Did Usama Bin Ladin have a large group of people around him?

Detainee: There were a lot of people in the Mosque. There were many people inside the Mosque where Usama Bin Ladin was speaking.

Presiding Officer: Did Usama Bin Ladin have bodyguards with him?

Detainee: No. There was only one person with him [Usama Bin Ladin].

Presiding Officer: Did Usama Bin Ladin have a weapon?

Detainee: His weapon [Usama Bin Ladin] was sitting at the bottom.

Presiding Officer: Was Usama Bin Ladin's weapon an AK-47?

Detainee: Not an AK-47. It was a small weapon with a wooden handle. It was a small rifle.

Board Member: How long was he [Usama Bin Ladin] at the Mosque?

Detainee: I stayed at the camp for about twenty or thirty days.

Board Member: I am referring to Usama Bin Ladin.

Detainee: For approximately an hour or two hours. Usama Bin Ladin said a couple of things and then he left.

Presiding Officer: Did Usama Bin Ladin drive in or did he walk in?

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Detainee: Usama Bin Ladin walked into the Mosque and we [referring to the individuals at the camp] all walked into the Mosque as well. I did not know Usama Bin Ladin was coming to the Mosque. I found out Usama Bin Ladin was there when I walked into the Mosque. Usama Bin Ladin finished his speech and then he left the Mosque. We stayed in the Mosque after Usama Bin Ladin left.

Designated Military Officer: (3.c.5) While in Tora Bora, the Detainee saw Usama Bin Ladin for the second time. Usama Bin Ladin talked about the Jihad for approximately one hour and then a senior al Qaida operative made a few comments.

Detainee: Yes. Who is this senior al Qaida operative?

Presiding Officer: I was just going to ask you the same question. You don't know who the al Qaida operative was?

Detainee: Ayman Al Zawahiri.

Presiding Officer: Ayman Al Zawahiri the Egyptian?

Detainee: Yes.

Board Member: When were they there [in Tora Bora]? When did this happen?

Detainee: Before we went into the mountains. We were in a valley that was downward of the mountains. After Usama Bin Ladin spoke, we went into the mountains.

Board Member: After September 11th 2001?

Detainee: Approximately.

Presiding Officer: Did this incident occur after Usama Bin Ladin had supposedly been killed?

Detainee: No no.

Presiding Officer: Did this incident occur before the suspected killing of Usama Bin Ladin?

Detainee: Yes.

Presiding Officer: Before all the bombing?

Detainee: Yes, before the bombing. It was about a month, approximately a month before the bombing occurred [referring back to Usama Bin Ladin's visit with a senior al Qaida operative 3.c.5].

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Designated Military Officer: (3.c.6) The Detainee's name was found on a chart in Arabic, listing the names of captured Mujahadeen. The information was on a hard drive, which was associated with a senior al Qaida operative.

Detainee: I am here [at Guantanamo Bay, Cuba]. I don't know anything about that.

Presiding Officer: Could you guess as to how your name might have ended up on this list. Did you meet someone that may have written your name down?

Detainee: An individual at the guesthouse took down my name.

Presiding Officer: They take your name down when you arrive at the guesthouse?

Detainee: Yes.

Presiding Officer: Do they take your passport when you arrive at the guesthouse?

Detainee: In Kandahar they took my passport.

Designated Military Officer: (3.c.7) The Detainee's name was found on a document listing 324 Arabic names, aliases, and nationalities recovered from safe house raids associated with suspected al Qaida in Karachi, Pakistan.

Detainee: Probably the same house [guesthouse] they got the computers from. Maybe they got my information from that same guesthouse that took down my name. The information possibly came from the guesthouse.

Presiding Officer: Were you aware that when the guesthouses were taking down your name that they considered you to be an al Qaida fighter?

Detainee: No.

Presiding Officer: They never told you?

Detainee: No. If I had known that, I would not have given them my name. You enter the house and you register like a regular guest.

Presiding Officer: Just like you would register at any hotel.

Detainee: Almost like that, yes.

Designated Military Officer: (3.c.8) The Detainee's name was found in files recovered from various computer media seized during raids against al Qaida associated safe houses in Rawalpindi on 1 March 2003, and Karachi, Pakistan on 11 September 2002. The files contained a list of al Qaida Mujahadeen and the contents of their "trust" accounts.

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Detainee: This area, this Pakistani area, I do not know that area. My passport and my information were taken at the Abu Khaled guesthouse in Kandahar.

Presiding Officer: You have no idea then how your information got there [referring to allegation 3.c.8].

Detainee: I do not know.

Designated Military Officer: (3.d) Other Relevant Data. (3.d.1) The Detainee went to Tora Bora and stayed in the mountains for ten to fourteen days.

Detainee: Yes.

Designated Military Officer: (3.d.2) While in Tora Bora, the Detainee took turns with others standing guard in front of a cave.

Detainee: It was not a cave. It was like a foxhole. There is a difference between a cave and a foxhole.

Presiding Officer: Was it a fighting position?

Detainee: No. Just guarding.

Designated Military Officer: (3.d.3) The Detainee may have fought in Tora Bora.

Detainee: I never fired a weapon. I was only sitting.

Presiding Officer: Would you have fired a weapon if you had had an opportunity to do so?

Detainee: If someone tried to kill me I would fire a weapon to defend myself. If someone shoots at me I would fire back to defend myself.

Designated Military Officer: (3.d.4) The Detainee was part of a group led by Abu Thabbit in the mountains of Pakistan. The Detainee carried a Kalashnikov rifle.

Detainee: It was not a large group of people. It was a small group of individuals. There were maybe fifteen people. Also, we were not in Pakistan. We were in Tora Bora.

Presiding Officer: Was the rifle you were carrying functional? Was the rifle a working weapon? Did the weapon have bullets?

Detainee: Yes.

Board Member: Why did you go to Tora Bora?

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Detainee: They [referring to the leaders at the al Farouq camp] told me to train and it was a military order. They ordered us to move from one place to another. They told us to go to Tora Bora so that is where we went.

Board Member: Are you referring to the Taliban?

Detainee: No.

Board Member: Then who is "*they*"? Who are you referring to?

Detainee: The leaders at the al Farouq training camp. At the time, you could not ask them why and where we were going. You cannot refute them. You had to do what they told you to do.

Board Member: What month did you leave al Farouq for Tora Bora?

Detainee: I do not remember.

Board Member: Late 2001?

Detainee: I don't remember.

Board Member: It was 2001, right.

Detainee: About that.

Presiding Officer: How close to before the Americans started bombing did you leave al Farouq for Tora Bora?

Detainee: Months before.

Presiding Officer: Two months.

Detainee: I don't remember.

Presiding Officer: That's ok. Thank you for trying.

Designated Military Officer: (3.d.5) The group remained in the mountains for twenty-five days unsuccessfully searching for a guide before deciding to exit the mountains and either walk to Pakistan or surrender in Afghanistan.

Detainee: Yes.

Designated Military Officer: (3.d.6) The group walked for approximately five hours until they reached a valley where the group was bombed by American planes. Many of the group members were killed or injured.

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Detainee: I am not sure if it was five hours, but we did walk for a period of time.

Board Member: But there was American bombing. Did you experience that?

Detainee: Yes.

Presiding Officer: Were you injured?

Detainee: Yes.

Presiding Officer: How bad were you injured?

Detainee: I was not able to walk. After my surgery, I was able to walk.

Presiding Officer: Did you receive any head injuries that would cause your memory to be unclear?

Detainee: No. I only received injuries in my foot and my leg.

Presiding Officer: Do you remember the events clearly?

Detainee: Just about. Because the situation was difficult, I do not remember so well. Some things I do not remember.

Designated Military Officer: (3.d.7) While in a valley, Afghani Forces caught the Detainee's group and shrapnel injured the Detainee.

Detainee: Yes.

Designated Military Officer: (4) The following primary factors favor release or transfer:
(4.a) The Detainee is not mad at the United States.

Detainee: That is true. I do not have anything against the United States.

Designated Military Officer: (4.b) The Detainee stated it is every Muslim's duty to be military-trained, but he was not in Afghanistan to fight and never discharged his weapon.

Detainee: Yes. Our Koran tells us to train. However, the Koran does not order us to fight the Afghans.

Presiding Officer: Could you have shot Americans if you had wanted to?

Detainee: Why would I? If they did not do anything to me, I would not do anything to them.

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Presiding Officer: That is not what the question meant. My question is, not *would you*, but *could you* [have shot an American] if you had wanted to? Did you ever see an American while you had your gun and chose not to shoot?

Detainee: I did not see any Americans. If I had seen any Americans, I would not have shot at them. I would have only shot at them if they had shot at me first, to defend myself.

Board Member: You traveled all the way from Yemen to Afghanistan just to train?

Detainee: Yes.

Board Member: You could not have received training Yemen or some other place. Why go to Afghanistan to train?

Detainee: It was different in Yemen. In Yemen I was in the Military. The last war happened, the Civil War, and after that war I was suspended [from the Military].

Board Member: When your training had been concluded, why didn't you go home?

Detainee: I did go home for a short period of time.

Presiding Officer: Were you on your way home when you got bombed?

Detainee: When I was in the mountains I was asking for my passport. I wanted my passport back.

Presiding Officer: Why did you want your passport back?

Detainee: I wanted to leave.

Presiding Officer: To go anywhere but there?

Detainee: I wanted to leave that area.

Designated Military Officer: (4.c) The Detainee was never asked to take an oath to al Qaida. The Detainee stated that even if he were asked, he would not have taken the oath.

Detainee: This is the first time I am hearing of this. I was never asked to take an oath [to al Qaida]. I would not have taken an oath for anyone or any side.

Designated Military Officer: (4.d) The Detainee knew nothing about al Qaida. The Detainee said the only thing he knew about al Qaida was from what he read in a newspaper article.

Detainee: Yes.

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Designated Military Officer: (4.e) The Detainee denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee: If I had known this was going to happen [the attacks on the United States] I would have never gone to Afghanistan.

Designated Military Officer: (4.f) The Detainee denied having any knowledge of the attacks on the United States prior to their execution on 11 September 2001.

Detainee: I knew after the incident happened.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Assisting Military Officer had no exhibits to present.

The Detainee made the following statement:

Detainee: I do not have anything to say.

Assisting Military Officer noted that he did take down one Detainee comment during the interview and presented that comment to the Review Board.

Assisting Military Officer: The Detainee stated during his interview "Most of the allegations are true. I've said it during the interrogation. Some of the things I will reply to at the board."

Detainee: I replied to the things I wanted to.

Presiding Officer: [To the Detainee] You have some time now during this portion of the Administrative Review Board to just talk to the three Officer's on the Board if you so wish. If you can think of anything you would like to say to the Board, please take this time to do so. You do not have to make a personal statement if you do not wish.

Detainee: First, I do not have any hostility toward Americans. Even in my country, I do not have any problems. I am a regular and average person. I am from a poor family. I am religious, but I am not radical. I treat people the way my religion tells me to. I treat people with well manners. If I leave here I will look for a good wife and start a family. I will also look for a job and lead a normal life. I do not want any more problems. Those

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four years [spent at Guantanamo] are enough. During my time in this detention facility I have lost my mother. I was hoping to be there [at home] when that happened.

Presiding Officer: The Board extends its sympathies to you for your loss.

Detainee: I am hoping to leave this place to live like a normal human being. Since I have been here I have not had any problems with the soldiers here. The only problem I have had was when I was told about my mother's death. When I was told about my mother's death a soldier made an insult about my mother's death. The soldier was making fun of my situation. I threw some juice on the soldier. That is the only time I have had any problems while I have been detained here.

Presiding Officer: Please tell the Board more about that incident.

Detainee: For a long time I did not receive any letters. I do not know why I did not receive any letters. I don't know if it was because of the interrogation or other reasons. For about a year to a year and a half, letters were written to me, but I never received any of them. Then I received a message that my mother had passed away. I was very sad. Of course, my mother is very dear to me. If you look in the whole world, you only have one mother. I was very sad. The soldier, he insulted the incident [the passing of my mother].

Presiding Officer: What did the soldier say to you?

Detainee: I was sitting down and the soldier said something to me and another detainee. I cannot remember exactly what the soldier said but I remember I got very angry. When I got angry I threw the juice at the soldier. That is the only thing that has happened since I have been here [at Guantanamo]. I have never spit or thrown anything else. This was the only incident. My religion does not allow me to behave that way.

Presiding Officer: Other than this particular incident, have you been treated well?

Detainee: "Thanks Be to God." Even the ones [soldiers] who do not treat us [the detainees] well, I treat them well. They are military and they work twenty or so hours. So even they get angry at times. They are just military and I am just a detainee. Military soldiers sometimes have their days when they get upset or angry; we [the detainees] just have to take it.

Presiding Officer: Have you been mistreated?

Detainee: No, just the opposite. I treat them well and they treat me well back.

Presiding Officer: Please continue.

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Detainee: I just want to make a point. When detainees throw things at soldiers or when the detainees get mad at soldiers, that is against our religion. Our religion teaches us to use good manners.

Presiding Officer: Do you regret that you became angry?

Detainee: I got angry because I was sad. When someone loses a mother, they do not want to argue with anyone.

Presiding Officer: I would like to note for the record that the Review Board has conducted a questioning session to make a determination as to whether or not there would be a necessity to report an allegation of abuse.

Detainee: Sometimes but not always, the soldiers come in and start it [harassing detainees].

Presiding Officer: Do the soldiers say disrespectful words to you?

Detainee: Sometimes there is a lot of injustice [in the detention facility]. If one detainee throws something all the detainees get punished instead of just the one who threw something or started the trouble. All the detainees are treated the same as a detainee who starts trouble or who throws things.

The Presiding Officer determined there was no prima facie case to report an allegation of abuse.

Presiding Officer: Would you like to continue with your statement Sir?

Detainee: I have nothing further to say.

Presiding Officer: Thank you for your statement.

The Assisting Military Officer did not have anything further to present to the Administrative Review Board.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Mr. Sulaiman, what is your educational level?

Detainee: Two years of high school. Eight years of education total.

Board Member: Were you ever trained on explosives while you were at the al Farouq Camp?

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Detainee: I never got to that training. No.

Board Member: What are your feelings concerning Usama Bin Ladin?

Detainee: Usama Bin Ladin is a Muslim person. I cannot deny that fact. Usama Bin Ladin needs to take responsibility for his actions.

Board Members: Do you consider Usama Bin Ladin a good man or an evil man?

Detainee: I cannot answer this question. Usama Bin Ladin is just a Muslim man.

Board Member: What are your feelings concerning the United States intervention into Iraq?

Detainee: These are political issues. I really don't understand these issues.

Board Member: Do you believe a Democratic form of Government is compatible with Islam?

Detainee: Democracy is good. A person like Sadam Hussein deserved it.

Board Member: What did Sadam Hussein deserve?

Detainee: What happened to him, he deserved it.

Board Member: Are you in contact with your family?

Detainee: About three months ago I received a letter that said two of my sisters passed away. The lawyer told me this. I have not received a letter that said this.

Board Member: Do you have a home to return to if you are released?

Detainee: Yes. The house owned by my family.

Board Member: If released, would you be able to support yourself?

Detainee: I need to do a lot of things if I am released. I need to get married. I need to find a job.

Board Member: Sulaiman, can you describe your feelings when you found out about the collapse of the World Trade Center?

Presiding Officer: Many innocent Muslims died in that incident.

Detainee: I was very surprised and shocked. I felt really bad. The people who did this, I have no idea what they were thinking. Whoever did this should take responsibility for it.

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Presiding Officer: Usama Bin Ladin has taken responsibility for the incident. So, what do you think about the incident and Usama Bin Ladin now that you know he has claimed responsibility for the bombing of the World Trade Center?

Detainee: He should be held responsible for what he did. God should punish him for what he did. He should be held accountable for his actions. But, as a Muslim, no one can say that this man is not Muslim. There are good Muslims and there are bad Muslims. Their ideas [good Muslims and bad Muslims] are very different.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, U.S. Army
Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 513

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

Detainee: If it is not, go ahead and prepare it please. If I don't have to then I don't [want] to.

Presiding Officer: You do not have to so just give me a yes or no answer. It is not required.

Detainee: No.

The Detainee declined taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's initial Administrative Review Board interview occurred on 22 September 2005 and lasted for one hour. After a review of the

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Administrative Review Board's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. The Detainee retained the Arabic translation of the Unclassified Summary of Evidence in order to prepare a written response. A follow-up interview of sixty-nine minutes occurred on 23 September 2005 to review the Detainee's written response to the Unclassified Summary of Evidence and prepare the English translation. The Detainee was not ready with his written response, but reviewed the Unclassified Summary of Evidence in more detail. The Detainee was attentive and cooperative throughout both interviews. The Detainee chose to attend the Administrative Review Board and to respond to the items in the Unclassified Summary of Evidence as each item is presented. The Detainee alleged abuse following his capture in Afghanistan. A report of abuse was submitted in accordance with OARDEC memorandum 01/2005 (Rev.2). In additional comments the Detainee said that when the interrogators first asked why he went to Afghanistan, the Detainee said that he went in order to lose weight, but they did not write it down. The Detainee said that he wanted to get married but nobody wanted him because of his weight. So, he went to Afghanistan to lose the weight and attract women. The Detainee mentioned that he had injured his knee during exercise about seven weeks ago. Although medical personnel saw him at that time, the Detainee clinic has been subsequently full. The Detainee said that the swelling in his knee is worse, but he cannot get seen in the clinic.

Detainee: I also said that you (*referring to the Assisting Military Officer and linguist*) looked at it.

Presiding Officer: That who looked at it?

Detainee: You two (*referring to the Assisting Military Officer and the linguist*).

Presiding Officer: The Assisting Military Officer and linguist looked at your knee.

Assisting Military Officer: We just noticed it was swollen.

Detainee: And the interrogators also.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Memorandum, DMO-2, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee chose to respond to each item of information from the Unclassified Summary as it was presented.

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The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board to assist the Detainee with answering the statements.

Detainee: Should I answer?

Presiding Officer: Yes.

Detainee: Is everything with you (*referring to the Assisting Military Officer*)? He has my statement.

Presiding Officer: You can answer each item as the Designated Military Officer is reading them. I am sorry but what statement [*are you referring to*]?

Detainee: It is the same statement I have given to the translator. I will not add anything more to it.

Presiding Officer: The one that is listed on the EC-B. Is that the one he is referring to Assisting Military Officer, the response that he gave you during the interviews?

Assisting Military Officer: Yes sir, unless you (*referring to the Detainee*) want to read your additional comments.

Presiding Officer: Time out. If you would like to respond to each item as he is going through it we are going to do that now. If you are going to stand with the response that is on the EC-B that is fine too.

Detainee: So, you (*referring to the linguist*) are not going to read?

Presiding Officer: We can read the response. As you (*referring to the Assisting Military Officer*) give it, if he would like to respond then he can respond. If he just wants you to read the response that was given here that is fine. We will do that.

Detainee: That would be good. If the Assisting Military Officer can read it then the linguist will translate it back to me.

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee saw and responded to posted announcements in mosques that declared a fatwa supporting training for Jihad as a religious duty.

Assisting Military Officer: In response to the allegation that the Detainee saw and responded to posted announcements in mosques that declared a fatwa supporting training for Jihad as a religious duty, the Detainee said that this allegation should be combined with the one in (4.c) and that is to recover the Prophet's clothing.

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Detainee adds: Yes.

Presiding Officer: Just for clarification if there is something else you want to add, that would be the time, once the [linguist] finishes reading it. Otherwise we are going to go to the next one.

Detainee: The second point will clarify everything.

Designated Military Officer: (3.a.2) The Detainee was recruited in Jeddah, Saudi Arabia, by Abu Mua'th, who gave the Detainee an airline ticket to Karachi, Pakistan, 3000 Saudi Riyals (\$799 USD) and a passport.

Assisting Military Officer: In response to the allegation that the Detainee was recruited in Jeddah, Saudi Arabia, by Abu Mua'th, who gave the Detainee an airline ticket to Karachi, Pakistan, 3000 Saudi Riyals (\$799 USD) and a passport the Detainee said that he had his own legal passport. If Abu Mua'th had given him a passport, it would have been a fake passport, and the passport the Detainee had while traveling was his own legal one.

Detainee adds: You should be able to ask the Saudi government or Pakistani government about my passport.

Designated Military Officer: (3.a.3) In August 2001, the Detainee traveled from Jeddah, Saudi Arabia to Qatar to Karachi, Pakistan to Khandahar, Afghanistan.

Assisting Military Officer: In response to the allegation that the Detainee traveled from Jeddah, Saudi Arabia to Qatar to Karachi, Pakistan to Khandahar, Afghanistan, the Detainee pointed out that this is only five weeks at most before the September 11th attacks. His passport has the exact date, but he said that he left Saudi Arabia in early August 2001.

Detainee adds: Yes.

Designated Military Officer: (3.a.4) The Detainee stayed at a safe house in Jalalabad for approximately three to four months.

Assisting Military Officer: In response to the allegation that the Detainee stayed at a safe house in Jalalabad for approximately three to four months, the Detainee said that this allegation is contradictory to the previous allegation, in that he was in Afghanistan for one month and ten days before the September 11th attacks.

Detainee adds: Please repeat the answer.

(The linguist repeats the response.)

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Detainee adds: Let them (*referring to the Board Members*) know that those houses do not belong to any Arab or anybody. Those houses were [for] people renting them out to make money off of them. We rented a place to stay.

Designated Military Officer: (3.a.5) The Detainee stayed at the Al-Ansar house in Kandahar to await training at Camp al Farouq.

Detainee: It is a repeat of the previous statement. I don't understand.

Presiding Officer: So, are you saying the same as your previous [response]?

Assisting Military Officer: Let me read the Detainee's response.

Presiding Officer: Yes, because it reads a little different.

Assisting Military Officer: In response to the allegation that the Detainee stayed at the Al-Ansar house in Kandahar to await training at Camp al Farouq, the Detainee said that he did not know the name of the house. He stayed two or three days at a time at a number of houses. He rented at some places; sometimes he brought food for the owners in exchange for a place to stay. The Detainee said that he has never seen al Farouq camp.

Detainee adds: Yes.

Designated Military Officer: (3.a.6) The Detainee was fighting Afghan people and the Northern Alliance while at Camp Farouq.

Assisting Military Officer: In response to the allegation that the Detainee was fighting Afghan people and the Northern Alliance while at Camp Farouq, the Detainee said that he could not be in two places at once, fighting and training. He asked if the Northern Alliance is the same that he heard of as Massoud's army.

Detainee adds: Yes.

Designated Military Officer: (3.a.7) The Detainee stayed at the Abu Mahajin or "Star of the Jihad" guest house in Jalalabad for approximately four to five weeks while waiting to flee Afghanistan in October or November 2001.

Assisting Military Officer: In response to the allegation that the Detainee stayed at the Abu Mahajin or "Star of the Jihad" guest house in Jalalabad for approximately four to five weeks while waiting to flee Afghanistan in October or November 2001, the Detainee says that this allegation conflicts with a previous allegation (3.a.4) of three or four months.

Detainee adds: Yes, correct.

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Designated Military Officer: (3.b) Training (3.b.1) The Detainee attended basic training at the al Farouq training camp for approximately two months in late summer of 2001.

Assisting Military Officer: In response to the allegation that the Detainee attended basic training at the al Farouq training camp for approximately two months in late summer of 2001, the Detainee said that he was not there. He said that the al Farouq camp closed right after the September 11th attacks, and that it was important for him to get the dates right.

Detainee adds: According to what I heard from people, but I did not see it up close. That is what I heard from other people that it was closed.

Designated Military Officer: (3.b.2) The Detainee received training on the AK-47 assault rifle, PK machine gun, automatic grenade launcher, the Rocket-Propelled Grenade (RPG) and an unidentified light anti-tank weapon.

Assisting Military Officer: In response to the allegation that the Detainee received training on the AK-47 assault rifle, PK machine gun, automatic grenade launcher, the Rocket-Propelled Grenade (RPG) and an unidentified light anti-tank weapon, the Detainee said this was not true.

Detainee adds: Yes.

Designated Military Officer: (3.c) Connections/Associations (3.c.1) The Detainee traveled to Quetta, Pakistan, where he met an Afghan man known as Muhammad Rahim, also know as Rakhim Khan. Muhammad Rahim took the Detainee to a Quetta safe house.

Assisting Military Officer: In response to the allegation that the Detainee traveled to Quetta, Pakistan, where he met an Afghan man known as Muhammad Rahim, also know as Rakhim Khan. Muhammad Rahim took the Detainee to a Quetta safe house, the Detainee said that this is the first time he saw his name and did not know anyone by that name.

Detainee adds: Exactly.

Designated Military Officer: (3.c.2) Muhammad Rahim is an al Qaida leader who was attempting to reestablish al Qaida networks in the Tora Bora region of Afghanistan, where he already controlled hidden ammunition depots. He was also trying to recruit individuals to carry out terror attacks against the Jalalabad airport and Springhar Hotel in Jalalabad.

Assisting Military Officer: In response to the allegations that Muhammad Rahim is an al Qaida leader who was attempting to reestablish al Qaida networks in the Tora Bora region of Afghanistan, where he already controlled hidden ammunition depots. He was also trying to recruit individuals to carry out terror attacks against the Jalalabad airport

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and Springhar Hotel in Jalalabad, the Detainee asked how could this man be responsible for this depot and be at all these other places? There are no planes flying back and forth between these places.

Designated Military Officer: (3.c.3) The Detainee saw Usama Bin Laden at the Al-Ansar safe house and al Farouq Training Camp.

Assisting Military Officer: In response to the allegation that the Detainee saw Usama Bin Laden at the Al-Ansar safe house and al Farouq Training Camp, the Detainee said that he has only seen Usama Bin Laden on television.

Detainee adds: Correct statement.

Designated Military Officer: (3.d) Other Relevant Data (3.d.1) The Detainee was present in the Tora Bora region and surrendered there to Afghan Forces.

Assisting Military Officer: In response to the allegation that the Detainee was present in the Tora Bora region and surrendered there to Afghan Forces, the Detainee asked how could he have been in this place and training somewhere else?

Detainee adds: Sweet.

Designated Military Officer: (3.d.2) The Detainee had in his possession, at the time of surrender, \$2,000 USD, a Kalashnikov rifle and three full magazines of ammunition.

Assisting Military Officer: In response to the allegation that the Detainee had in his possession, at the time of surrender, \$2,000 USD, a Kalashnikov rifle and three full magazines of ammunition, the Detainee said that he did not even have a slingshot.

Detainee adds: Beautiful.

Designated Military Officer: (4) The following primary factors favor release or transfer (4.a) The Detainee claims he was responding to a fatwa that requires all Muslims to train and be prepared to defend Islam at any time. He intended to return home after learning of the attacks of September 11, 2001.

Assisting Military Officer: In response to the allegations that the Detainee claims he was responding to a fatwa that requires all Muslims to train and be prepared to defend Islam at any time. He intended to return home after learning of the attacks of September 11, 2001, the Detainee said that this point is the same as for the first commitment point in that neither point is true.

Detainee adds: Correct.

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Designated Military Officer: (4.b) The Detainee states that he does not have any association with al Qaida and never heard anything about al Qaida at Camp Farouq until after the war started.

Assisting Military Officer: In response to the allegation that the Detainee said that he does not have any association with al Qaida and never heard anything about al Qaida at Camp Farouq until after the war started, the Detainee said that this is true. He never heard of al Qaida until he came to Cuba.

Detainee adds: Very nice.

Designated Military Officer: (4.c) The Detainee states that his initial report of training at al Farouq was just telling the interrogators what they wanted to hear, and the truth is he was attempting to retrieve the clothing of the Prophet Mohammed from a shrine in Afghanistan with financial backing from a prominent Saudi Arabian businessman.

Assisting Military Officer: In response to the allegation that the Detainee states that his initial report of training at al Farouq was just telling the interrogators what they wanted to hear, and the truth is he was attempting to retrieve the clothing of the Prophet Mohammed from a shrine in Afghanistan with financial backing from a prominent Saudi Arabian businessman, the Detainee said that this is the truth that he told the interrogators.

Detainee adds: Yes and Gods prayers upon him (*referring to Prophet Mohammed*).

Designated Military Officer: (4.d) The Detainee denies taking the al Qaida oath while at Camp Farouq.

Assisting Military Officer: In response to the allegation that the Detainee denies taking the al Qaida oath while at Camp Farouq, the Detainee said that he has never seen Usama Bin Laden and never swore an oath at Camp Farouq.

Detainee adds: Yes.

Designated Military Officer: (4.e) The Detainee denies having any knowledge of the attacks in the U.S. prior to their execution on September 11th, 2001. The Detainee also denied knowledge of any rumors or plans of future attacks on the U.S. or U.S. interests.

Assisting Military Officer: In response to the statement that the Detainee denies having any knowledge of the attacks in the U.S. prior to their execution on September 11th, 2001. The Detainee also denied knowledge of any rumors or plans of future attacks on the U.S. or U.S. interests; the Detainee said this was all true.

Detainee adds: It is all true.

Detainee: Are we going to go into the classified portion?

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Presiding Officer: No.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Presiding Officer: Assisting Military Officer does the Detainee want to present any information to this Administrative Review Board including a written statement, oral statement, witness statements prepared on his behalf, or for you to speak on his behalf?

Assisting Military Officer: Yes sir. The Detainee has a written statement that I think he would like to read.

Presiding Officer: At this time, this is when we would have read your [comments] (referring to the Assisting Military Officer additional comments), but since you already read them we will dispense with that. You may begin your statement.

The Detainee made the following statement:

(The linguist read the following from a piece of paper given to her from the Detainee:)

Linguist: In reply to the Unclassified Summary.

Detainee: I have already replied to the Unclassified Summary.

(The linguist read the following from a piece of paper given to her from the Detainee:)

Linguist: The Detainee's behavior in the detention facility.

Detainee: You can go back and check my files about all of my behavior information in the detention facility.

(The linguist read the following from a piece of paper given to her from the Detainee:)

Linguist: Explain or clarify why you are not a threat to the United States and its allies.

Detainee: This issue was included in many points. First, [I] am very well known in my neighborhood with my people about my good behavior. Second, [I] have never entered any police station before. Third, [I] am very well known to help others. Fourth, [I] have tried very hard to be a refugee to the United States, but I had bad luck and that did not happen. Unfortunately that did not happen. Fifth, the most important goal to me and the closest thing to my heart is for everyone to be happy and for everyone around me to be

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happy and satisfied and I want to be a part of that happiness. Sixth, I have been detained here for four years and I treated all of the guards very nicely, especially the female guards. I loved treating them nicely all the time. Thank God I made you (*referring to the Board Members*) smile. Thanks be to God that I made you smile. Hopefully I will be innocent of all of this.

(The linguist read the following from a piece of paper given to her from the Detainee:)

Linguist: Why should I no longer be detained?

Detainee: First, they never stated any allegation against me...they never proved any allegation against me. Second, all of the evidence against me does not have any fact in them or are not proven to be facts. Third, if the United States wants to really be democratic, or if they allege democracy, then all of this that is happening here is unjust alleged democracy. Fourth, what the United States did here by hiding us from the view or people's eyes, from the media, this is an action done by mobs run by Jews. Fifth, in summary there is no reason to detain me at all. If there is any reason to detain me here they can present those reasons to the court and the court should judge me. But, the United States, unfortunately, does not have any reasons to detain me here...but for their selfishness, they are trying to keep me here for no reason at all. The United States does not like people telling her that you have done this and you have done that. Unfortunately all of these actions of the United States will make the United States feel very guilty for their foolish acts.

(The linguist read the following from a piece of paper given to her from the Detainee:)

Linguist: Do you have any questions for the board?

Detainee: The only question I have for the board, and the question almost asks of its self, [is to] please stop this joke, this unfortunate...just stop this mockery. Thank you.

Presiding Officer: Does that conclude your statement?

Detainee: Yes.

Presiding Officer: Did you wish to present your statement or did you just use it for reading?

Detainee: If you want it you can have it or write it down, but I want it because it may benefit me one day. You can have a copy of it and give me the original back. Whatever you find appropriate you can do.

Presiding Officer: Assisting Military Officer go ahead and make a copy of it and we will wait until you are done with that so we can give it back to him and verify that [the Detainee] is getting everything back.

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Assisting Military Officer: Are we going to take a recess?

Presiding Officer: We are just going to take a moment while you go out and make a copy. That way I can confirm that he gets everything back.

Detainee: Do you (*referring to the Designated Military Officer*) want to put all of those allegations against me?

Presiding Officer: The Designated Military Officer just represents the U.S. in presenting the information that we have gathered.

Detainee: I thought he (*referring to the Designated Military Officer*) was the one that made me wear these clothes.

Presiding Officer: No.

The Assisting Military Officer presented the Detainee statement, Exhibit EC-C, to the Administrative Review Board.

Presiding Officer: [Detainee] just confirm that he gave you everything back and this is exactly what you want presented.

Detainee: Yes.

Presiding Officer: There is one spot on here that says Detainee's signature.

Assisting Military Officer: (*Request that the Detainee signs Exhibit EC-C and the Detainee complies.*)

Presiding Officer: We will just need to make sure OL-7 confirms the translation. Does that conclude your statement?

Detainee: I want to know about the other session that the [Designated Military Officer] requested with the board. Am I going to be present or is it just enough for the Assisting Military Officer to be there?

Presiding Officer: The Classified Session that you are referring to that the Designated Military Officer requested is information that other governments have provided and the Board does not have the authority to change the decision to allow you to sit in on that, so the Assisting Military Officer will be present to represent you.

Detainee: Am I going to be notified about the session afterwards?

Presiding Officer: The Classified Session? No, you do not have access to that information.

Detainee: I trust my Assisting Military Officer.

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The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: How long were you in Afghanistan?

Detainee: I mentioned it before.

Board Member: Four months?

Detainee: It shows that you were not listening to what I was saying.

Board Member: Refresh my memory.

Detainee: I would like my Assisting Military Officer to speak on behalf of me to answer these questions.

Board Member: He does not know the answer.

Detainee: I came in the month you mentioned, August, before September and that is when I came.

Board Member: When did you leave?

Detainee: I am not sure exactly, not in the beginning, but maybe the 7th or 8th of August. You can [find out] by my passport.

Board Member: When were you captured?

Detainee: On the 29th of Ramadan.

Board Member: Linguist, can you tell us when that was.

Linguist: It changes from...

Board Member: I got it. Who was the prominent Saudi Arabian businessman that sponsored your trip? What was his name?

Detainee: I can't tell you because it has to do with me. It is an easy question, but I don't think it needs to be answered.

Board Member: You don't think it would be helpful if he would send some...

Detainee: It is a special kind of thing between him and me and I don't want to harm him in anyway.

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Board Member: Why would that harm him?

Detainee: Because it is the clothes of the prophet and it is considered to be historical artifacts and it is not legal or allowed to do that kind of work.

Board Member: I don't have anything else.

Detainee: Are you convinced though?

Board Member: I am convinced!

Board Member: Where is this shrine in Afghanistan that has the prophet's clothes?

Detainee: The big mosque in Kandahar. Even a Mullah Omar has taken the clothes with him when he ran off. You cannot find them.

Board Member: I am not interested in finding them. We know you did not have a slingshot when you were captured, but did you have \$2000 USD and a Kalashnikov on you when you were captured?

Detainee: No. I had more. What would I do with just \$2000? I did not go there to buy Pepsi. I went there to buy a big, valuable, historical artifact so I had to pay this guy to take me there, this guy, I had to pay a lot of people [to] take me places. Do you know how much the clothes of the prophet are worth? Do you have any idea?

Board Member: No, I don't, but I could imagine.

Detainee: If I was able to bring those clothes, to get my hands on them, I would be more popular than Michael Jackson.

Board Member: Where were you captured?

Detainee: I was arrested in Jalalabad.

Board Member: How long were you in Jalalabad? Was it for 3 weeks or 3 months?

Detainee: What do you think?

Board Member: I have no idea I am asking a question.

Detainee: I did not stay any longer than 2 weeks in Jalalabad.

Board Member: When you read your statement you said that you were well known. Is that back in Saudi Arabia?

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Detainee: I am known if you ask about me. You can tell who is good or who is bad. You can ask the police, the neighbors; if someone is so-so they know and if someone is a good person they know. Plus, I live in the city and I did not live in the village.

Board Member: Are you well known in the city?

Detainee: Yes, I am known, but I behave very well. I give people advice. I am known for that.

Board Member: Could you get any police or any authorities to write a letter on your behalf and send it here? Have you tried to do that?

Detainee: I have tried. I have sent 70-80 letters, but the military would not cooperate with me to send them. They tell me that I have letters, but I don't know why they don't give me my mail. I want you to help me with this issue.

Board Member: We do let the media into this prison too. They have been here many times. We are not hiding this operation from the world. The world knows what is going on here.

Detainee: Lately. Lately I know, but before I don't think so. I disagree with you. But, a disagreement in an opinion does not mean that...

Board Member: It is no big deal.

Presiding Officer: What training did you receive at al Farouq? You said what you did not receive, but what training did you receive?

Detainee: I did not go to al Farouq to get any training.

Presiding Officer: Okay. You said it was wrong to...it says here that you were attempting to retrieve the clothing of the Prophet Mohammed, but now you say that is not legal?

Detainee: Yes, it is not legal.

Presiding Officer: So, this was an illegal act that you were going to engage in?

Detainee: It was the chance of a lifetime.

Presiding Officer: You said that you had more than \$2000 USD on you when you were captured or surrendered, but you did not say how much.

Detainee: Think about how much money I would have had on me. In your opinion [how much money did I have on me]? Work with me. Just think about how much money I would need. Predict...

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Presiding Officer: I can't imagine so I am not going to guess.

Detainee: It is not important.

Presiding Officer: Do you have a lawyer at all because you made some comments?

Detainee: No and thank God.

Presiding Officer: You made some comments that led me to believe that you might have had one. That is why I am asking.

Detainee: If I am innocent I don't need a lawyer. Usually the guilty person needs a lawyer. Is there another session?

Presiding Officer: There will be a classified session as we spoke about earlier.

Detainee: When will I be given results?

Presiding Officer: I am going to cover that.

Detainee: Are you going to cover that now?

Presiding Officer: Yes.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, U.S. Marine Corps
Presiding Officer

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(Revised 14 Nov 05)

Summary of Administrative Review Board Proceedings for ISN 516

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee declined taking the (Muslim) oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee's ARB interview was conducted on 11 November 2005 and lasted 42 minutes. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. The detainee stated he understood the difference between the CSRT and the ARB. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee stated he would attend the ARB, and wished to respond to each statement of information in the Unclassified Summary of Evidence after it is presented. The detainee was very cooperative, attentive, and cordial

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throughout the interview. A copy of both the English and Arabic translated Unclassified Summary of Evidence was provided to the detainee upon his request.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2, other unclassified information to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

Designated Military Officer: The detainee responded to a fatwa that requires all Muslims to train and be prepared to defend Islam at any time.

Detainee: I was not responding to a fatwa. I mentioned to interrogators before that I went there to train to defend my homeland, my country and my people. As you know before my country was occupied by Iraq and a lot of my family was exposed to killing and they were killed. So I went there to fight to defend my country. The year of 2000, Iraq was kicked out, the United Nation inspectors [were] kicked out of Iraq and they were threatening to invade Kuwait again, so that led me to do this.

Designated Military Officer: A senior al Qaida facilitator identified the detainee as training at the al Farouq camp in Afghanistan in 2000. The facilitator said he often saw the detainee prior to 11 September 2001 but that he had not heard anything about him since September 2001.

Detainee: Maybe there was a mistake in the print. I think they meant 2001 not 2000. Because in 2000 I was in my country with my family and I had things to do then with my family in my country. It said he saw me before September 11th, maybe two months before September 11th he saw me there before the American Forces. Because I got to Afghanistan in July 2001. I think there is a mistake in the print.

Designated Military Officer: The detainee was at al Farouq from July-September 4, 2001.

Detainee: Yes. I clarify to you I went there to train to defend my family and my country. Because it was personal and I have mentioned it before that there was no chance for me to train in my country. There wasn't military recruitment in my country at the time. In

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addition, I did not want to be a soldier all my life I just wanted to receive some training to defend my family. [In] my country it is only a job to be a soldier.

Designated Military Officer: The detainee was questioned in 1997 by a foreign government service because they wanted to know why the detainee's phone number was found in the pocket of a man who protested against that foreign government.

Detainee: I did not understand this point very clearly but I know that in February 1998 I was requested by the Saudi government; and they came and asked me about this person and if I knew the phone number of this person.

Designated Military Officer: In the summer of 2000, three months prior to leaving for Afghanistan, the detainee began working as a volunteer for the Islamic Relief Organization, based out of Jeddah. He volunteered twice weekly in the finance department.

Detainee: Once again there is an error made in this point, it should be summer 2001. I worked as an official worker there, in their training, not as a volunteer. It is based in Jeddah but I worked in Damman. The main base for that company is in Jeddah. We can call it [a] financial department, not a problem but it was like accounting. I was employed by the government under training there.

Presiding Officer: You were employed by the Kuwaiti government under training?

Detainee: Saudi [government]. I got this job through the training employment office. I was promised to have a stable job through the government working for that organization.

Designated Military Officer: The detainee stayed at an Arab house in the Haji Habash neighborhood of Kandahar.

Detainee: Yes.

Designated Military Officer: The Haji Habash house is an al Qaida maintained safehouse. The house was typically used for Arabs going to military training.

Detainee: I do not [know] anything about who ran this house. I know that this house was connected to [the] training camp. [It was] like a resting point for [the] training camp.

Designated Military Officer: A person that went to Afghanistan to join the drug trade identified the detainee as issuing a fatwa against the United States and talking about jihad against the United States once the detainee is released.

Detainee: I'm just a regular person. I did not issue any fatwa. This person is a liar. I disagree with this statement. Not just detainees here can be witnesses, but also the soldiers and interrogators that I am not such a person that would issue... . Everyone that

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knows me, they like me and know who I am. You can ask the force at Camp 4 they know me very well [because] I lived there for two years.

Designated Military Officer: The detainee was arrested in 1998 for involvement in protests against a foreign government service, and placed on a travel restriction list issued in November 1999.

Detainee: In 1998, I was requested to come in and [was] asked about the previous point and the same person that was mentioned before. I spent just a short time with [the] general interrogators dealing with the issue [or] the point mentioned before. I was asked if I was involved in this and I said no and I answered all their questions.

Designated Military Officer: In August 2001, the detainee traveled by bus from his hometown of Dammam, Saudi Arabia, to Manama, Bahrain, where he continued his trip by air to Karachi, Pakistan.

Detainee: Not in August; in the beginning of July.

Designated Military Officer: The detainee chose this route because he was not allowed to travel outside of Saudi Arabia and it was common knowledge that Saudi immigration and border officials rarely scrutinized the passports of individuals traveling by bus through this particular checkpoint.

Detainee: It is not as simple as they put it down to pass through those points and getting an Iranian passport or going through their checkpoint or immigration point is not simple. It is very difficult. The passport procedures are all done through the computers.

Designated Military Officer: Usama Bin Laden came to speak at al Farouq camp three weeks after the detainee arrived. Attendance to the speech was encouraged, but the detainee did not attend due to fear of being investigated upon return to Saudi Arabia.

Detainee: Yes, he was a suspected person. I did not want to expose myself to problems. The best thing for me was not to attend and I am happy that I chose not to go.

Designated Military Officer: A guide that the detainee hired to help him leave the country via Jalalabad said it was not safe so he took the detainee to the Tora Bora Mountains and turned him over to a group of approximately 65 Arabs traveling toward the border on November 14th.

Detainee: Yes, this is true. When the war started the borders were closed and I couldn't go back to my country. Because the war happened and surprised us. This person [mentioned] I paid him because he was capable of passing [through] the borders. When he wasn't capable of crossing me over the borders he told me there was a group of Arabs and they would be able to help me. He sent me to an area where there were Arabs and I stayed there for a month.

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Designated Military Officer: The group stayed in the Tora Bora Mountains for the entire period of Ramadan.

Detainee: Yes, I did stay with that group through the entire Ramadan time period. But that group, [they] were not fighters they were just civilians. Some of them were teachers, some of them were running away from the war and just regular civilians who were trying to get back to the Pakistan Embassy so they could get back to their homes.

Designated Military Officer: On the 29th of Ramadan, two guides were going to take the group to the Pakistani border, when intense bombing started. The detainee was wounded. He stayed three days in a valley with the other wounded before a group of Afghans picked them up.

Detainee: Yes.

Designated Military Officer: The detainee turned himself in to the Northern Alliance and was taken to a hospital in Jalalabad where he stayed for one and a half months.

Detainee: I didn't turn myself in but I went to the Northern Alliance and asked them for help. They took me, they helped me and they took me to the hospital. They treated me for about a month and a half.

Designated Military Officer: After his hospital stay, the detainee was turned over to the United States and transported to Cuba two weeks later.

Detainee: When I was at the hospital, I asked the Northern Alliance to help me to get to the Embassy in Pakistan but they were not capable of doing that. So, I asked them to take me to the American authorities so I can ask them to take me. In about a month and a half I was transferred to Baghran.

Designated Military Officer: The detainee had two cousins who took up arms against the Iraqis during the 1990 Gulf War. They were taken prisoner by the Iraqis and have not been seen since.

Detainee: Yes.

Designated Military Officer: The detainee's two missing cousins and watching innocent Kuwaitis being killed caused the detainee to think about getting military training to protect his land in case of a similar invasion. The detainee said that based on the teachings of Islam, it was his duty to prepare for the possibility of war.

Detainee: Yes. I was worried that the war would move back to my country.

Designated Military Officer: While at Farouq, the detainee did not attend Usama Bin Laden's speech because he does not agree with Usama Bin Laden's teachings nor does he respect him as a religious leader.

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Detainee: That's correct. I do not have the religious capabilities to issue a fatwa we have religion scientists who are capable of...Equipment...scientists...an official with the government. I don't need to listen to the extremist side.

Designated Military Officer: The detainee understands that America is trying to protect herself and has faith that it will be discovered that he was just in the wrong place at the wrong time.

Detainee: That is why I don't hold them responsible for me being here. I think it was just me being in the wrong place at the wrong time and they were just doing their duty.

Designated Military Officer: The detainee denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee: Yes.

Designated Military Officer: The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11, 2001.

Detainee: Yes, that's correct.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Assisting Military Officer stated that the detainee would like to make an Oral Statement.

The Detainee made the following statement:

Detainee: [I have] a letter from my family. It is directed to the Americans. If you would allow me or the linguist to read it?

Presiding Officer: Was this letter brought to either of the interviews?

Detainee: No I didn't, but I pointed it out and told them about it.

Presiding Officer: Can we keep a copy of this letter?

Detainee: Yes. (The detainee read the letter at this time.) From the time I left my house it has been five years. It disconnected me with the past a lot. The time has come to

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forget the past and start [a] new life. All my thoughts right now, all my thinking is about the future and not the past. I hope to build my future, to build my life from the beginning. To forget this one I have lived. I do not hold any hatred or any hostility towards [the] Americans or anybody. I am peaceful and I am a person who loves peace. I hope I will return back to my house as soon as possible.

The Assisting Military Officer submitted a Letter from the Detainee's Family, Exhibit EC-C.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: You mentioned you had been gone from your home for five (5) years?

Detainee: Yes, from the time I left my house until this time it has been five years, four and half, maybe five years. From July all the way to this point.

Board Member: What type of training did you receive at al Farouq?

Detainee: Self-defense.

Board Member: Were there any ramifications for not attending Usama Bin Laden's speech?

Detainee: I only had to stay in my tent to rest [and] wash my clothes or do something personal. Everyone wasn't forced to go.

Board Member: Why did you choose to take the route through Pakistan to get out of Afghanistan rather than some other route?

Detainee: There was only a couple of ways through Pakistan or Iran. I wasn't allowed by my country to go through Iran that is why I went that way. That is the way I came from. I came through Pakistan and Pakistan has my embassy there.

Board Member: Is there not a Saudi Embassy in Afghanistan?

Detainee: Even if there was, because the war started.

Board Member: You weren't allowed to go to Iran by your country, but you were allowed to go to Afghanistan?

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Detainee: My country believes in the Afghanistan government. It was [also] a belief by United Arab Emirates,...all of them until the war started then they retreated the relationship with my government according to my knowledge.

Board Member: Was the man that you were associated with from the late 1990s protesting against Saudi Arabia?

Detainee: I do not understand the question. I do not know the answer.

Board Member: What would it mean to you to go back to Saudi Arabia? What do you think will happen? Will there be any problems?

Detainee: No, there is no problem.

Board Member: Do you speak a little bit of English?

Detainee: Yes.

Board Member: How well do you speak English?

Detainee: I can understand the whole conversation, but I have a problem with the speaking. I studied in High School, but I never tried it, I never used it until I got here. Dealing with the Military kind of improved my English language. I understand but the responding or speaking is kind of broken.

Board Member: You can understand the questions that I ask?

Detainee: Very well.

Board Member: Your home country is Saudi Arabia. Is that correct?

Detainee: Yes.

Board Member: Were you on a travel restriction?

Detainee: In Saudi Arabia?

Board Member: Yes.

Detainee: I wasn't notified officially about this matter.

Board Member: Did you know that you could not travel outside of Saudi Arabia?

Detainee: I knew just general knowledge that during interrogation that they [would] give us a temporary until the interrogation is finished and after that when someone is released

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they are free to go whenever they want. I was never officially notified that I was forbidden to travel.

Board Member: So, when you went to Pakistan you didn't think you were doing anything wrong?

Detainee: Officially I went to Bahrain and then Pakistan.

Board Member: When you were in Tora Bora did you have a weapon?

Detainee: No, not even a military uniform.

Board Member: Did any of the other Arabs you were with have weapons?

Detainee: No.

Board Member: Nobody had weapons?

Detainee: To clarify, the first day of Ramadan I went to Tora Bora and I stayed there until the end of Ramadan. The mountain behind Tora Bora is called Daud Mountain or David Mountain [and] I saw the war below. The place I was in was like a village area. We didn't get bombed until we start[ed] crossing the borders then we didn't know what villages were there.

Board Member: When you arrived in Pakistan and you made your way to the safehouse in Kandahar how did you know about the Habash house?

Detainee: The person I hired got me to that place. Plus any taxi point if you tell them Haji Habash they will take you right there.

Board Member: How long were you there?

Detainee: I was kind of pressured or forced to sleep here. I had no other place to go instead of going to a hotel. A few days I would go to the market or to the hospital. I only stayed there for three days [and it was] just nights I would stay in that house. In the daytime I would be at the market or at the hospital or making phone calls, personal things.

Board Members: You were there for just a few days?

Detainee: I wouldn't say days, I would say visits. Approximately four to five visits. Maybe one visit would be like a night. It has been a long time and my memory isn't good.

Board Member: You said it was a place for other Arabs to wait for the training camp?

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Detainee: According to my understanding it was generally for Arabs before going to training. It provided Arab food. Things were provided by donation through the Islamic religion.

Board Member: You had to know that there were al Qaida people there?

Detainee: Honestly, I did not know what al Qaida was until during the attack [and] bombing on Tora Bora through the radio. Before I had no idea about al Qaida.

Board Member: What in the past do you want to forget?

Detainee: Being injured, detained, [and] being far away from my family; those [types of] things. Especially now the government in my country has changed and it would make me want to go to my country more and live a new life. In my country there is a strong economic revolution and that pushes me to want to go there and live there.

Presiding Officer: I don't believe that you never heard of al Qaida.

Detainee: This is up to you.

Presiding Officer: You're living in Saudi Arabia, you want to defend your country, you don't want to join the military and so all the different ways you can choose to defend your country you choose to go to al Farouq.

Detainee: To the training camp. I didn't know about al Farouq.

Presiding Officer: Al Farouq trained al Qaida to kill.

Detainee: That wasn't written about it. All I know [is that] there were a lot of people in al Farouq training.

Presiding Officer: Yet you knew when you were there that Usama Bin Laden is bad [and that] you should not listen to his speech, yet you go to his training camp in Afghanistan.

Detainee: If you review my interrogation papers you would know that I had no idea who that camp belongs to. To my knowledge, Usama Bin Laden was just a guest and he would give a speech and just leave.

Presiding Officer: Where did you think the people being trained at al Farouq were going?

Detainee: Most of them I know were going to fight the Northern Alliance. Some of them that I know just wanted to get their training and go back to their country. In our religion it is our duty to defend our land [and] our people anytime.

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Presiding Officer: That is what al Qaida does. They train people and they send them back to countries where later on they use that training to kill innocent people.

Detainee: I don't have any idea.

Presiding Officer: Why did you choose al Farouq?

Detainee: I stopped answering questions. It's like it turned into [an] interrogation. Three years of interrogation is enough for me.

Presiding Officer: I am not an interrogator. I am trying to make a decision about whether you stay here, you go to Saudi Arabia, whether you are detained there or you are released. I need to understand, because the reason you are here is because you trained at al Farouq. If you want to defend your country, al Farouq is a very strange place for a Saudi Arabian man in the summer of 2001 to go to defend Saudi Arabia. I need to understand that in order to make a recommendation. You can choose not to answer questions, but I need to understand to make a recommendation. How did you find out about al Farouq?

Detainee: Like I mentioned before, I was in the wrong place at the wrong time.

Presiding Officer: You're in Saudi Arabia, it's 2000-2001; how do you find out about al Farouq?

Detainee: Review the interrogators papers.

Presiding Officer: You tell me, how did you find out about al Farouq?

Detainee: I am not ready to answer that.

Presiding Officer: You should.

Detainee: I'm sorry.

Presiding Officer: You can just tell me did you hear about it, did you read about it, did someone tell you at a mosque? How did you find out about al Farouq?

Detainee: I mentioned it before that I was asking at the time where can I get training, in my country, anywhere and someone at the mosque told me that they were offering training in that place and that's why I went there.

Presiding Officer: Did you pay?

Detainee: No.

Presiding Officer: Who supplied the money?

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Detainee: I used my own personal money.

Presiding Officer: What kind of training did you get there?

Detainee: Self-defense [and] very light weapons.

Presiding Officer: Did you shoot weapons there?

Detainee: Maybe ten (10) bullets.

Presiding Officer: Kalashnikov?

Detainee: Yes.

Presiding Officer: Did you ever carry one outside of al Farouq?

Detainee: No.

Presiding Officer: Did you ever fight anybody?

Detainee: No.

Presiding Officer: What do you plan to do if you go back to Saudi Arabia?

Detainee: Like I mentioned before I would like to start a new life. Maybe open up a new business, my own bakery. I also want to get married. I want to start a new life.

Presiding Officer: Will you go back and go to training to support the Taliban if they fight the Northern Alliance again?

Detainee: I didn't agree with the Taliban before and I disagree with their ideology, also.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

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AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Captain, USN
Presiding Officer

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**CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY
COMBATANT**

ISN 516

Exhibit#	Date	Classification	Guantanamo#
EC-C1	8/31/05	UNCLASSIFIED	GUAN-2005-I01350

20553

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**Enclosure (4)
EC-C
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Type:	letter	Format:	INCOMING
Letter Number:	GUAN-2005-I01350	ISN: JJJ	EAF
Date Translated:	20050830	Mail date	20050725
Sender's Name:	MOHAMMAD ABDULRAHMAN AL-HARBI		
Addressee:	GHANIM ABUL RAHMAN AL-HARBI		
Address:	P.O.BOX1151		
City/Zip code:	DHAMMAM 31453	Country:	SAUDI ARABIA
Language:	ARABIC	Family:	Yes
		Linguist Code:	89

Page #1

GUAN-2005-I01350

19/6/1426H.

In the name of Allah the merciful the compassionate

To my darling, the best to my eye and the illumination to my heart: Ghanim, may Allah protect you, and look after you,

Peace be upon you, Allah's mercy and blessings;

We are all fine, healthy and strong, we are optimistic that soon you will be released-Allah willing-

The good news that we got; was the release of the three Saudis, which they have reached the land of the kingdom, and they delivered your regards to us, and your request to send a lot of letters, and prayers.

(Redacted) Ghanim, *(Redacted)* express their feelings , that is not from our religion , for that leads to suicide " the prophet-Allah's peace and prayers be upon him- *(Redacted)*" our hopes is heaven not hell, don't forget that your mother is waiting for you, and she prays day and nights, and she suffers just like you do, do not disappoint her , let it be known to you that Allah will support the patients, and victory is with patience , and the devout will be victorious.

P.S (I swear by Allah, that this news is correct,- your release and handing you over to your home countries- do not rush)

Your waiting mother.

In the name of Allah the merciful the compassionate

I bring you the glad tiding that I'm well, praise is due to Allah, and all I miss is your presence here, I really miss you, miss your kindness, and your pure heart, I miss your laugh, joy nice jocks, by Allah you never left my mind, you are the only one in the family that never upset me , and never accept it when some one bothers me.

Ghanim You really never been harsh on me, or you ever bothered me, you were always kind hearted soft with your feelings toward me. What I don't know is why up until now *(Redacted)*.

Ghanim, you are my brother, the closest brother to me, you are kind, your heart is pure, and you don't have any hard feeling for any one, no matter what.

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Do you remember your good treatment to us and my siblings, you were like a *(Redacted)* father to us, I remember when I get sick you would stick around me until I get better.

I remember how kind you were to the Maid , the one who was working for us, even though she was not a Muslim, she was a Christian , but still , you would not over work her, how kind you were with her.

Ghanim, do you remember my cats, do you remember when you gave them their names, and do you remember when you used to feed them with me behind the house!

Ghanim, by Allah, I don't know why all that is happening to a good person like you.

I hope they read my letter and they will know that you are not a villain and you have nothing in your heart, no evil for any one, and that you are a good loving person and you like what is good for all mankind.

You are a good person, why are they holding you! Until now!

You are peaceful person, you don't like to hurt any one, *(Redacted)* you and have mercy on us. for you are the second father to us, and we don't want live without you.

Brother- my second father-: if you wonder about me, praise is due to Allah, I became a clerk in computer and English I institute, finally I became an employee. About my conditions, as for the photo shop, I became creative, and I have my designs .

On a program called "Switch Max" and it is a program to create flashy styles that is my news.

Finally, I pray to Allah- the High the supreme, that you come back to us, I hope that the American, to have mercy on *(Redacted)*, and they would know how a kind person you are, and that you don't have an evil heart, ever, and that you went to Afghanistan because you love to do good, and help with charities and humanitarians, you are a normal and sociable person, and you only went there to do a charitable work, and come back to us..

You told us before you went, that you are coming back to get married, and propose to the bride of your choice. Ghanim: we are waiting for you, impatiently, your bride is waiting and the new home is waiting.

Your sister

Nani -Noga bil Karamel-Norah

Page#4

A photo of a young man with a cat'

GUAN-2005-101358

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

5002 / 1117

أشرك أبي خبير بالله محمد واني لن ينقصني إلا وجهك عني .. نانا جده آمنقن
و آمنقن طيبة قلب الصابي و لظاهر .. و آمنقن ضحكك و فرحك و نكتك الجملة
و الله لم تقب من بابي و اذ اعلم بابي انك انت انسان لو جده في لعائنك لذي لم
يؤمنني و لذي ضمني به اهد انت يضاليني ..

وانك فعلا يا غامم انك بعون لم تكن قاسي علي امرالك في يوم تمت بمصائبني
كم كنت عني حبيب لقلبي ربي لمشاعر عني لا اعلم لماذا اهم اليك اني لم يطفوا
سراحتك .. غامم ايتها اخي و اقرب اخ لي انت جدي طيب و قلبك ابيض .. ولا
تحن في قلبك اي شراي احمد و هما كان ..

كم كنت اذكر معاملتك الطيبة لنا و لظهرك كنت لنا كالأب لثاني لنا كم كنت اذكر
عندنا امراض كنت تكافا علي و تاملت ربي حتى انا
كم كنت اذكر رحمتك و عبادتك التي كانت تعمل عندنا التي كانت تعمل عندنا بالرغم اننا
ليست مسلمة و كانت مسيحية .. لكن كنت لادرك وجهه عندنا عمل اكثر .. ان حاتمنا
كم كنت رحيم القلب علينا ..

غامم .. اذكر حططني اذكر عندما تمت اشمسيتون .. اذكر عندما كنت لاطهون انا
رأيت جلد المنزل و الله يا غامم اني كلما اذكر لماذا يحسن لالهذالك .. انت انسان
حبيب ..

أعني منهم ان يراوا رسالي لصد و ان يعلموا انك انت لست شرير و انك
لست تحمل في قلبك غير اي احمد اي شر و انك انسان حبيب الخير و قلبك زغال
الإنسانية ..

انت انسان حبيب لاد اعلم لماذا يحططونك و الى الان ..
انت انسان مسام و لا تحب ان تادي لي شخص يا اخي اعني منهم ان يطفوا
سراحتك و ان يحطوا بنا لانك انت الاب المتقي لنا و نحن لا نزيد لحياة مادحت
لست بيننا ..

أخي و اني الثاني .. و اذ كنت تسأل عن اخبارك فانه حبيب و الحمد لله اصبحت
من طفت في صديقه لهد استك الحاسب و الله الاخير و اصبحت من طفت ..
و احوالي و الحمد لله تمام .. بالنسة للموتوشون اصبحت مبدلة أكثر و اصبحت اغل صابم

UNCLASSIFIED

GUAN-0005-I 01350

على برنامج اسمه سميتش بكس .. بعد ما بيع لعمل القمامة الفلاش .. هذه
أخباري الجديدة ..

وأخيراً .. أتمنى من ابن سميتش أن يجمعنا بك وأن يرجع لنا .. وأخيراً ذلك
من الأمريكان أن يجمعوا بنا وأن يعلموا أنك إنسان طيب لا تحل لشرفي نيلك
أبداً .. وأنت ذهبت إلى أغانستان لذلك قلب كبير وكلي تعني في الإطمان خيرية
والإنسانية .. فانه إنسان عادي راجعني .. وأنت ذهبت فقط لتقوم بالأعمال
الخيرية [] بعد ما رجعت لنا .. فقد أخبرتنا قبل ذهابك أنك سترجع لكي
تتزوج بعدها وتطبخ لعمومنا لكي اجتمعنا ..

غائم .. نحن بانتظارك بأحر من الشوق .. وروسك بانتظارك لمبيت
الجديد أيضاً بانتظارك ..

أختي
ناني - نوننا بالكراميل - نفور

Aug 1 2005

UNCLASSIFIED//~~FOUO~~

Summary of Administrative Review Board Proceedings for ISN 532

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Detainee has declined the assistance of the Assisting Military Officer and opted to speak openly to the Administrative Review Board.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the (Muslim) oath.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2, other unclassified information to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

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UNCLASSIFIED/FOUO

The Designated Military Officer read the Unclassified Summary of Evidence to the Administrative Review Board.

Designated Military Officer: The Detainee stated Nasser Khan conscripted him into the Taliban.

Detainee: Yes, this is true. This man kind of forced me. I was compelled to go and work for a while for them.

Designated Military Officer: The Detainee identified Abdul Nasser Khan as an intelligence officer for the Taliban with offices located in Mazar-e-Sharif.

Detainee: I just knew that he was working for Taliban. What kind of job he was doing, I wasn't aware of that?

Designated Military Officer: The Detainee stated that he was a Taliban security guard, cleaner, recruiter and soldier. He was last based in Konduz but also worked in Mazar-e-Sharif, Sheberghan, Sar-e-Pol and Imam Saheb.

Detainee: Yes, this is true. I was [a cleaner] and I also was a security guard for them. [I did not] recruit other people. I was forced to work for them. When you force somebody to work? You wouldn't trust them. They wouldn't trust me. I didn't have the authority...I didn't want [to.] I was looking for a way out, myself. How am I going to recruit other people into [the] Taliban organization, while they controlled me to work for them? I just [cleaned.] Yes, I [worked] in [those] other cities, [but] as a cleaner...or as a security guard.

Designated Military Officer: The Detainee stated that he had provided the Taliban with information regarding other village members.

Detainee: That's how it worked with the Taliban. Usually, Taliban would [come] to people's homes and force the young men or sons to go and join them. Somebody reported me; one of our neighbors reported me. They (*Taliban*) came and asked my father, "Do you have a son here young enough to join us?" They took me...they forced me out of my house. I just...in order to take revenge, I told them, I told the Taliban "Our neighbor has two sons, too. Why didn't you take theirs?" That was the only time, that I reported somebody to the Taliban. Other than that, I would never do that to any of the villagers.

Designated Military Officer: The Detainee has been identified as Sharif Uddin Sharif, the Taliban Intelligence Officer.

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Detainee: First of all, I wasn't any kind of officer and your talking about intelligence officer. Second, under this name, Sharif Uddin Sharif, nobody knows me [by that name]...not in the Mosque, not in the village, not in the government, nobody knows me under that name. During the interrogation, they asked me to [be] honest and truthful. I told them when I was a young boy, a little boy, and my father was the only one, that called me under this name, Sharif Uddin Sharif. No one in school, not in the village, not [anywhere], not in the mosque...nobody knows me under that name. Everybody knows me as Mohammed Sharif. I wasn't an intelligence officer of the Taliban. I was not.

Designated Military Officer: The Detainee has been identified as the intelligence chief at Mazar-e-Sharif.

Detainee: When somebody force[s] people to come and join them? I don't think they would trust that person to be a chief of intelligence officer. You know that! *Detainee referred to translator.* Especially in the northern part of Afghanistan; the Taliban doesn't trust people...or give them the authority of high jobs. I was forced to work for them and of course, they wouldn't trust me. It's not true [that] they gave me that high position.

Designated Military Officer: The intelligence chief at the Taliban Office of Intelligence in Mazar-e-Sharif reported to the secretary of intelligence in Kabul and was in charge of subordinate Intel services in seven cities. He was also in charge of at least 10 to 12 intelligence directorates, including the interrogation and espionage directorates.

Detainee: They usually wouldn't trust the people they would recruit or force them to join them. [The] people, who sold me to Americans, they had to make up these allegations against me...so that way they could make me look important and they would take dollars from Americans. That is why they sent me over here, because they made up all these lies. [The] Americans believed them. [In the] northern part of Afghanistan, [when] the Taliban took over a city, they would force people to work for them and join them. Usually, they wouldn't give a gun to a northern Afghan, because they didn't trust them. This is not true, I wasn't chief of intelligence officer.

Designated Military Officer: The Detainee claimed that he was simply an intelligence officer, not the chief.

Detainee: I never said this. I never mentioned that I was an officer...not intelligence...not any kind of officer. The Taliban would come and they would take people...young men from every village and we had to work for them a month or so and they would come and take other people. If you call that an officer, that's your choice, but I wasn't an officer for them. I never said that.

Designated Military Officer: As a soldier, the detainee was issued a Kalashnikov rifle and received training on the weapon.

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Detainee: There wasn't any need for me to get training, and the Taliban wouldn't do that. I was just a cleaning man. When I was working as a security guard I watched one room. It wasn't a big position and there was no need to train a cleaning man. That's not true.

Designated Military Officer: The Detainee claimed that he did not understand the meaning of jihad and added that his Imam never explained the meaning of jihad.

Detainee: Yes, that is true.

Designated Military Officer: The Detainee denied having any knowledge of the attacks in the U.S. prior to their execution on September 11th, and also denied knowledge of any rumors or plans of future attacks on the U.S. or U.S. interests.

Detainee: I wasn't aware of any attacks inside Afghanistan. How would I know if people attacked other countries, especially the United States?

Designated Military Officer: The Detainee claimed no allegiance to the Taliban.

Detainee: That's true. I wouldn't cooperate.

Designated Military Officer: The Detainee claimed to have no knowledge regarding Usama Bin Laden or al Qaida.

Detainee: The first time I heard about these names [was] when I was detained in Bagram. I asked the interrogator, "What does that mean?" They explained to me who Usama Bin Laden [was].

Designated Military Officer: The Detainee claimed that he was not "issued" a Kalashnikov, per se, but was shown where two to three were kept in case they were needed.

Detainee: Yes, they never gave an AK-47, Kalashnikov, to me, but they showed me [where they kept them]. [The people in the building were original members of the Taliban.] They told me that there were two or three of them for their use, but I was just doing my job, which was cleaning.

Designated Military Officer: The Detainee stated that he was never provided training/instruction for the weapons, nor was he provided with the opportunity to fire the weapons.

Detainee: Yes, I never had the weapon and I never shot at anything. Actually, I am a nomad. It is [not unusual] that we have a gun and I had a very old one... [a] long gun that would only shoot one bullet at a time. We [used it] for work or any wild animals...and we kept the gun for that reason. That was the only gun we had in our family. The gun

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belonged to my grandfather...not even my father...it was very old. It's just to save and protect our sheep from other animals.

Designated Military Officer: The Detainee denied all previous information that involved his duties as someone who gathered intelligence in Konduz, Sheberghan, and/or Mazar-e-Sharif.

Detainee: This is true, they would take me from one city to [an] other for 10 days or 15 days as a cleaning man, but I never did any kind of intelligence work.

Designated Military Officer: The Detainee stated that he had no intention of returning home to fight against the U.S. and that his only concerns were for his family.

Detainee: You're talking as if I [have] ever fought against the United States. No, I never fought against the United States. I didn't have any intentions to fight...now [or] in the future. Of course, I want to go and I want to see my family.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Assisting Military Officer had no further information to provide to the Administrative Review Board on behalf of the Detainee.

Administrative Review Board Member's questions:

Board Member: Mr. Sharif, if released, where would you live?

Detainee: You mean released from here?

Board Member: Yes, released from here. Do you have a home to return to? Family?

Detainee: Yes, I do have [a] home. Yes, I would like to return there.

Board Member: What would you do to support you and your family?

Detainee: This was my job in the past...my grandfather's...my father's job...that we have animals...and we are nomads...we come to the villages or to the cities for three months only and then most of our life we would live outside the cities and villages. We have a little piece of land too. That is how we work and that's how we support ourselves.

Board Member: Today, what are your feelings towards al Qaida?

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Detainee: During the interrogations, I told one of the interrogators that I didn't know who al Qaida was? I found out that the Americans called the Taliban and Usama Bin Laden, al Qaida. Nobody liked Taliban. I was forced to work for them and that is why they (Americans) think I am part of al Qaida too. Let me tell you that I know al Qaida and Taliban as very cruel people. They did lots of cruelty in our country and they tortured us. I don't like them. I want to tell you that, if the United States leaves Afghanistan...if you leave us alone...these people will come again and they will torture our people again. I'm telling you I never heard of al Qaida before, but now I know that they are known people who always destroy countries.

Board Member: Do you support the current Afghanistan government under President Karzai?

Detainee: I support any government, who brings peace in Afghanistan. I don't know about Hamid Karzai. One of the interrogators showed me on T.V. that there are good things happening in Afghanistan. I told them, "Yes, if this government is trying to bring peace to our country. I will support them, other than that, I am a poor man and I don't know much about the government or stuff like that."

Board Member: Why are you no longer a threat to the United States or it's allies?

Detainee: I cannot prove it verbally, to you, that I am not a threat to the United States. You can go and ask the villagers and the other Americans, who are in Afghanistan, in those northern areas. I'm sure that the Americans wouldn't have any problems with those people, because the northern cities of Afghanistan they've had a very bad experience with the Taliban and nobody likes them and everybody supports the United States. So, other than telling you to please go [back] and ask [those] people, those villagers, about me. I cannot prove to you, if you don't trust me. I cannot prove to you that I am not a threat to the United States and have never been one.

Board Member: Thank you, Mr. Sharif.

Detainee: God bless you.

Board Member: Mr. Sharif Mohammed, I have three questions for you. Two are in regards to your statements and one is an open-ended question. I want you tell me how you're thinking? First question, you stated that you did know Mr. Abdul Nasser Khan, but you do not know what he did?

Detainee: Yes, I saw him only once actually. I knew that he was working somewhere and he was somebody, but what kind of work and what kind of job he was doing...I didn't know.

Board Member: You said that when you were working with the Taliban, that you did not recruit, is this true?

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Detainee: All that time, I was looking for a way to get out and run away. I couldn't manage to runaway. I had an uncle, he was old, I was afraid Taliban might take him and torture him...or they would ask for money and I didn't have any money. I was a poor man. Now, how could I recruit other people, when I want to get out of that situation myself?

Board Member: So, is your answer you did not recruit?

Detainee: No, I did not recruit?

Board Member: My last question, you stated that you want to go home and be with your family and work in Afghanistan again. However, we know and you know that there are still very many bad people in Afghanistan, who want the United States. How will you handle if someone comes to you, like they did before, since they know that you have been in the United States and they have some interest in knowing more about us or wanting to hurt us? How will you deal with that situation? What will you do to avoid that or what would you do if they approach and they threaten your family if you don't help or they do some other things that cause you to be afraid of what they might do to you?

Detainee: In that case, I am a poor man. I cannot manage to runaway from Afghanistan. I would like to answer this way. Now we have a government in Afghanistan. If anybody approaches me, or threatens me, or try to recruit me to fight against the United States, I would go and file a petition to the governor of the city or other authority. Now, if the current government tries to recruit me to fight, whoever else, I'd probably wouldn't want to do that, but usually governments [will] force me...I have no choice, but to do that. Other than that, the way I heard...right now we have a government...we have somebody who can hear and if anybody ever approaches me and tries to recruit me to fight against the United States and government, I have somewhere to go and file a petition and or complain that these people are harassing me or forcing me to join them. Hopefully, they will listen. If the government forces me or recruits me to come and join them and fight other people, then I will have no other choice. I will have to join the current government.

Presiding Officer: Mr. Sharif does your family know where you are?

Detainee: I don't know, if they know or not.

Presiding Officer: So, if you don't know that...they wouldn't know why you're here?

Detainee: Yes.

Presiding Officer: Mr. Sharif a crucial issue here and the main reason you are here is because your story, your history, doesn't run along the same lines all the time.

Detainee: I don't know exactly what you mean, because I, as you see, am the kind of person that never writes, never prepares myself for an interrogation. I never write a

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statement... I don't even think, because everything I've told you about myself is the truth and when you ask me questions I imagine my life and I tell you the truth. I never write or prepare for interrogation. So, that's my life and if you ask me [a] hundred years from now I will tell you the same thing.

Presiding Officer: I'm going to ask you today and I want to explain what I'm saying. One view of you is that you are a nomad with animals and the Taliban takes you to be a member. From your membership you move to be a cleaner or a guard, jobs like that. So you go from the nomad to the Taliban guard, cleaner. Someone who does a little bit of everything to help out the Taliban system, then others say you are much more than that. You are an intelligence chief. Now there is a long way from chief to cleaner. What we want to know is, what is the real story? Why does this story go up and down and have so many views when it could have one story all the way through?

Detainee: When I was detained in Bagram, I told the officers, "Don't take me to Cuba or anywhere farther. We are very close. You can go and ask the villagers who I am? I wasn't hiding from the United States. I wasn't in Qal'eh-ye Jangi or Mazar-e-Sharif fighting. I wasn't in prison. They didn't catch me in combat. I was in the market when they came and captured me. The interrogators actually told me that; "Yes it is very common that they sell people to Americans in Afghanistan." One of the interrogators told me we believe so-and-so Afghans because everything we had against them was false, baseless, and a lie because people made up these things against them and they make money out of it. This is something that usually [the] interrogators told me. I am telling you the truth. Now we are very far away and how am I going to prove that I wasn't against the United States and I didn't fight. You have no proof of that that I was with the Taliban. I'm telling you, that I being a chief of intelligence services, they're all made up stories. They wanted to make money and make me look important. They knew the more important I looked...the more money they would get more money from Americans.

Presiding Officer: Let's say that you were the intelligence chief and you still didn't fight against the United States or it's allies, then are you still a threat?

Detainee: First of all, I cannot suppose something that I wasn't. I cannot imagine or suppose if I was intelligence officer, because I wasn't an intelligence chief or officer. I told you I am a nomad, that is how we live...whichever government wouldn't bother us, wouldn't harass us, would let us live our lives peacefully...we support that government. Like my father says about King Zahir Shah...our king, he was a very good man and his government was very good. We live peacefully and do our work. If today's government wouldn't harass us...wouldn't force us to fight...then I will have no problem. I've never had a problem in the past with the United States and I'm not going to have one in the future.

Presiding Officer: You said that if the Taliban comes back into power, could they recruit you again...could they conscribe you to service?

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Detainee: I don't want to work for any government, because I have my own life, my own animals. We are a very free people as nomads. You're talking about the Taliban...I wouldn't even want to work for the current government. I have my own life and I enjoy it. I enjoy that kind of life. We had so many bad experiences [with the Taliban]. They committed so many atrocities and were cruel. Even if they were [to] kill me, I would probably prefer to die than work for them.

Presiding Officer: Your last four years of experience here have been a dynamic influence on you. If you were to return to Afghanistan, you would be held up higher in the view of others (*Taliban, al Qaida, etc.*), because of where you have been.

Detainee: If I get transferred and go back, sir, people would look at me with very good eyes. They would know that I was innocent and I didn't mean any harm to anybody and Americans found out about it and that is why they released me or transferred me. My own family and my own tribe...I'm sure they are thinking right now, what happened to him...why was he arrested...why [did] they take him away? They knew that I wasn't with anybody. I was forced to work a little for the Taliban and that's it. The others would understand that I was innocent and I wasn't with anybody, [which] is why they (*Americans*) released me.

Board Member: You mention several times that if the authorities, the United States authorities, would contact friends, family or villagers. They would tell us certain things to confirm your story. I'm curious have you given the authorities any information on how they contact those folks?

Detainee: Yes, I gave information to the interrogators and also the Red Cross. One of the Red Cross workers told me that they have offices in Mazar-e-Sharif and Konduz. They would transfer my information to those offices and they would go and find my family or village. In the beginning, they told me that there were still fighting between Hazara's, General Dustum's forces, and Uzbeks. Things are not so good and many people have been misplaced and have left their homes. They cannot find my family and they cannot trace my request. The second and third time the Red Cross came they said that, "Things are better and we will try and locate your family."

Board Member: So, you have given them names and locations of your family?

Detainee: I gave my family name; my father's name, my village name, my province name. I gave all the names and addresses.

Presiding Officer: Were you asked to take a lie detector test?

Detainee: I think they took me three times over there. Two times they were typing everything I said and the third time...I think...I believe...it was only one time, when they explained to me that there was a machine that would find out whether I was lying.

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Presiding Officer: Did they hook you up to the machine?

Detainee: Yes, they did. I don't know anything about it, but they explained to me that this was the machine. They told me to answer "yes" or "no" to the questions they asked.

Presiding Officer: The last piece is about your behavior on this installation.

Detainee: Do you want me to talk about my behavior?

Presiding Officer: Briefly

Detainee: I have no problems with anybody here. Every time I ask for anything they bring it to me. If I get sick they bring a doctor or they take me to the doctor. When I ask for anything they provide it. They take care of us like guest. They treat us very nice. I am obeying the laws of the prison. I have no problems with anybody. They bring our clothes...they wash our clothes. They give us food on time. Anything you want medication...they take care of us very well.

Presiding Officer: Mr. Mohammed Sharif does this conclude your statement.

The Detainee made the following statement:

Detainee: The only thing that I want to know is every time they interrogate me, they haven't interrogated me since Ramadan...a long time...but in the past ...and in the first tribunal...I asked the officers to please to find out whether I am lying or I am telling the truth. You need to somehow show me the evidence. What did I do wrong? What did I do against the United States? If you make the decision for me to live here another hundred years, of course, I'm going to obey your law and your decision. Justice hasn't been served, even during tribunal, because they wouldn't show me any evidence or prove all the allegations. They wouldn't believe me. I'm just requesting you to go through everything or contact my village, my people, and ask them all before you make your decision.

Presiding Officer: We are going to leave here in a matter of minutes now. What would you like us to remember about you and your freedom?

Detainee: I want you to think of me as an ordinary person, like an Afghan, like every other Afghan, who has been forced to work for the Taliban...who has been through atrocities, tortures, and cruelty of the Taliban. They did to many, many Afghans, to many, many people other than that I want you to think of me as a person, who just wants to get busy with his own job...whatever it is...and his own family.

Presiding Officer: There is no chance of you being a threat to the United States and its allies?

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Detainee: I haven't seen it with my own eyes, but I have heard the current government in Afghanistan is fixing things and trying to bring peace to the people. If it's true, what I have heard, I believe that the current government is not able to do that...is not capable of doing that without the help of the Americans. Anybody, who would fight against the Americans...they would be a true enemy of themselves, their family, and the whole country. Why would I want to hurt myself, or my tribe, or my country and fight against the United States? The way I heard, I haven't seen it, but the way I heard after everything the Afghans have been through...the stuff that this government and the Americans are doing. The way they (*Karzai government*) serve their country, no other government in the past...they never served the country as much as they (*Karzai government*) does. So, why should I be a threat?

Presiding Officer: You can look at us and say that you're not going to be a threat?

Detainee: Yes, I never have been a threat in the past. I am not a threat right now and I won't be a threat in the future. The only thing is, I gave all the details about myself to interrogators and I would like you to do a follow-up on that and see about my history.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, USA
Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 533

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Administrative Review Board took a recess so the Detainee could be brought into the proceedings.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee declined taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer attempted to confirm as to how the Detainee would like to respond to the Unclassified Summary of Evidence.

Detainee: Sir, I cannot talk and respond to those points [referring to the Unclassified Summary of Evidence]. My lawyer told me not to respond [to the allegations in the Unclassified Summary of Evidence]. However, I wanted to tell you myself that I am not a threat to the United States, any country, or any person. If my Assisting Military Office would like to speak on my behalf and reply to the allegations for me, he may do so. However, I personally cannot reply to some of the points [in the Unclassified Summary].

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Presiding Officer: Very well. The Administrative Review Board will proceed in the ordinary course of events.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibits DMO-1, 2, 3, and 4 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

Designated Military Officer: [To the Presiding Officer] Sir, just so I am clear, the Detainee will not be responding to the allegations listed in the Unclassified Summary of Evidence as they are presented. Is that correct?

Presiding Officer: Yes, that is correct.

Board Member: I would suggest that you begin to read each allegation and then pause to see if the Detainee would like to respond.

Detainee: Sir, I will not reply to the allegations.

Presiding Officer: For the record, since we are proceeding somewhat out of order, the Administrative Review Board will deviate from the reading of the Enemy Combatant Election Form at this time. Mr. Hassan Zumiri had previously indicated in writing on the Enemy Combatant Election Form that he would like to respond to the Unclassified Summary of Evidence as each point is presented. However, at the hearing this afternoon, Mr. Zumiri has indicated that he *does not wish to respond* to the Unclassified Summary of Evidence.

The Presiding Officer confirmed that the Assisting Military Officer, Designated Military Officer, and Board Members all concurred that the Detainee elected not to respond to the Unclassified Summary of Evidence.

The Presiding Officer directed that the entire Unclassified Summary of Evidence first be read and at the conclusion of the reading, the translator would then translate the Unclassified Summary of Evidence in its entirety for the Detainee.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The Islamic Salvation Front Vice President lived very close to the Detainee's home in Algiers.

Designated Military Officer: (3.a.2) An Islamic extremist group, the Armed Islamic Group, aims to overthrow the secular Algerian regime and replace it with an Islamic

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state. The Armed Islamic Group began its violent activity in 1992 after Algiers voided the victory of the Islamic Salvation Front in the first round of legislative elections in December 1991.

Designated Military Officer: (3.a.3) The Detainee stated that he traveled to Spain several times in the early 1990's. At this time, the Detainee was assisting his brother in the acquisition and sale of electronics.

Designated Military Officer: (3.a.4) The Detainee traveled from Afghanistan to France via Italy.

Designated Military Officer: (3.a.5) The Detainee traveled to Italy in the summer of 1991 and stayed for six months in Verona, Italy. The Detainee then traveled to Paris, Bordeaux and Marseilles in France.

Designated Military Officer: (3.a.6) The Detainee left France with a forged passport, which cost 3,000 francs (approximately \$550.00 U.S. dollars) and went to Canada.

Designated Military Officer: (3.a.7) The Detainee entered Canada in October 1994 and left Canada in June.

Designated Military Officer: (3.a.8) The Detainee was known to be an active member of a network supporting subversion in Algeria. The Detainee held the status of political refugee in Canada since 1994.

Designated Military Officer: (3.a.9) The Detainee's name was placed in appropriate U.S. Government agency watch lists at the Unclassified/For Official Use Only level on a non-attributable basis.

Designated Military Officer: (3.a.10) The Detainee attended six mosques while living in Canada. One of the mosques was the al Sunnah Mosque, and extremist mosque that shows videos to members portraying the Jihad in Algeria.

Designated Military Officer: (3.a.11) The Detainee traveled to Vancouver, Canada in 1996 in order to file his immigration papers. The Detainee's reasoning was that the Vancouver immigration department expedited immigration papers faster than any other Canadian province.

Designated Military Officer: (3.a.12) In the summer of 1998 the Canadian Police arrested the Detainee with two friends in Niagara Falls.

Designated Military Officer: (3.a.13) The Detainee claims he went to Afghanistan because of the mounted pressure put on him by the Canadian Secret Service. The Detainee wanted to live in peace and be left alone.

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Designated Military Officer: (3.a.14) The Detainee traveled between 15 and 25 June 2001, from Montreal, Canada to Afghanistan via Zurich, Dubai, Karachi, Quetta, Kabul, and Jalalabad.

Designated Military Officer: (3.a.15) The Detainee said he was in a group of approximately 60 people in the Tora Bora Mountains and that American bombers spotted his group. The Detainee's group was bombed and the majority died.

Designated Military Officer: (3.a.16) The Detainee said that all the Arabs in his group, including himself, were armed. The Detainee said that his pistol was only for his protection.

Designated Military Officer: (3.a.17) The Detainee said his purpose for going to Afghanistan was to immigrate and for Jihad. The Detainee said that he simply wanted to immigrate, live and retire peacefully in Afghanistan.

Designated Military Officer: (3.b) Training (3.b.1) While the Detainee stayed at the Toran Camp, he received instruction in the use of small firearms. The Detainee claims that he learned how to use these firearms for fun.

Designated Military Officer: (3.b.2) Small arms training occurred near the Toran Camp to prepare for impending attack by Northern Alliance Forces. A cave system used for billeting was located above the Toran Camp.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The Detainee admitted that he left Canada with a false Canadian passport that he stole from a friend of his, named Najib. When questions about the present whereabouts of this passport, the Detainee said that it is now in the hands of the Afghans.

Designated Military Officer: (3.c.2) In 2001, a Canadian passport was in the possession of an al Qaida facilitator in Afghanistan used by the Detainee. The last recorded use of this passport in Canada was by the Detainee on 14 June 2001, when he left Canada with his wife.

Designated Military Officer: (3.c.3) A Canadian Algerian involved with document forgery networks and terrorists says the Detainee may have prepared a passport for him.

Designated Military Officer: (3.c.4) A suspected al Qaida attack planner said the Detainee was planning on doing Jihad in Algeria and wanted to fight with the Jama'ah in Algeria.

Designated Military Officer: (3.c.5) A suspected al Qaida attack planner confirmed that he received a \$3,500.00 Canadian dollar loan from the Detainee just before he left for Vancouver. The Detainee also gave him a video camera. The suspected al Qaida attack planner said that the Detainee was a personal friend and that the Detainee trusted him.

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Designated Military Officer: (3.c.6) The Detainee knows an Islamic extremist who is in Sudanese custody.

Designated Military Officer: (3.c.7) The Detainee is a friend of a suspected Algerian operative.

Designated Military Officer: (3.d) Other Relevant Data. (3.d.1) The Detainee confirmed that when he left Canada, he brought his portable cellular telephone with him, but it was never used.

Designated Military Officer: (3.d.2) The Detainee was in the Tora Bora region of Afghanistan when the Northern Alliance Forces captured him in December 2001.

Designated Military Officer: (3.d.3) The Detainee had three \$100.00 U.S. dollar bills and two 1000 Rupee notes on him when he was captured.

Designated Military Officer: (3.d.4) The Detainee claims to have no knowledge why his wife was arrested with \$13,000.00 U.S. dollars. The Detainee claims he left Canada with \$7,000.00 or \$8,000.00 U.S. dollars with him. The Detainee does not know where his wife got the money.

Designated Military Officer: (3.d.5) The Detainee was once arrested in Canada for attempting to steal a computer from a tourist. The Detainee would steal and shoplift by him and with others.

Designated Military Officer: (4) The following primary factors favor release or transfer:
(4.a) The Detainee expressed that in the future he will no longer have friends like the ones he had before. The Detainee has learned his lesson.

The translator read the Unclassified Summary of Evidence for the Detainee.

The Presiding Officer instructed the Assisting Military Officer to read the Assisting Military Officer comments from the Enemy Combatant Election Form into the record.

Assisting Military Officer: The Detainee's ARB interview was conducted on 16 December 2005, and lasted one hour. When asked by the AMO, the Detainee stated he understood the difference between the CSRT and the ARB. After a review of the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he would like to attend the ARB and respond to each statement point-by-point in the Unclassified Summary of Evidence. Additionally, the Detainee chose to present as evidence, a written statement as well as letters from his wife and a friend. The Detainee was responsive, attentive, but very reserved during the interview. At the conclusion of the interview, the Detainee was provided both the Arabic translated and the English translated copies of the Unclassified Summary of Evidence, via his guards.

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Presiding Officer inquired of the Assisting Military Officer if there was any further evidence he would like to present on behalf of the Detainee.

The Assisting Military Officer presented Exhibits EC-C1 through EC-D2 as evidence on behalf of the Detainee. These Exhibits had been previously provided to the Designated Military Officer for presentation in advance of the hearing. In addition, the AMO stated the Detainee would like to present a general oral statement.

Presiding Officer: The record should reflect that the Assisting Military Officer provided the Administrative Review Board with copies of these documents in advance of the hearing.

The Presiding Officer addressed the Detainee and informed him at this time he could make a personal statement, long or short, whichever he may prefer.

Detainee: The only thing I want to say is that I do not have any problems with anyone. I have spoke to my lawyer and I have told him the same thing.

Presiding Officer: Very well. Thank you very much.

Presiding Officer confirmed that the Board Members did not need any additional time to review the exhibits submitted by the Detainee or to review the Unclassified Summary of Evidence.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present any additional information with the assistance of the Assisting Military Officer.

Assisting Military Officer indicated he had some additional Detainee comments from the Enemy Combatant Election Form.

Assisting Military Officer: The following are additional Detainee comments from the Enemy Combatant Election Form: *After the AMO inquired if the Detainee wanted to attend the ARB, the Detainee replied, "God knows...who knows the future? I may be sick or otherwise unable to attend." When the AMO asked if he wanted to attend the ARB if neither sick nor otherwise unable to attend, the Detainee stated, "If God is willing." When the AMO inquired if the Detainee wanted to speak at his ARB, the Detainee replied, "If God is willing." The AMO then explained he could attend the ARB and then decide not to speak, however, these questions would be asked again at the ARB. The Detainee then stated, "Well, probably...about 70%... I will speak." After the AMO explained that he would be provided an optional Islamic oath at the ARB, the Detainee*

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opined, "What does it matter if I take the oath? They (the ARB members) still will not believe me." When the AMO inquired if this meant he felt prejudged, the Detainee simply replied, "Yes." The AMO then explained he would also be given an opportunity to make a general statement. The Detainee then stated, "If God is willing." At the conclusion of the interview, the Detainee stated he had no other questions nor would he make any further statement.

Presiding Officer: [Addressing the Detainee] Sir, I would like to point out to you that this process is not a court of law. This is an Administrative Review Hearing where the three Board Members make a recommendation to the officials in Washington D.C as to whether you should remain detained, be released, or transferred. The Review Board is trying to send people home. The Review process has allowed for many recommendations to release individuals or to transfer individuals back to their home countries or other countries. What the Review Board would like to do here today, but it is totally up to you, is: 1) To hear a personal statement from you, if you so wish, and 2) The Review Board would like to ask you a few questions and visit with you for awhile if we could.

Detainee: The first statement I made [referring to the written statement], I have already presented it to you and my lawyer. However, concerning the allegations in the Unclassified Summary of Evidence, my lawyer advised me not to answer any of the allegations and/or questions concerning the Unclassified Summary of Evidence. My lawyer told me to be present here today at the Review Board, but that I should not speak.

Presiding Officer: Very well. The Review Board does respect your decision not to speak here today.

Detainee: Thank you.

Presiding Officer confirmed that the Assisting Military Officer did not have any further information to present on behalf of the Detainee.

The Detainee chose not to make an oral statement.

Presiding Officer: Mr. Zumiri, at this time, the Board Members would like to ask you a few questions. If you would just permit the Board to read you the questions, for the record, you do not have to answer if you so wish.

Detainee: I cannot answer your questions.

Presiding Officer: The Review Board understands that and respects your decision.

Board Member: There is no reason to ask questions if the Detainee is not going to answer.

Detainee: Thank you.

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Presiding Officer: I do have one question and I may possibly think of another. Sir, if the Review Board were to recommend your release or transfer, where would you like to go?

Detainee: You [referring to the Review Board] decide.

Presiding Officer: So, either Algeria or Canada, it does not make a difference to you. Is that correct?

Detainee: I have trust in you [referring to the Review Board]. I trust in you to make that decision.

Presiding Officer: Do you feel that you would be in danger if you were sent back to Algeria? Just for your information, it is the policy of the United States to *never* send anyone back to a country where they fear they may be killed or tortured. It would be helpful to the Review Board in making a recommendation to send you to a country of your preference.

Detainee: Like I mentioned before, I trust in you to make that decision. I do not have a problem with any country.

Presiding Officer: Thank you.

The Presiding Officer read the post-Administrative Review Board instructions and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, USA
Presiding Officer

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**CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY
COMBATANT**

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Exhibit #	Date	Classification	Guantanamo#/ICRC Letter #
EC-C1	6/15/2005	UNCLASSIFIED	NONE / NONE
EC-D1	6/23/2005	UNCLASSIFIED	NONE / NONE
EC-D2	7/19/2005	UNCLASSIFIED	NONE / NONE

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Written Statement by Detainee to the Administrative Review Board,
in the case of ZUMIRI, HASSAN

[Translation of Déclaration par écrit sous serment d'Ahcene Zemiri]

Affidavit of Ahcene Zemiri

1. My name is Ahcene Zemiri. I am a prisoner in Camp Delta, at Guantanamo Bay, Cuba. I arrived here during spring 2002.
2. I make this affidavit to demonstrate to the ARB (Administrative Review Board) that I am not a threat to the United States or its allies.
3. I have spent over three years in Guantanamo. During this time, I have greatly missed my wife, Karina. I have greatly missed my family. I have never seen my son, who was born in June, 2002. I greatly miss my son.
4. I have taken every opportunity to write to Karina. Karina and her parents write me often, and tell me about my son.
5. I want to be a husband to my wife, and a father to my son.
6. During the last three years, I have learned patience. I have taken the opportunity to study, learn, and reflect.
7. I am not a threat to the United States. I like the United States. I think Americans are a good people.
8. I want to spend the rest of my life in peace with my family.

/s/ Ahcene Zemiri

Ahcene Zemiri

June 15, 2005

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La page 1 de 3

Déclaration par écrit sous serment
d'Ahcene Zemiri

1. Je m'appelle Ahcene Zemiri. Je suis prisonnier au Camp Delta, à Guantanamo Bay, Cuba. J'y suis arrivé pendant le printemps 2002.
2. Je fais cette déclaration pour démontrer à l'ARB (Administrative Review Board) que je ne suis pas une menace pour les États-Unis ou leurs alliés.
3. Je suis passé plus de trois ans à Guantanamo. Pendant ce temps, ma femme, Karina, me manque beaucoup. Ma famille me manque beaucoup. Je n'ai jamais vu mon fils UNCLASSIFIED né le juin

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2002. Mon fils me manque beaucoup.

4. Je profite de toutes les occasions pour écrire à Karina. Karina et ses parents m'écrivent souvent, et me racontent des nouvelles de mon fils.
5. Je veux vivre comme le mari de ma femme et le père de mon fils.
6. Pendant les dernières trois années, j'ai appris la patience. J'ai profité de l'occasion pour étudier, apprendre, et réfléchir.
7. Je ne suis pas une menace pour les États-Unis. J'aime les États-Unis. Je crois que les américains sont un bon peuple.

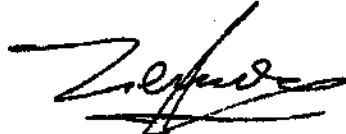
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8. Je voudrais passer le reste de ma
vie en paix avec ma famille.



Ancene Zemiri

le 15 juin, 2005

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Written Statement by Detainee's Wife to the Administrative Review Board, in the case of ZUMIRI, HASSAN

CANADA
Province of Quebec
City of Montreal
Consulate General of the
United States of America

UNITED STATES NAVY BASE
GUANTANAMO BAY, CUBA

ADMINISTRATIVE REVIEW BOARD

In re Ahcene Zemiri, #533
Detainee.

AFFIDAVIT OF
KARINA DERESHTEANU

Karina Dereshteanu, on oath, states as follows:

1. I am the wife of Ahcene Zemiri, an Algerian citizen, who is currently being held in Guantanamo Bay under the control and custody of the United States. I make this affidavit in Canada, where I reside and am a citizen.
2. Ahcene and I were married in 1996, and we lived together as husband and wife until November 2001.
3. We have a son, Karim Zemiri, whom my husband has never seen due to his detention in Guantanamo.
4. Ahcene and I write to each other as often as we can. I send Ahcene photos and news about our son. Ahcene misses his son and wants to be a father to him. I want Karim to grow up with his father.
5. My parents also miss Ahcene and write to him.
6. Ahcene is a peaceful man. He has no ill will towards the United States or its allies, and is not a threat. I miss Ahcene very much, and want our family to be reunited.


Karina Dereshteanu

Subscribed to and sworn before me
this 23rd day of June, 2005.


Nellie G. Krost

#31351471

Nellie G. Krost
Vice Consul of the United States of America

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Written Statement by Detainee's Friend

7-19-05

Dear Mr. Dorsey,

This letter comes in response to the letter forwarded to me by you and your constituents dated 7-12-05. I am more than happy to assist you in defending Mr. Zemiri. I knew Mr. Zemiri for 5 yrs. prior to my arrest. We were good friends who engaged in sports and other recreational activities together. I know Mr. Zemiri's wife as well.

As for the allegations leveled against Mr. Zemiri by Ressam well I know they are false. Mr. Zemiri and I were close friends unlike Ressam who was not either of our friend. I never ; in 5 yrs. of knowing Mr. Zemiri; heard him speak of Jihad, Anti-American feelings or so-called terrorist activities. Nor have I seen him hanging out with Ressam or any other suspicious people. He's never been a threat to America or any other country.

Ressam is trying to use Mr. Zemiri like he used myself and others to decrease his prison term. The government doesn't care if his accusations are true or false as long as it brings about a conviction.

Mr. Zemiri informed me upon seeing Ressam's arrest on the news that he knew him but hadn't spoke with him for at least a year. Mr. Zemiri ~~UNCLASSIFIED~~ surprised

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to see Ressam arrested as many other
of us Algerians.

We had no idea Ressam
was involved with a plot bomb anything.
Mr. Zemiri & I had our own lives
in no way connected to any so-called
terrorist activities. We were good hard
working people. In fact Mr. Zemiri
was waiting for his papers to visit
his parents with his wife and return to
Canada to buy a house and start a
business.

In closing you can contact
me via mail, attorney, or visit for further
information. I'm happy to do whatever to
assist Mr. Zemiri. Please when you speak
with him give him and his wife my regards.
I wish him the best and pray he is
victorious. Tell them to have faith & trust
in Allah. Write back or call my attorney
to let me know you received this letter.

c.c Joyce London

Sincerely

Mohammed Haouari

No. 44949-054

[Signature]

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Inmate Name: Mohr, James
Register Number: 44949-054
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837



MR. JAMES DORSEY Esq.
200 South Sixth Street, Suite 4000
Minneapolis, Minnesota
55402-1425

Local Mail

55402-1425

U. S. PENITENTIARY
P. O. BOX 1000
LEWISBURG, PENNSYLVANIA 17837

JUN 22 1965
ALL MAIL PROCESSED THROUGH
MAIL ROOMS FOR FORWARDING TO
RECIPIENTS. IF YOU HAVE ANY
QUESTIONS AS TO WHETHER OPENED MAIL
OR UNDELIVERED MAIL HAS BEEN
RETURNED TO THIS FACILITY, PLEASE
CONTACT THE MAIL ROOM. IF YOU
WISH TO RETURN THE MATERIAL
TO ANOTHER ADDRESS, PLEASE RETURN
IT TO THE MAIL ROOM. IF YOU
WISH TO RETURN THE MATERIAL
TO ANOTHER ADDRESS, PLEASE RETURN
IT TO THE MAIL ROOM.

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Summary of Administrative Review Board Proceedings for ISN 555

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Presiding Officer confirmed that the Detainee understood English and informed him that if he had any questions to refer to the linguist and the linguist would make any clarifications that the Detainee needed.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make his statements under oath. (Muslim oath offered).

Detainee: I am Catholic.

Presiding Officer: We can administer the appropriate oath if you would like.

Detainee: Yes sir.

The Detainee accepted taking the oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

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Assisting Military Officer: The Detainee's ARB interview occurred on 16 August 2005 and lasted forty-five minutes. After a review of the ARB's purpose and procedures, the English version of the Unclassified Summary of Evidence was read to the Detainee. English was the language spoken during the interview, but if we ran into difficulties with the language he would defer to the linguist for a translation. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, he stated he wants to attend the ARB and speak on his own behalf. Afterwards, he stated he wants to respond to each allegation or statement of the Unclassified Summary of Evidence after it is presented. He also expressed a desire to speak openly to the review board. The Detainee was polite and very cooperative throughout the interview. At the conclusion of the interview, he was provided an English and Farsi version of the Unclassified Summary of Evidence.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, and the Terrorist Organization Reference Guide, DMO-3, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

The Detainee chose to respond line by line to the Unclassified Summary of Evidence. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee worked for a long time as a drug courier between Afghanistan and Iran.

Detainee: I worked for my country for a long time selling drugs. This [is] the first time I came [to] Afghanistan, not all the time. This is the first time. Before, I was selling drugs in my country. This is the first time I [went] from Iran to Afghanistan. This is my first time. I was working in drugs...this for my country...I [am a] seller. I am not a big man. I am a little man and I sell for somebody else for money in my city and in Iran. I never worked [selling drugs] for another country just Iran.

Designated Military Officer: (3.a.2) The Detainee had an Afghani person obtain a letter from the Hezb-e Islami Gulbuddin allowing the Detainee to cross the border from Iran to Afghanistan. The Detainee paid 5,000 in Iranian money (NFI).

Detainee: Yes sir. I had to come to Afghanistan and had to have someone else bring the [paperwork] for me to cross [the border] with the Afghani police. I gave some Afghanistan person 5,000 in Iranian money and he said I was with Hezb-e Islami

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Gulbuddin. I gave him my picture and my name and he brought me the paper for me to cross the border from Iran to Afghanistan. Do you understand me? My English is not very good.

Presiding Officer: Yes, we understand you and we will have some questions for you afterwards. If we don't understand we will ask the linguist to help us out.

Designated Military Officer: (3.a.3) Hezb-e Islami Gulbuddin (HIG) has long established ties with Usama Bin Ladin. (HIG) founder Gulbuddin Hikmatyar offered to shelter Bin Ladin after the latter fled Sudan in 1996. HIG has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration (ATA), and establish a fundamentalist state.

Detainee: I have never heard of this stuff. I don't know whom Hikmatayar was working for. I don't understand. I don't know who he was and I don't know who he is now. Hezb-e Islami is everywhere even in Iran and they exist in all cities in Iran. Even the Afghans that come to the border have to have some type of card, like an identification card. Coming from Iran to Afghanistan you have to have an I.D. card. I found out about this three days ago and prior to that I did not have any knowledge of it.

Presiding Officer: Found out about what?

Detainee: About HIG and the commander.

Designated Military Officer: (3.b.) Training: The Detainee was in the Iranian army in the 3-4 years before he went to Afghanistan. While in the military he was trained in basic drill and the AK-47.

Detainee: Yes, I worked for the Iranian Navy before, but not the Army, and not for 3-4 years. I worked for the Iranian Navy for 1 year and 6 months. In basic training the Iranians taught me the AK-47. In Iran you serve in the military for 2 years and I served 1 year and a half and then I [ran] away. I don't like the military.

Designated Military Officer: (4) the following factors favor release or transfer: (4.a) The Detainee has been diagnosed with a severe borderline personality disorder.

Detainee: Yes.

Designated Military Officer: The Detainee answered no to questions about belonging to anti U.S. groups, attacking coalition forces, or plans to attack coalition forces if released.

Detainee: Yes sir, that is correct.

Presiding Officer: Thank you.

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The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: The Detainee would like to make an oral statement.

Presiding Officer: Abdul Majid Muhammed you may begin your statement.

The Detainee made the following statement:

Detainee: I am here and I understand that before I was working in bad stuff, working with drugs. I was working with bad people in my country and now I almost... 3 years and 9 months here and I have [not given] any problems for the U.S. Before I did not give any problems to anybody. I like peace for everybody and I like honor for everybody. After 3 years and 9 months here I don't have any detainee friends and that is because I am from Iran... I am Iranian... I am catholic I believe in Jesus, the Rosary Cross and the Holy Mary. Here [everyone] is Muslim and I don't like to disrespect any religion, Muslims, Catholics, Christians, or Jewish [people] are all human. In the 3 years and 9 months here the Detainees [have] thrown bad stuff on me, spit on me, and cursed me. Before I tried to kill myself and when I was in Camp 4, this Detainee said he had to kill me because I was not Muslim and because I was Iranian. I said to him if you need to kill me no problem. I am clear and when I die and go in the ground I know I will wake up and go beside God. For this I hold my life... for 32 years I never had any cares or had any fights... just all my love, peace, and a smile on my face. I needed to be a friend for everybody, young or old, man or woman, all of them. I look at everybody like [a] brother, sister, or mother. Yes, you guys are Americans and I am Iranian, but enemies, I say no. You are human and I am human. All of us are from one father and one mother, all one family. I have never killed anybody. Please sir, help me go home. Two months ago I got a letter from my home and one drug dealer killed my daughter. I have two kids. One is 8 years and one is 7 years old. Two months ago the one drug dealer that I have to give \$4,000,000 or I have to work in drugs. This is why I went to Afghanistan to find the \$4,000,000 and give it to him so I can take care of my family. I promised to God that I would stop drugs and everything and never go near any nicotine, any morphine, or any alcohol. I went to Afghanistan, this new government in Afghanistan, caught me and gave me to the U.S. for five bucks. Now, after 3 years and 9 months here, I [have not been] a problem for the U.S. and don't understand al Qaida, Taliban, or Usama bin Laden. Now I don't understand and don't want to understand. I just want to go home and take care of my family and take a clear job. Now after 3 years and 9 months here I understand everything. I understand drugs are not good... drugs are stopping my life... drugs are stopping... I lost my family... drugs... for this I lost my family. For 3 years and 9 months

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I have not seen my family. Before, when I went to prison in Iran 3 times, every week 2-3 times my family would come and visit me there and I did not understand anything, but I was happy. Now I understand drugs are not good. First, drugs make you lose your family and secondly drugs kill all the people. The drugs make you just...the drugs make young people come for heroin, cocaine, and hashish. For this I promise to my God and I promise to my son God, Jesus, if I go home I will never go around any nicotine, any morphine, or beside any alcohol. Why...because I need to be a clear man, a clear Catholic. Why? I don't know. Maybe because I walked in the past and I died and made God mad at me. I am here in this detention camp...not U.S. punishment for me...no, I am not thinking U.S. punishment for me, I am thinking this is God's punishment for me. I am here maybe for some reason...for my reason...maybe drugs. Now I understand drugs are not good and this [is] God's punishment for me. Give me a chance God...I am thinking God just give me a chance I am thinking...I will go lead another life. When I go home I will serve God and never sell any bad stuff. Thank you sir.

Presiding Officer: Thank you. Does that conclude your statement?

Detainee: Yes sir.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had the following questions for the Detainee.

Designated Military Officer: If you went back home what would you do, what would you plan to do?

Detainee: If I have the chance to go home...if I go home from here I know I will have a good life. I am sure ninety to ninety five percent sure the government will kill me because I ran away from the military and I ran away from my country. I [set] fire to the Iranian flag because I want freedom and I don't like Iran. I set fire to the flag of Iran and my military uniform. The government [was] on my back telling me I took an oath and I promised to work for the military. I told them I did not want to work for the military. Also, I worked [with] drugs and I went to prison three times in Iran and I signed [papers] that said I would never [deal with] drugs. A friend told me drugs were good [and I could] make money. If I go home I will take a nice job [making] a little money. I think I will be an engineer or [a] mechanic on cars.

Designated Military Officer: Sir, no further questions.

Administrative Review Board Member's questions:

Board Member: How did you become a Roman Catholic?

Detainee: From my mother...my mother is Armenian.

Board Member: Where were you captured and by whom?

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Detainee: [I was captured in] Afghanistan.

Board Member: Who captured you?

Detainee: Afghani, Afghani...new government...police...the new government in Afghanistan.

Board member: Where?

Detainee: Ghazni.

Board Member: Were there other people around when you were captured? Were you by yourself when you were captured?

Detainee: I was by myself. I was near a small creek cleaning my clothes. I took a shower and was smoking a cigarette. I was just in Afghanistan with my head down, smoking, sitting and happy. I [went there] to find \$4,000,000 to give to this guy [so] I could go take care of my family. I saw 4 or 5 cars and all the people had AK-47 and RPGs. I was in a muscle t-shirt. They all ran up to me and said wake up, wake up. They said I was Arabic and I told them I was not Arabic. I showed them my passport and [told] them I was Iranian. They said no and broke my passport and hit me in the lip with an AK-47. After that [they took me by the arms], and for one week they did not give me anything but a little water. They said I was Arabic and that I was not good. I told them I [was not] Arabic and I [don't] understand or speak Arabic I speak Farsi and I am from Iran. After that I went to a big house and another five or six guys showed up. One guy said he understood Iranian people. He [told them] I was Iranian and that I was speaking Farsi. I told him I was from Shiraz Iran. They gave me food and stuff and said they would take me to Kandahar and then you can go to Iran. I said no let me go and then I will go home. He said I will take you to Kandahar and my boss will give you money and then you can go to Iran. They took me to Kandahar and kept me in a room with two Afghani guards with AK-47s. After a few hours in this room their boss came in and they took me to a back room and gave me to Americans. I saw a civilian [American] guy give them \$5 for me. The Americans put plastic shackles on me and took a picture of my head. After that they said I would go to the detention camp for a few days and then go home then I came here for 3 years and 9 months. They never asked questions about al Qaida or the Taliban just about drugs. I told them I did not have time to sit here [and have] conversation I have a short time, 3-4 months, to find \$4,000,000 to give to another guy and if I don't he is going to kill all of my family. They said O.K. and I [got sent] here and I have been here for 3 years and 9 months and I have not given U.S. people any problems. I told all the guards that they are my brothers and sisters. I like all of my sisters and brothers. I like all humans and we are all family. Muslim people may say that I am not good because America is not my family they are my enemy. I say no because American, Muslim, Afghani, or Iranian all come from one father and one mother, Adam and Eve.

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Board Member: You had a passport as well as the HIG document. Was the HIG document a document with a picture with some writing?

Detainee: Yes. For the HIG document I had one paper...

Board Member: Why wouldn't the passport get you into Afghanistan?

Detainee: I always kept it in my pocket. You don't use a passport. In Afghanistan you have to use the [HIG] paper.

Board Member: Did you know that there was a war in Afghanistan when you went there?

Detainee: No I did not. I never watched the T.V. or radio. I don't like T.V. and radio.

Board Member: \$4,000,000 or \$5,000,000 is a lot of money. Did you really think you could get that much money in Afghanistan?

Detainee: Yes. An Afghani friend told me...I told him I did not want to work in drugs anymore. He said if I go to Afghanistan they have this drug and if you cut the poppy seeds you will make double that in one month. I was ignorant I believe everybody because I don't have any older brothers, I am the oldest in my family. I have two younger brothers and two younger sisters and I don't have a mother.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

(The Detainee interrupts with the following statement.)

Detainee: How long should I wait? I don't have any problems with anybody here, so in your opinion how long should I wait for an answer? I don't have a lawyer; most prisoners have lawyers and are being represented by somebody. I am just here by myself and if you could give me an answer...I don't have any detainee friends I just stay in one room for 24 hours a day and they open it for 3 times to give me dinner then I just go to bed.

Presiding Officer: The Designated Civilian Official in Washington, D.C., once he makes a decision, a date will be set and you will be notified. We do not know an exact date to be able to give you that information.

Detainee: Will I have to wait for a year?

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Presiding Officer: The date has not been determined and once he comes up with a decision you will be notified.

Detainee: I promise when I go home I will not give any problems to anyone.

Presiding Officer: We understand and the board did get that message from you today and once we do our deliberation that information will be in our report to the civilian official.

Detainee: When I go home I will not sell drugs and go to another prison. I understand everything...I will go a smarter way. I understand drugs are not good and I will not sell any nicotine or morphine. I swear to Jesus and God.

Presiding Officer: We understand that and everything you have said will be in our report for their review and it will be taken into consideration when we do our writing. That is the best answer I can give you.


Detainee: Thank you sir. Two months ago I lost my daughter and this guy said if I don't give him money maybe next it will be my son, my sister, or my brother. That is why I don't want to sit here and [lose] my family. If I did not have a family, any brothers and sisters or kids, I would sit here with no problem.

Presiding Officer: The only thing I can think of right now is for you to get in touch with the International Red Cross to see what they can do for you in regards to your family.

Detainee: Thank you sir.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, USMC
Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 556

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee declined taking the (Muslim) oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The Detainee's Administrative Review Board interview occurred on 31 August 2005 and lasted for 60 minutes. After a review of the Administrative Review Board's purpose and procedures, the Farsi translation of the Unclassified Summary of Evidence was read to the Detainee. The Detainee indicated that his native language is Uzbek, however, he agreed to have the interview and Administrative Review Board in his second language Farsi.

Detainee: I did explain that my first language is Uzbek language and I prefer to have an Uzbek translator.

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Presiding Officer: Do you think you can understand these proceedings if they were translated into Farsi?

Detainee: I repeat what I said during the interview. I do understand you (*translator*); you explain things slowly and clearly. I do understand you, but again it is not my native language, Uzbek is my native language, of course, I'd prefer to have Uzbek linguist.

Presiding Officer: This process is about being most fair for you. I need to make sure that the Farsi is going to allow you to understand the whole process and allow you to explain things as well. If you cannot do that in Farsi we will go in recess.

Detainee: With the help of God so far I understand this translator, if she speaks slowly and clearly, but I mention again during my initial interview and my Assisting Military Officer said please tell the board members that you do have problem, Farsi is your second language and you prefer to have an Uzbek linguist, but with the help of God, I will go ahead with this linguist in Farsi.

The Administrative Review Board recessed until an Uzbek translator became available for the Assisting Military Officer and Detainee.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The Detainee's initial Administrative Review Board interview occurred on 31 August 2005 and lasted for 60 minutes. After a review of the Administrative Review Board's purpose and procedures, the Farsi translation of the Unclassified Summary of Evidence was read to the Detainee. The Detainee indicated that his native language is Uzbek. However, he agreed to have the Administrative Review Board interview in his second language Farsi. During the Administrative Review Board it was necessary to recess to make available an Uzbek linguist to translate for the Detainee. A follow up interview was conducted with the Uzbek linguist on 07 September 2005 and lasted for 45 minutes. When asked if he would like to attend the Administrative Review Board, comment on the Unclassified Summary of Evidence,

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provide a written statement, give an oral statement or provide the Assisting Military Officer comments to present on his behalf he stated, during his interviews with both the Farsi and Uzbek linguists, that he wished to attend and speak openly with the board members. The Detainee prefers to respond to the Summary of Evidence after each allegation is read during the Administrative Review Board. The Detainee stated that he did not want the Assisting Military Officer to take any written notes for him during the interview. The Detainee indicated that he had written to his uncle and the Imam of his Mosque, in hopes that he would have some written documents for the Assisting Military Officer to submit on his behalf. The Detainee was very polite during the interview. The Detainee stated that he could not read or write, however, he elected to keep the English, Farsi, and the Uzbek version of the Unclassified Summary of Evidence.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-3, other unclassified information to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

Designated Military Officer: The Detainee fought for the Northern Alliance against the Russians.

Detainee: When [the] Russians entered Afghanistan they entered with huge power and with a huge force. As men of that country we were trying to defend ourselves. It [was] not only me, [but] the whole population [of] Afghanistan, people like me were united and tried to fight against the Russians. I believe at that time even the Americans and British government use to help us, provide us with some things. They were helping us to fight against the Russians. I'm wondering why Americans entered Afghanistan and what they are doing over there? Maybe you came to Afghanistan to defend yourselves, if somebody is trying to defend themselves or their home country I think that [it] is a natural thing to do. I don't think it's a bad thing to do and if it happens again we are going to defend our country again. If you think that it's wrong to do that than you're going to be wrong too.

Presiding Officer: We understand you were defending your country at that time.

Detainee: Yes, there is no other reason but that.

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Designated Military Officer: In 2001, the Detainee was arrested in Peshawar during a raid by local police and released when authorities determined he was not Arab.

Detainee: That's correct. I don't understand what is [the] point at that time.

Presiding Officer: This is just going to build a story for us to discuss.

Detainee: At the time I [was] arrested, when they took me to the jail, one of your people actually had an interrogation with me. I gave them all information I had at that time. [When the] Pakistani government arrested me; I gave them all the information of where I was staying, what I was doing and what was the purpose of moving? They checked all the information I gave them and they determined that everything was correct. I was released after that.

Designated Military Officer: The Detainee was arrested along with two Arabs, Musa, a 25-28 year old Syrian, and Abdul Rashad, a 25-30 year old Saudi, during a raid of Musa's house.

Detainee: At that time when they actually came to that house, Abdul Rashad was not there. There were only two people there, Musa and I. That is not the correct information about Abdul Rashad.

Designated Military Officer: When the Detainee was captured, his hands tested positive for explosive residue. Authorities were looking for an explosives expert named Abdul Latif Al Turki.

Detainee: When I got arrested the second time, they tested my fingers for explosive [residue] at the jail and [informed] me that I tested positive. Since I know myself, I know I didn't touch any kind of explosives. I was wondering, how was that possible? This is not the correct information. This is all [a] lie. I never touched any kind of explosives after the Russians [left].

Designated Military Officer: The Detainee told Pakistani authorities his name was Abdullah Mohammed Khan, but he was identified as Abdul Latif Al Turki, the name printed on his Turkish passport.

Detainee: This [was a] forged passport. I only needed this passport to cross the border. The person who made the passport for me was named Abdul Latif Al Turki. The name on the passport shouldn't be Abdul Latif Al Turki, it should be a different name. Only the name of the person who made that passport for me [is] name[d] Abdul Latif Al Turki. So this is not correct information.

Designated Military Officer: The Detainee became good friends with Musa and would sometimes stay with Musa and his family at their house in Peshawar.

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Detainee: I first met him at the Mosque. We both started talking and he invited me to his house. I cannot say that we became very close good friends. It was not a very close friendly association with him, but it was just to talk with somebody. The only association I had with him was I just went to his house a few times, be a guest, and they prepared food and that was it.

Designated Military Officer: The Detainee was arrested in Musa's residence.

Detainee: That's correct.

Designated Military Officer: Musa (aka Abd Al-Hamid Al-Suri) is an al Qaida suspect.

Detainee: The only name I knew was Musa. I knew that person as Musa, but the second time I got arrested they told me that he goes by so and so name. That is only the second time I got arrested I knew about Al-Hamid. The only thing I knew about him was that sometimes he goes by Abd Al-Hamid, but that was his legal son's name and sometimes he used this name. You are saying that he is al Qaida suspect, but when I was associated with him, when I was talking with him, I never ever even suspected anything in that matter. He came from Turkey with his family, his wife, and kids and with his sister, who also had kids. They lived in Pakistan and the purpose for him to come to Pakistan was to have a treatment on his feet. He had some wounds on [his feet]. His feet were in very bad condition, he had to get that treatment, because of that he couldn't have a job and couldn't work. His little brothers and his relatives and close people to him they were helping him with money. He was a poor sick person, because of his feet. I don't think and I didn't see anything that [would make him an] al Qaida suspect.

Designated Military Officer: Musa (aka Abd Al-Hamid Al-Suri) is also known as Baha'Bin Mustafa Muhammad Jaghal, Musa Muhamat Julaq Augol, Abd Al-Hamid Al-Sharif, and Musa Ugly.

Detainee: I never heard all those names. The only name I've ever heard is Abd Al-Hamid.

Designated Military Officer: An al Qaida detainee identified the Detainee in a still photograph as Abdul Latif Al-Turki.

Detainee: I believe that is wrong information I never used this kind of name. I don't even know what kind of...I never associated with any Arab people and I can't see what kind of person can say that. Everybody who knows me, everybody who I associate with they do know me as Abdullah Mohammad Khan...everybody who knows me they will tell you that is my name. It's not going to be the correct information if you really showed somebody my picture and they told you that my name is Abdul Latif Al-Turki, he was lying.

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Designated Military Officer: A Lybian Islamic Fighting Group member identified the Detainee in photo as Abdul Latif Al-Turki. The member said he saw the Detainee several times at the Al-Ansar guesthouse in Pakistan.

Detainee: This is also not correct information. I never ever spent any association with any Lybian Islamic Fighting Group. I never had any association with those kind of people and I [have] never been at that guesthouse, Al-Ansar guesthouse. Is that person you're talking about here?

Presiding Officer: We just have this information to go by.

Detainee: This is not the correct information. I never had any association with Arabs. Even if those groups are in Pakistan, I never had any association with them.

Designated Military Officer: An Iraqi detainee identified the Detainee in a photo and reported he had seen the Detainee at the Khana Gulam Bacha guesthouse on the Taliban front lines in Kabul, Afghanistan during late 1999-2000.

Detainee: Like I told you previously, when I was traveling from Pakistan to Kabul, I was passing through [many] the places. During that travel I actually stopped at some place, hotel or a little guesthouse or someplace where we could eat food or stay a night. At [the] time you don't actually think that it could be Taliban place or it's own[ed] by Taliban. You just go there and spend the night and you have food. I don't remember what the name of the hotel, but that could be the name and somebody could have seen me there. I know that there are lots of Iraqi people here at this camp and they don't like each other and they try to put bad information on [other people]. About two years ago, I was prepared to be released from here, at that point I lived with some Iraqi people and because they disliked me they were lying, they were throwing some allegations on me and that's why my process has stopped and that's why I have not been released.

Designated Military Officer: The Detainee interrupts and monopolizes the interpreter constantly to disrupt interrogations.

Detainee: Why do you have those kinds of comments?

Presiding Officer: These comments must come from your behavior in the camp.

Detainee: Well at some point when you are in the interrogation with the interrogator, [who] tells you that you did [something] and if it's not true of course I'm going to reply defens[ively]. If there is a purpose to actually break the conversation and say something as then as what it was at that time.

Designated Military Officer: The Detainee manipulates interrogations by using linguistic differences as his excuse.

Detainee: My own language?

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Presiding Officer: I think what they are saying is that you used language issues as an excuse not to answer questions.

Detainee: First of all, my native language is Uzbek language, but sometimes they will bring different interpreters and they brought a Uighur interpreter and there is of course a difference in languages. Of course, to understand what he is talking about I have to ask him to rephrase it several times or use some different words. Sometimes they bring the Persian or Arab linguist.

Presiding Officer: Today we have the Uzbek linguist.

Detainee: Of course the Arabic language I just learned it here at the camp. The Farsi language I still don't know, it's not complete, I don't understand it as much as I understand Uzbek, but that could be the only reason it happens. If I don't understand anything that is the only time I interrupt.

Presiding Officer: We understand we saw that last week. We understand.

Designated Military Officer: When the Detainee was arrested in January 2002, police confiscated his counterfeit passport, as well as numerous additional forged passports from the house that was raided.

Detainee: That's correct. I had only my passport in my hands, so it had been confiscated. The other passports I heard about afterwards.

Designated Military Officer: When the Detainee was arrested in January 2002, a compact disk (CD) containing 19 English-language manuals covering manufacture of improvised explosives, poisons, timers, firing devices and other bomb initiating/delivery systems were discovered on the hard drive of a computer during the raid of the safehouse where Detainee was arrested.

Detainee: I didn't have knowledge of that, but they told me afterwards that at Musa's house in the computer, he was using his house and all those things were found.

Designated Military Officer: When the Detainee was arrested in January 2002, a Kuwaiti telephone number was found, registered to a Pakistani national who transferred money from Kuwait to Pakistan for large numbers of Pakistanis. He had dealing with villagers of Peshawar.

Detainee: I don't think that is correct information. That should be all lies.

Designated Military Officer: Detainee argues that he is innocent of all the charges brought before him other than he was associated with Musa (an al Qaida suspect) upon his capture.

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Detainee: That's correct. Again, I had some association with Musa and also I had a bad passport that's the only things that occurred.

Designated Military Officer: The Detainee stated he never owned a valid passport. His previous travels between Afghanistan and Pakistan only required a small bribe to the border guards to allow him to cross the borders.

Detainee: That's true. Everybody who travels between Pakistan and Afghanistan, they usually bribe the border guards and they never require any passports (inaudible). Everybody knows that, it goes both ways for traveling from Pakistan to Afghanistan and from Afghanistan to Pakistan. The only people who [may] use the passport are [people] who have a business in trading when they go from country to country. Some trading business[es] might use the passport, but people like me they can just bribe a little bit and just go on.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Detainee made the following statement:

Detainee: I'm going to deny all those allegations, which have been presented to me on the Unclassified information except those two, which is I really had a forged passport and I was associated with Musa. I never in my life, I didn't have anything against you and I never associated with people, who had anything against you. So I never had bad feelings about you. I'm just a regular person, I was studying in a madrassa in Pakistan and I had nothing against you and all of those allegations are not correct. I told you several times that I'm innocent and I don't have anything against America and I requested several times [to be] released. The first time I got arrested and they interrogated me I gave them all the information I had about where I live[d] and all the contacts and when they went back and check[ed] on it they saw that every thing was correct...they let me go. Every time I talk to you I tell you only the truth and nothing but the truth. Never, during the four years I have been detained here, I never had any bad behavior towards...every time you talk to me I know who I am, I'm a very truthful person. Every time I talk, [I tell] the truth, that's why the first time I got jailed they released me because...at that time they use to actually capture people and sell them to Americans for about \$5,000 and they are actually handing people to Americans they wouldn't tell them that they are just regular people. Of course, they want to sell it for a better price and they will tell them that he's a Taliban member. Of course at that time you never tell them that this is just a regular person. They are not going to buy you; they're not going to pay any money for them.

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That is why they have to actually investigate and find out what kind of people you have. Of course if somebody actually betrayed their own country or their own religion they are not going to be truthful to you. Those kinds of people who betray their religion they betray their trust and they're selling people for the money. I believe you probably have your own idea about what kind of people are there and what kind of people who are doing these kinds of trading. I believe there have been lots of people who have been released from this place because you have determined them as innocent or as enemy combatant and if that was the fact then you can understand that there is more innocent people here.

Presiding Officer: That is why you're here today.

Detainee: It has been four years since I have been here. I don't know how many interrogations I [have been] through. I don't know what's going on back at home and I don't even know what is happening with my father. You cannot even imagine, you cannot probably spend one day in my condition and you cannot even imagine how hard it has been for me to be here for four years that I'm losing my health. If you really care about me you can go to my home and town and check all the information I'm providing you, just check with my parents.

Presiding Officer: We'll get to some questions in just a few moments. Thank you very much for your statement. We understand everything you're saying.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: What language did you use when you talked to Musa?

Detainee: We didn't have an opportunity to talk, like we [are] talk[ing] here right now. We talk[ed] in a little bit Farsi and a little bit Turkish and just a few words in Arabic. Every time we didn't understand each other, we tried to involve some other languages to try to make some connection.

Board Member: Did you ever speak English with him?

Detainee: No, I never spoke with him in English, because I didn't understand English. The only language we used is Turkish, because Turkish is kind of close with Uzbek, plus Arabic and Farsi.

Board Member: Did Musa speak English?

Detainee: I believe he did understand a little bit. I heard him talk a little bit in English while we were in the jail in Pakistan.

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Board Member: Did they find any explosives inside the house?

Detainee: I had been in his house several times as a guest. I never heard about those explosive things or never saw them with my eyes, but like you said here, you say that they found some explosives.

Board Member: No, I didn't say there were explosives found, but they said that there was explosive residue on your hands?

Detainee: I'm going to be answering a question with a question, again how is that possible, if somebody never touch[es] explosive devices how is it possible to get positive...that is not correct?

Board Member: What do you think was on your hands?

Detainee: Nobody told me what tested positive [on] my fingers [except] explosive residue, but I never touched it...how is that possible? That is not correct information. There are also several other accusations against me, which is not true. Like I told them before there is a mountain, which is named Tora Bora. I'm going to try to explain the truth of it. They told me that you've been with Arabs at Tora Bora and you were fighting against the Americans. They told me that when I was tested it was positive for an explosive [residue] after that. I told them at that time I was actually in jail and it could not be possible...[to be] over there. If somebody is in jail how is it possible for him to be in Tora Bora.

Board Member: I'm not asking about Tora Bora. I just want to get back to when you were arrested; you said they didn't find any explosives there. You don't know what it was on your hands that they thought might be explosives. You don't have any idea what it might have been?

Detainee: I didn't touch any explosive devices at that time. Just in order to prove to themselves that I had the devices, that I had explosive devices. They told me that I was at Tora Bora, that's why I had [explosive residue]. They were actually pushing those allegations on me and they were trying to put those allegations on me that I was at Tora Bora.

Board Member: Did you know Abdul Latif Al-Turki?

Detainee: Only way I knew about that person, because he made the passport for me and I knew him through Musa and he was Musa's friend and he made the passport.

Board Member: Did you meet the individual?

Detainee: He came to Musa's house and that is how I met him over there. He introduced himself as [from] Turkey and he said he was a student in [an] Islamic University and he

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was studying over there in (inaudible). I never knew him before I met him through that demand of [a] passport.

Board Member: I'm going to ask some questions, but I want short answers. Why did you have a passport for Turkey?

Detainee: So I could go there and find [a] job.

Board Member: Why were you in Pakistan?

Detainee: I stayed in Pakistan so I could study in madrassa and do some work and collect some money. There are a lot of refugees who came from Afghanistan. They live in Pakistan. They live in [a] very plain kind of lifestyle.

Board Member: Were you mujahidin against Russians?

Detainee: Yes, I did fight against Russians.

Board Member: You knew about explosives then?

Detainee: I saw the explosives at that time, but I never had any education on it and I knew it was dangerous and there were special people for that. I don't have any reason to use them.

Board Member: Are you a member of al Qaida?

Detainee: No.

Presiding Officer: I just have a few questions and I just want short answers. Did you say you are illiterate?

Detainee: Yes, I didn't go to school.

Presiding Officer: But I thought you were studying in a madrassa?

Detainee: In the madrassa we were studying only Koran. It's not so hard to read the Koran, everybody can actually do that, but you need to understand [that] to write Koran is very difficult.

Presiding Officer: So you can read or write a little?

Detainee: Just very little. A little bit Arabic and a little bit Farsi.

Presiding Officer: At Musa's house did you see other people there? Were there other people that were visiting Musa's house?

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Detainee: I was at his house several times and I never saw any other people except his wife, his kids, his sister and his sister had daughters.

Presiding Officer: What was wrong with Musa's feet?

Detainee: He was a mujahed in Afghanistan and he fought and he was wounded. I believe it was back in 93, 94.

Presiding Officer: So he got wounded by the Russians?

Detainee: I believe it wasn't the Russians at that time, but the Hezb-e Islami Gulbuddin government. That is what I heard from him, but if there is something else I don't know.

Presiding Officer: You are not married?

Detainee: No.

Presiding Officer: Just a father is your only family?

Detainee: Only my father, mother and siblings.

Presiding Officer: Where do they live?

Detainee: There is a city in Afghanistan, which is named Takhar.

Presiding Officer: Thank you very much. Thank you for your answers and all the information that you have provided today.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


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Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 560

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

Presiding Officer: You do understand the translator?

Detainee: Yes, I understand.

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

Detainee: I swear that I am telling the truth.

Presiding Officer: I understand your customs but I would just [like to] ask if you could give me a yes or no answer.

Detainee: Yes.

Presiding Officer: Muslim oath?

Detainee: Yes.

The Detainee accepted taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

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The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's ARB interview was conducted on 25 October 2005, and lasted one hour and five minutes. After reviewing the ARB's purpose and procedures, the Pashto translated Unclassified Summary of Evidence was read to the Detainee. The Detainee stated he understood the difference between the CSRT and the ARB. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he wanted to attend the ARB and respond to each statement of information in the Unclassified Summary as [it is] presented in the ARB. The Detainee stated he would respond orally from his notes on the Pashto translated Unclassified Summary of Evidence. Also, the Detainee stated he would have letters to present as evidence. As a result, the Detainee requested a follow-up interview to provide his evidence. The Detainee was cordial, attentive, somewhat enthusiastic, but complained that he was sleepy from Ramadan fasting. At the conclusion of the initial interview, a copy of the Pashto translated Unclassified Summary of Evidence was provided to the Detainee, via his guards. The Detainee's follow-up interview was conducted on 26 October 2005 and lasted 30 minutes. The Detainee provided three documents; all were personal letters from family members. The translator read through the Detainee's written responses to ensure these would be correctly translated to English.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, and the Terrorist Organization Reference Guide, DMO-3, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer for presentation to the Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of the information from the Unclassified Summary as it was presented.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board to assist the Detainee with answering the statements.

Designated Military Officer: Presiding Officer, is he going to respond after each item is read or after the entire summary?

Presiding Officer: After each item is read is what's checked off.

Detainee: Yes, one by one.

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Presiding Officer: Yes, that's the way I understood it.

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee admitted he was in business with the Taliban and worked with the Taliban because of the money. The Detainee stated that his business relationship with the Taliban lasted approximately three months.

Detainee: I didn't say I did business with the Taliban. I said I did business with Afghanistan Bank and we were partners for three months and after three months the whole thing was finished. I lost half a million dollars in this deal. I told [them about this] in detail at the time of the interrogation.

Presiding Officer: Interrogation or CSRT?

Detainee: At the interrogation I gave them [information] in detail. At CSRT I gave a little bit less detail.

Designated Military Officer: (3.a.2) The Detainee served as an intermediary for funds passed through the al Rasheed Trust.

Detainee: This is wrong, it was translated wrong, this is al Rashid, this is a guy from United Arab Emirates (UAE), and he is a man. It is not al Rasheed, it's al Rashid he is a man. A friend of mine went to United Arab Emirates [to see] al Rashid. He (the friend) needed to write a check but because he didn't have a residency there he wrote the check in my name. It is a very wrong translation, I don't know al Rasheed, and it is different.

Presiding Officer: What is the first name you said?

Detainee: al Rashid, United Arab Emirates and Dubai are on the same Peninsula.

OL-23: It's a city, small country, UAE I believe the Americans call it.

Board Member: United Arab Emirates.

Detainee: This man is from a city over there called Sharaj. I told them the whole details of this, that's a very wrong translation.

Designated Military Officer: (3.a.3) The Detainee was a moneymen for Usama bin Laden from 1996 to 1997. The Detainee conducted most of his money transactions at three money exchangers with offices in Dubai, United Arab Emirates and Pakistan National al Almas Exchange.

Detainee: They are doing an injustice to me, they are all wrong. In 1998, I opened my own business in Dubai and this was before I had the business. I don't know about Usama and I haven't opened business in this year that they mention. You have my passport; you

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think about it and you be the judge. Both of them are one in Dubai and Emirates I didn't have two, I had my own business exchange in Peshawar, Pakistan in 1988. Where could they have gotten this that I have done business in 1996 and 1997, and I was in Pakistan, I hadn't even been there. I am so surprised about this lie. Why are people giving you wrong information? Why are you believing them and keeping us here? If you catch me with Usama's name you could say I was criminal but I don't know him. If you can find any document that connects me with Usama I will give my blood to you and my children's blood to you and I will sign it for you. If you keep me here by just wrong allegations, without justice, if you have justice, please do the justice but if you don't just let me sit down here forever.

Presiding Officer: During the conversation you said 1988, did you mean 1998.

OL-23: Yes, he said he opened his business in 1998 and it was written 1996 and 1997.

Presiding Officer: After that you did mention 1988, but I think you meant 1998.

OL-23: Yes, I am sorry, Sir, it was 1998.

Detainee: Yes, they accuse me for 1997 and it is very obvious mistake. You have my passport, you can see that and get information from Dubai and you can find out information when I opened the business in Dubai.

Designated Military Officer: (3.a.4) The Detainee is allegedly involved in smuggling gold for al Qaida through the Peshawar Airport and admitted being in the gold business and having a currency exchange business in Peshawar, Pakistan.

Detainee: Yes, I accept that I was doing business with the gold. I was bringing people jewelry and things from Dubai, but it was not smuggling, this was by law. Even when I was caught that was my job. I exchange money and this was my job since 1998. In Peshawar this was my business from 1988.

Presiding Officer: 1988?

Detainee: Yes.

Board Member: Where did he ship the gold from, Dubai to where?

OL-23: To Peshawar, Pakistan.

Detainee: That was my business it was not only [I]. The whole world is doing this business bringing gold from other country, but I am doing this for al Qaida, it's not for al Qaida. It not only goes there, it goes all over the world. You can be the judge of it. If someone is [working] in the gold business is that considered smuggling? You be the judge of it. Not only me a lot of people are doing this, my relatives are doing this.

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[Whether] you are aware or not other people are still doing this after [I have been arrested].

Designated Military Officer: (3.a.5) The Detainee did business with the Taliban Supreme Leader, Mullah Mohammad Omar, in April 2000. He had given the Detainee one million United States dollars to manage.

Detainee: You be the judge of this. I owe the bank a lot of money and I was paying a payment to the bank. Where did you get this Mullah Mohammad Omar coming to me to give me a million dollars this [crazy], you think about it? I have been in jail for that amount of money because I had business with the bank. I have been in jail for that and my cousin has been in jail for that deal that we had with Afghanistan Bank. We both went to jail because of that. Because of that (deal with the bank) the President of the Bank was dismissed too. I was in jail eight hours because of that.

Board Member: How many hours?

Ol-23: Eight hours.

Presiding Officer: How long was your cousin in jail?

Detainee: Almost one month. When I was coming into Dubai, there were two members for the interrogation to find out about this bank, which is my statement with Abdul Salam Zahif. He can be my witness. He was present during the decision of the bank. I was in Camp 4 and Salam was in Camp 4 and he was saying you called him into court and he witnessed that. Now he is gone he, has been released.

Presiding Officer: During the CSRT he was called?

Detainee: Yes sir, but you can see that by yourself.

Presiding Officer: Why were you held only eight hours and your cousin for one month?

Detainee: Because when I was in Dubai they detained him waiting for me to come back and then making the decision about the thing.

Presiding Officer: Were you detained in Dubai or when you got to where your cousin was?

Detainee: When I came from Dubai, they made the decision and then they put me in jail. My brother came and stated "He has been [making] a lot of payments and the rest of them he will pay." So they let me go. My cousin was responsible for the store I had in Kabul. He was running it. His name is Agbee Lal Mohammad and I told the [interrogators] this story. It is all in my [files]. You be the judge of it, Mullah Muhammad Omar giving me some money, I owe the bank money and Mullah

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Mohammad Omar gave me money? I am in a lot of debt from the people and he is coming to give me money? I gave their whole names and if one was wrong or a lie then all my statements are lies.

Presiding Officer: I am relying on all your statements being the truth.

Detainee: I am not scared of anybody I am a businessman. When I have done business I would tell them that I have done business. If I were doing business with Bush or Usama or Mullah Omar I would let you know I did business with them. Why should I be scared of business, I should not. I am not a political guy and I am not a fighter trying to hide it from you.

Designated Military Officer: (3.a.6) The Detainee purchased vehicles for the Taliban.

Detainee: You be the judge of it. If somebody were drowned in debt, would he pay his debt or buy cars for others? He must be crazy or his brain is not all there.

Designated Military Officer: (3.a.7) The Detainee facilitated transfers and exchanges of funds from Usama bin Laden controlled accounts for the purchase of surface-to-air-missiles for al Qaida.

Detainee: I did not know bin Laden. I didn't even hear the al Qaida name before they hit the Pentagon and we saw it on television and they said al Qaida has done this. We know al Qaida just when they announced it as al Qaida has hit the Pentagon. We didn't know if al Qaida was a human, cow, is a donkey, what is it?

Designated Military Officer: (3.b) Connections/Associations (3.b.1) The Detainee is an associate of Usama bin Laden.

Detainee: Yes, he is my relative. I am married to his daughter (Detainee was joking). What kind of question is that?

Presiding Officer: So you are kidding, you are joking with us, correct?

Detainee: Yes, these [allegations] are giving me a shock to my brain.

Designated Military Officer: (3.b.2) The Detainee is associated with senior members of the Taliban.

Detainee: With who?

Presiding Officer: It doesn't really say here but since you have admitted that you had financial dealings with them for about three months, then we are taking it that you must know some senior members in the Taliban. It doesn't specify whom; maybe you can clear that up for us?

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Detainee: When I borrowed money from the bank Abdul Rahman Zahid was the President of the Bank. I knew him before these kinds of stories happened. It's not like I know him now. I knew him a long time ago, a long time before the Taliban.

Presiding Officer: Did I hear you refer to him as President?

OI-23: Yes, President of the Bank.

Detainee: At that time he was the President but after the deal they dismissed him. When he became my partner they asked him why did he become my partner on his own, why didn't he let the bank know and that's why he was dismissed. Then they told Abdul Rahman Zahid, and me that we have corrupted ourselves by taking money. Zahid has told this whole story; he was called as a witness. That is why the government sent a decision to the community saying these two had committed embezzlement. They did it without the government permission, they have taken money and embezzled it and that's why Zahid got dismissed. Then the result was my cousin went into jail and I lost a lot of money, they put a lot of payments on me. The brutality has been done to me from the Taliban regarding my money and it hasn't been done to anybody else. Because of that I borrowed a lot of money from people and I still owe them money.

Presiding Officer: When you say the government, do you mean the Taliban government?

Detainee: Yes, sir.

Designated Military Officer: (3.b.3) The Detainee was closely affiliated with the Taliban and was considered to be very close to Taliban leaders Mullah Mohammad Rabbani and Mullah Mohammad Omar.

Detainee: Yes, I said that I have seen Mullah Mohammad Rabbani. If you blame me for seeing him, a lot of people have seen him so blame [them] for seeing him. I have seen him. Mullah Muhammad Omar, I have only heard his name, I have never seen him. So about Mullah Mohammad Rabbani, I told them the story of [exactly] what happened.

Designated Military Officer: (3.b.4) The Detainee was working with a person who was a Jamaat Tabligh member from Pakistan.

Detainee: Who is this guy I have worked with?

Presiding Officer: Have you worked with anyone from Pakistan?

Detainee: Yes, I have worked with Pakistanis but they are not missionaries or Tabligh. If it is because of Tabligh, the Tabligh is missionaries, the whole Pakistan is missionary. In Arab countries even in America there are a lot of missionaries, so why don't you bring them [here], why bring me? If I have connection with the Tabligh, why don't you

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capture the Tablighs? There are at least 30 million Pakistan Tabligh and there are a lot of Tablighs in [Great] Britain and America. They are all over the world, bring them why bring me? I haven't even worked with the Tabligh, so you accuse [me] for that? In Afghanistan there is a lot of Tablighs won't you go bring them all. You don't bring, you bring the person who you are accusing to have worked with the Tabligh. So you be the judge. I have worked with the Tabligh, why don't you bring in the Tabligh; I swear I don't know them who is this guy? I am just surprised at your accusations. Why don't you think? Use the justice.

Designated Military Officer: (3.b.5) The Detainee was identified as being a wealthy Afghan moneychanger who was affiliated with the Hizbi Islami Gulbuddin.

Detainee: You call me rich. If a rich man owes one million dollars, then he is not. He is rich or is he in debt, which one would you believe? If you detain me for my relationship with Gulbuddin, his niece is married to my stepbrother. Yes, I opened the business in 1988 and at that time Gulbuddin was gone from Pakistan. He was in Iran and some other places, he wasn't even there. Now we are here and we don't even know where Gulbuddin is or what he is doing. What excuse do you have to tie me to Gulbuddin? You have to have a reason or [something]. For ten to fifteen years Gulbuddin was out of the country. What reason do you have even Gulbuddin's name disappeared? Now has he reappeared again and this is why I am in jail, I don't know. You accuse me for being his relative, then you can bring a lot of my family here.

Presiding Officer: I believe it is referring to the organization he is the head of.

Detainee: I am not his party member.

Designated Military Officer: (3.c) Other Relevant Data: (3.c.1) The Detainee was arrested by a Pakistani Police official in his house in Peshawar, Pakistan for being a suspected drug smuggler.

Detainee: I only said that because Pakistan cheated you guys. They released their own detainees and they give you the wrong detainees. The ones they had business with they would release them and the ones who had no connection with them they would keep them. The Pakistani police, just two months before they arrested me they took my car. Then after the two months they arrested me. They said the job was for \$500,000 and they asked me for \$350,000. My brother told the police "You give us \$400,000 the rest of the profit is yours." The deal didn't work and then they came at ten o'clock in the night and arrested me, tied my eyes and put me in jail. When they took me there the big officer said "Do you know why we brought you here?" I said no. He stated "They told me you were a very famous money exchanger. If you don't pay us a bribe we will send you to a very unknown place that you will never know." I told him that they took my car and I owe a lot of money to people. He told me to go and think about it and he will send someone to see me the next day. The next day there was a guy with a longer beard than mine who stated "If you don't have a car and if you don't have the cash, sell your house

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and give us half of it to save yourself from the bad ending." I got pissed off and I cursed them. Then three days later they gave me to the Americans. I don't know these drugs. If you don't believe me you can do whatever you want. I don't even know what drugs are. If I had sold my house and paid the bribe then I would not be here.

Designated Military Officer: (3.c.2) The Detainee was repaying his debts to the Taliban through installments and on two separate occasions the Detainee paid for Taliban Vice President Mullah Mohammed Rabbani to travel, once to Dubai for cancer treatment and once to Saudi Arabia for the Hajj.

Detainee: You can be the judge of this. I owe Taliban this is wrong. I owe the bank money. You think I have to pay the payment to the bank or give them money to go to Dubai for the treatment or to the Hajj and these things. You think on this one, would I give the bank payment or give it to the person to travel? You do the justice.

Presiding Officer: The question is, did you give Mullah Mohammad Rabbani money?

Detainee: No, you tell me. Do I have to pay my payment or give this guy some money?

Presiding Officer: Fine, you have answered my question.

Designated Military Officer: (4) The following primary factors favor release or transfer (4.a) The Detainee claims that he never joined any other religious organization nor did he participate in the Hizbi Islami Gulbuddin after he departed to Pakistan.

Detainee: I said I do not have any relationship with any religious party. I have no religious party, so does it [seem] I had a connection with them before, no. For fifteen years maybe less or more, he has disappeared from Pakistan anyway. So before that I was an immigrant at a refugee camp. You think that I have a relationship or a relative, well I told you about that.

Presiding Officer: Okay.

Detainee: And regarding the relative, I don't even like my brother so forget about the niece (Gulbuddin's niece) or the husband of the niece.

Designated Military Officer: (4.b) The Detainee adamantly stressed that his relationship with the Taliban was simply business and despite their business relationship, he never agreed with the manner in which they treated people.

Detainee: I told them, I have only had the deal with the bank. I haven't seen the Taliban and I have no relationship to them because they had been involved with invading your personal [life] everything that you have. They asked me why don't you have a beard? We were businessmen, their ways and our ways were different. That's why they didn't

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like us and we didn't like them. Because a businessman does not have a beard and listens to music in his car, and he watched television and they didn't like that.

Presiding Officer: Who are they?

OL-23: Taliban.

Detainee: Taliban was against us so they were not going to agree with us. Our wives would sit in the car with us. [Sometimes] they would be covered and at other times they were not covered and the Taliban didn't like that.

Designated Military Officer: (4.c) The Detainee insists he has not conducted business with the Taliban since 1996, which he explains was about the timeframe the Taliban started fighting with the Northern Alliance.

Detainee: I don't understand this question. I haven't done anything except this one deal I made with them because of the bank. Otherwise I don't have any information about this so how can I answer. I have made one deal with them. I don't even know if in 1996 they occupied Kabul or not I don't have information about it. I only made one deal with them that's it.

Presiding Officer: Was that around 1996 because that's what they are saying here?

Detainee: On the passport I have which is from Dubai with a kind of seal on it, fifteen days from that day. That's the exact time, I don't know the exact time, and you have the passport.

Designated Military Officer: (4.d) The Detainee stated that he did not meet with Taliban government officials and did not attempt other business deals involving individuals or entities associated with Taliban.

Detainee: Yes, I said that.

Designated Military Officer: (4.e) The Detainee claims that he had no knowledge of al Qaida prior to his arrest and never heard of the Taliban converting cash to gold or other commodities to earn a profit.

Detainee: No, yes.

Designated Military Officer: (4.f) The Detainee claims to have never conducted any currency exchanges or other financial transactions for Hekmatyr or any known associates of Hekmatyr.

Detainee: No, I haven't done it.

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Designated Military Officer: (4.g) The Detainee stated that if released he would like to return to his former trade as a moneylender.

Detainee: Yes, if the people I owe will leave me alone, I know I can do it.

Designated Military Officer: This concludes the Unclassified Summary of Evidence.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: Yes sir, the Detainee would like to submit witness statements on his behalf. I am handing to the Administrative Review Board the following Unclassified Exhibits marked as EC-C1 thru EC-C3. Copies of these exhibits have been previously provided to the Designated Military Officer.

Presiding Officer: Assisting Military Officer please read the Detainee's additional comments on the Enemy Combatant Election Form.

Assisting Military Officer: During the initial interview, the Detainee claimed that shortly after his CSRT, he was told "although I was an EC (Enemy Combatant), I would be released in one or two weeks...because I was just a merchant." After he was informed about the possible recommendations made by the ARB, the Detainee questioned "what are the conditions?" This referred to the possibility of transfer to his home state. After, the AMO explained the conditions for transfer were established on a case-by-case basis, the Detainee affirmed that he now understood. The Detainee then claimed he heard the United States and Afghanistan had agreed that all Afghans would be "sent home by the end of the year." The Detainee commented on the Unclassified Summary of Evidence by stating "These allegations...I can't imagine even when I'm dreaming." During the follow-up interview, the Detainee again stated he was sleepy because of the Ramadan schedule (for example, his meals are served at night). As a result, he had a headache. After being informed the Board members would likely ask him questions and it would be his decision on what to answer, the Detainee commented, "God willing I will be able to answer all their question." The Detainee claimed that he had a dream two months ago about his future, and he was hopeful it would come true in the next few days. After handing over the three letters, the Detainee inquired if the AMO knew anything about "the earthquakes." After the AMO explained they were not allowed to discuss world events during the ARB interviews, [the] Detainee noted that he was concerned about his family living in Peshawar, Pakistan.

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Presiding Officer: Forgive me, I forgot did he say he was going to have an oral statement?

Detainee: Yes.

Presiding Officer: You may begin your statement.

The Detainee made the following statement:

Detainee: I will introduce myself first my name is Wali Mohammed. I went to school for nine years on the northern side of Afghanistan. At the time of Soviet Union invasion I was almost fifteen years old when I immigrated as a refugee. We immigrated around 1978 or 1979. When we first immigrated we started working with clothing and things and that was our business. There is a place in Peshawar called Char Sada. Five years I worked there and then after that we went to Mahajer Baraki Camp, a refugee camp and for five years we did the same business over there. There we started a small exchange with it too. Then after that in 1988, I started an exchange in Peshawar. Then from the Mahajer Camp we moved to Peshawar. In 1993, we became separate from each other among the brothers. Then my two cousins Habib Ulah and Aghee Lal Mohammad became my two partners. In 1995, I lost everything and since 1995 I have been in debt. I have not gotten over the debts and I have been able to pay the debts off. In 1993, I had a Quettah, I had another partner and that did work and in one year we were separated. I can't remember if it was 1996 or 1997 but I opened another store in Kabul with Mohammad Rafi, he was my partner. I disconnected that partnership and started a partnership with the bank. In 1998, approximately, I opened my business in Dubai. From 1999 to 2000, I had another partner named Sher Khan and Shaheen Exchange was the business name. He was not really like a partner. I was taking [Pakistani currency] from Kabul to Dubai and then we were selling them there. In 2000, with Aghee Muhammad, Habib Ulah, Obaid Ulah (sister in-law's husband) and Sher Khan when we lost everything was gone and there was no more partnership. After 2000, I became partner with Obe Shaotwallah and Mohammad Edrees. There are two stores in Dubai, we had the material store (clothing material) and we lost on that one too. In 2001, the partnership was finished and after that I have not been involved in a partnership since. I have done my business on my own. I have approximately one million dollars to more than 40 people who I owe and none of this is a lie you can ask anyone. During the time of Karzai, I lost a lot of money because the money started going back and forth. Some of the money I owed the bank. In the letters I have showed you, I owe money to a lot of people but these two exchangers Asif Exchanger and Tahir Exchanger, they owe me money. Tomorrow meeting that you have to pay because the exchange was all out. Hasef was a spy for ISI, Pakistan Secret Service. They gave people some money and then the police came in and captured me. ISI asked me what's going on tomorrow and I said there is a meeting tomorrow and that paper is with you that shows tomorrow is the meeting and the ticket was already there. On the 25th was the meeting, on 26th I was supposed to go to Dubai and that evidence is with you. The other paper from my brother and my cousins they said don't worry about the debts and the Devil has accused you, the

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Devil has put you in jail. Another said I have been counted as the "20" so God will give you credit for that.

OL-23: There is a story that goes with that (20) do you want me to tell you the story about the number 20?

Detainee: Yes, tell them so they can understand.

Note: OL-23 was previously told the following story during the interview with the Detainee.

OL-23: There was a king who had 20 prisoners and they were chained together to take them to the jail for execution. So one of the prisoners gave the jailers some money and they let him go. Then 19 were there and the boss asked "Where is number 20?" and the guard looked around and grabbed one guy and put him in the chain and said "Here is number 20." So the Detainee is number 20.

Detainee: If I had given a bribe to the Pakistani Police I would not be here. Asif told about me, otherwise I am a poor man. I am a businessman. I am not a politician and I have nothing to do with politics. I have two wives, I have ten kids and their education their training what will it be like when I owe 40 people money, what about them, my children. We were so happy the Americans came and released us and we could move back to Afghanistan after they got rid of those sons of bitches and now the Americans took us here. For God sake, I am not a politician and I am not a danger to Americans. If you want some documents I will give you some documents, if you want collateral I will give my whole family as collateral, I am not a danger. What other reason do I have to tell you all? The people I owe its about 40 people and one of them went wrong. They are all exchangers they can do whatever they want.

Presiding Officer: Does that conclude your statement?

Detainee: The rest of it is up to you. You do the justice. I am not going to waste anymore of your time. If you have any questions for me I am ready.

Presiding Officer: Thank You!

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: You said you gave the police \$400,000 at the time that you were arrested? They took your car two weeks before and then at the time of the arrest you gave them \$400,000. I am not sure why you gave them \$400,000.

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Detainee: I haven't said that. They asked my cousin "Give us \$400,000 we will give your car back to you." We said no, you can give us the \$400,000 and you can keep the car.

Board Member: When you loan money do you charge interest?

Detainee: No, I don't give anybody any money our religion does not permit that. That's a very, very bad name if I charge interest.

Board Member: So how do you make money?

Detainee: It's a chance with exchange money goes up and down.

Board Member: In the exchange business but you're a moneylender too.

Detainee: No, I don't lend it is all cash exchange.

Board Member: Did the bank charge interest, since you are half a million dollars in debt to the bank?

Detainee: Bank is like a partnership, 25% was mine and 75% was the bank's. When we lost money they didn't even accept Islam rules they put the whole loss on me. When I mentioned the Taliban did very bad brutality on me that was what I was talking about. How I was paying that, when I became someone's partner I would take their money and give it to the bank. That was that story, I cannot say it in detail. I was scared of the government so then the partner said where is the money I told them I gave it to the government. I thought these poor partners wouldn't say anything to me but I ended up in jail. This was a very bad, a brutal thing they would do to you. They would put you on hot days in a hot container and they would beat you until you would die or say you're going to pay. I was not scared of the loss I was scared of the people.

Board Member: When you were in the gold business, whom did you sell your gold to?

Detainee: When I opened the business in Dubai, I started the gold business over there. When I was working for the bank we had gold and dollars. So when we lost the bank took the money. Our job was people, we would bring the jewelers from Dubai and they were paying us rent and transportation. They were paying us to take my gold and take it to Pakistan and we were getting some rent money and some transportation money.

Board Member: Where did the gold go that you took to Pakistan, who got the gold?

Detainee: The jewelers are at the center of Dubai. Even in India they send the jewelers to Dubai from Singapore and everywhere. So what we were doing the jewelry belonged to the shopkeepers who had jewelry there. We would buy over there and take it to the shopkeepers. If you want names of the stores and the shopkeepers I can give it to you.

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Board Member: No, no that's okay.

Detainee: We were given transportation money per kilo.

Board Member: What day were you captured/arrested?

Detainee: 2002, first month 24th.

Board Member: 24th not the 25th.

Detainee: 24th at 10:00 in the night. 25th was supposed to be my meeting and 26th I was supposed to go to Dubai.

Board Member: Who told you, you would be released after the CSRT?

Detainee: The person that gave me the Enemy Combatant paper. I remember, he didn't say you would be released he said one or two weeks later there will be another trial and you guys will be released.

Board Member: He was being very optimistic it just took longer than two weeks.

Board Member: One final comment, in the United States rich people have a lot of debt. Good business men in the United States have usually gone bankrupt a couple of times before they are successful and just because you have a lot of debt doesn't mean you don't have a lot of money.

Detainee: I have lost two, three or four times. In Islam when you have money you have to give some for charity. Since 1995, I haven't given any charity so, jump on this since I haven't paid any charity. Since 1995, I haven't had good luck. From 1988 to 1995 I was in a very good position. This is not a lie you can ask people about my debt.

Presiding Officer: I note from your additional comments you asked about the earthquakes (Pakistan). I asked your AMO to see if he could get some answers for you but I guess you didn't get any.

Assisting Military Officer: Not yet sir.

Presiding Officer: I don't have any answers either but I suggest that you go through the ICRC and hopefully they can help you out.

Detainee: I received that answer today. The ICRC had come by today and visited with me shortly. He said when I come back today he will give me more detail. At 1000 this morning he was there.

Presiding Officer: Good, we hope the best for your family that is there and hopefully nothing serious has happened.

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Detainee: I was very worried but they said the earthquake happened in Kashmir. Peshawar was a little shaken but not that much.

Presiding Officer: Well we hope you hear they are in good health.

Board Member: If you are released do you want to go back to Afghanistan or to Pakistan?

Detainee: My family right now is in Pakistan. I will see the conditions and if Afghanistan is good because it's my own country I will go to Afghanistan.

The Presiding Officer takes a brief pause to review the Detainee's letters from family.

Detainee: About my debts and the one who told on me it's all in there.

Presiding Officer: I read the letter while you were talking and I didn't have anything to ask.

Detainee: The only thing I am saying is that I will not even tell you a small point of lie and I haven't lied in my whole life because I don't need it and I don't have to. Even the interrogator told me he hasn't seen any lies in my statements.

Presiding Officer: I think you need to understand that some of the concern is the business relationship you had with the Taliban as short of a period it may have been.

Detainee: Don't misunderstand I did business with the bank. In the time of Najib before Taliban a lot of people made business with the bank so they were capturing saying you have to do this. In the time of Karzai a lot people are making business with the bank so when Karzai will fold so everybody will capture them saying you made business with the government. This is a bank everybody does business with them. You didn't accept the Taliban it was the government of Afghanistan. When any new government comes we go with them. You think about it.

Presiding Officer: We will.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

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AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, U.S. Marine Corps
Presiding Officer

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Statement for the ARB

Greetings

I would like thank you for the opportunity to present my statements to your panel and to offer my apologies for not being able to attend the ARB personally that are because I suffer from intense pain in my lower back and I am not able to sit on the chair with my cuff on for a long time. I suffered a great deal while sitting during my last Military Tribunal, which increased the intensity of the back pain and caused numbness in my left foot for months. Therefore I hope that you would accept my excuse.

I would like to introduce myself to you. I am Fouad Mahmoud Al Rabiah a Kuwaiti national. I am 46 years old, married and have 4 children I work as an Engineer for Kuwait airways for 24 years. I have a Master Degree from Embry Riddle University and also have an honorary citizenship from Haulifax county in Florida. I also have a private business , and that is managing a health club and I am also a partner of another club. I also do relief work at my free time and during my short vacation. I volunteered in many relief activities in the past years. I am a businessman. I have a complete and happy life. I have no problems with the law and never wore any restraints before this ordeal. I am not a member of any political or religious or extremist organization. I can simply say that I am a successful and happy person in his home, business and life just like any person.

Medical Condition:

In Kuwait I used to weigh 240 lbs since my capture. I have lost about 80 lbs. I suffer from lower back, neck, knees pain, high blood pressure and also the night blindness.

I WOULD LIKE TO CLARIFY A FUNDAMENTAL MATTER. I TOTALLY OPPOSE ANYONE WHO SUPPORTS OR CONDONES THE KILLING OF INNOCENT CIVILIANS. KILLING INNOCENT CIVILIANS IS AGAINST MY MOST FUNDAMENTAL BELIEVES AND THE FUNDAMENTAL VALUES OF ISLAM. I AM NOT A TERRORIST NEVER WAS, NEVER WILL.

49 As I understood your decision will be based on 2 criteria:

- 50
51 1) Does the detainee still pose a threat to America?
52 2) Does the detainee still have an intelligence value?

53 **Regarding your first criterion**

54 Does the detainee still pose a threat to America?

55 I am not a terrorist never was never will be. I am not a fighter I don't think its disgrace for a man
56 not to be a fighter. It is worthy to note that I was in Kuwait during the Iraqi invasion and I didn't fight
57 there would I go to a foreign country to fight?
58 My capture was not a result of capturing me at the front line or the battlefield. I was captured because the
59 Afghan villagers who said they would help me to exit from Afghanistan and hand delivered me to the
60 Northern Alliance forces because I am an Arab, and they received a large sum of money for turning me
61 over. Also It is worthy to note my work history in Kuwait indicates that I am not an enemy. I helped
62 awarding a 100 million dollar contract to an American company (AGES), instead of giving that business
63 to the European competitors. This piece of information was available with the interrogators even since I
64 was arrested and no one have disputed it (I am not an enemy). Also my history in the camp here and for
65 the past 3 years shows that I am not an offensive person to any one of the Guards, the interrogators or the
66 detainees, but it shows that I was cooperating with interrogators and the Guards. Also I hope that the
67 letters from my family and friends, which is submitted to you, will testify to my peaceful nature and my
68 behavior for the past 40 years. I hope that what I have stated in the introduction will show that I am not a
69 threat to America, never was never will be or any other country or person.

70

71 **Regarding your second criterion**

72 Does the detainee still have an intelligence value?

73 I wonder after more than 3 years in Cuba and hundreds of interrogations from all intelligence agencies
74 even though I was always cooperating with interrogators and I never refused to answer any questions not
75 even one, no matter what the question was. I was even asked about my hobby when I was 10 years old and
76 what is my favorite food. And no doubt the important questions I was asked about them tens of times and

77 I answered them tens of times. **I AM WONDERING IS IT LOGICAL THAT I STILL
78 HAVE INTELLIGENCE VALUE? YOU KNOW EVERYTHING I KNOW AND
79 NOTHING MORE FOR ME TO GIVE.**

80 For your information I have asked the interrogators if they think that I have an intelligence value and have
81 other questions to give them to me to answer them before the ARB so this point would not be an obstacle
82 for my release from here. That was few months ago, the interrogator told me that the questions would
83 never end and there would always be questions even after 10 years and of course you wouldn't be here so
84 we can ask all the question. We need to benefit from your presence here, and want to ask you about
85 everything and anything before the ARB and he reasoned that by saying here we work on the principal of
86 "Placement and Access". He said that I was a well known person in Kuwait and have a social status in
87 my community therefore there must be some information we can benefit from. He said you volunteered
88 to do relief work for years, you may have heard or seen something we can benefit from. Also you went to
89 Afghanistan, you may have heard or seen something we may benefit from. there may be some
90 information that might benefit us.

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94 Regarding myself personally I believe that my situation can be summarized with the following points:

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THE NICK NAME PROBLEM:

97 The existence of intelligence information about people who have the same nick name, (Abu
98 Abdullah Al Kuwaiti). One of the interrogators said that we know that there were many people with
99 the same nick name (Abu Abdullah Al Kuwaiti) who were in Afghanistan but you are the only one
100 present here with me, naturally I am asking you about every piece of information that comes to us
101 with that nick name (Abu Abdullah Al Kuwaiti).

102 I was asked about allegations since the early nineties and later it was obviously clear that they
103 involved other people. I wonder if I am going to remain here until they finish searching for every
104 Kuwaiti that have the same nick name (Abu Abdullah Al Kuwaiti) who went to Afghanistan in the last
105 fifteen years? That could take years, because
106 Abu Abdullah is the most popular nick name in Kuwait and for your information
107 that President George Bush senior, after the Gulf war was nick named (Abu Abdullah Bush). Will my
108 nick name be the cause of detention?

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My Education and Social status.

111 Is it possible that a person with a good reputation in his country and has a high Educational level
112 and loves the relief work and helping the needy would cause his detention under the principle of
113 PLACEMENT AND ACCESS is that a reason for my continued detention?

114

Work with the Kuwaiti NGO's

115 The Kuwaiti relief organizations are a Kuwaiti tradition that was established more than fifty years
116 ago, they however are very closely monitored by the government administratively and financially due to the
117 fact that they represent the good reputation of the people of Kuwait and their love of helping the needy all
118 over the world. All the Kuwaiti (NGOs) are praised to be one of the most efficient and successful NGO's
119 in the Muslim world. Thus it's a great honor to any Kuwaiti to be working with them or supporting them,
120 as they are all approved by the government. The collection of money from Mosques and business are also
121 very well regulated and supervised by the government and you can't do it without a permit and receipts
122 from the government. I personally do not have a permit and never collected money. There are enough
123 people to do the job. I have never heard or seen anyone working in the NGOs who have been accused of
124 extremism or terrorism. If such a person is identified he will be investigated and fired.

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The Health Clubs:

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129 The 2 health clubs are very successful well-established business located in well known areas in
130 Kuwait with very good reputation. They are a 5^{star} level clubs with all the facilities of their level. They
131 both are targeted toward mid 30's customers. Our members are from the Kuwaiti royal family,
132 businessmen, government official and Europeans. Mr. [REDACTED], the former head of the ICRC in
133 Guantanamo Bay, Cuba was a member of one of the clubs. The membership fees are held relatively
134 high to maintain the social level of the members. With more than 1000 members each and hundreds
135 attending daily. If a couple of young men decided that they will come to the club to lose weight and get fit
136 and then go and do anything, it would be a rare isolated case that the club has nothing to do with. We will
137 not ruin the reputation of the clubs for a couple of kids, but we do not ask people of their intentions. We
138 certainly and do not train people for Jihad.

139

140 **My Visit to Afghanistan:**

141 You may be concerned because I did happen to see Usama Bin Ladin(UBL) when I traveled to
142 Kandhar in June of 2001 to investigate the refugee problems in Afghanistan. I never saw UBL before or
143 after that, I did not travel there to see him, I did not expect to see him, and I never spoke with him. After I
144 finished my meetings on the refugee problems, I accompanied the young scholar with whom I was
145 traveling "Abu Almonther" who wanted to talk with Bin Laden. You must remember that at this time
146 UBL was not the famous terrorist that he now is. I had heard of him basically as a Saudi billionaire who
147 lived like a monk. While there had been some rumors that he had been involved with bad actions, my
148 understanding was that he had denied them. And that he was most famous for his fighting the Russians.
149 I accompanied Abu Almonther who went for dinner and to speak with Bin Laden. The dinner invitation
150 was in his house in the town of Kandhar there was no armed guards or guns anywhere. The invitations
151 lasted 2 hours. For the next 2 days we were also invited to lunches and dinners by other people in town
152 also invited many other people including UBL. During those invitations I had nothing to say or discuss
153 with UBL as I was not there to see him in the first place. My job was with the refugees and nothing to do
154 with him or Al-Qaida. I certainly did not give Bin Ladin any money or anything else or any kind of
155 support. Those trips to Afghanistan have been explored and questioned by every interrogation team from
156 every intelligence agency for every single step tens of times. I had the polygraph and the (CVSA) test,
157 which will show you that I have nothing to do with Bin Ladin or Al-Qaida. For your information I have
158 offered the interrogators and I extend the offer to your panel (ARB) to put me on all types of polygraph
159 and (CVSA) and any other test available to you all in the same time and see if I am telling the truth or not.
160 I will even put the most important questions and my answers to them from now.

161 **The Test**

- 162
- 163 1. Have you been to Afghanistan before June 2001? No
- 164 2. did you plan to see UBL? No
- 165 3. when you saw UBL did you speak with him? No
- 166 4. did you give UBL any support directly or indirectly
- 167 Including money? No
- 168 5. in your second trip did you refuse to see UBL? ----- Yes
- 169 6. Have you been to Al-Qaida Media House in Kandhar, Afghanistan? No
- 170 7. At the mountains of Tora Bora did you know anything about
- 171 8. Are you an operator for Al-Wafa or have any connection with them? No
- 172 9. Do you know any (NGO) or person in Kuwait that support
- 173 UBL and Al-Qaida? No
- 174 10. are you a member of Al-Qaida? No
- 175 11. Are you a member of the Muslim Brotherhood Org? ----- -No?
- 176 12. * * * * * any militant organization? ----- -No
- 177 13. Do you know anything about a Libyan extremist in Europe? ----- No?
- 178 14. While in Kuwait did you know ~~that~~ any member of the club is
- 179 affiliated with Al-Qaida or any terrorist groups ----- No
- 180 15. In the club do you train people for Jihad? No
- 181 16. Do you know any intelligence value? No
- 182 17. Do you support the killing of innocent civilians? ----- No
- 183 18. Back in Kuwait where you regarded a pro American? ----- Yes

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186 Please feel free to add any question that I may have missed I have no problem. I know I am
187 innocent, I am not a terrorist and I am not a threat to anybody and I know I did not do anything wrong.
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189 I would like to address the primary factors favoring my continued detention:

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A. Commitment:

- 1 The individual "Abu Hafs" asked me if I wanted to go to Afghanistan. ^{to} document the condition of the refugees and the medical infrastructure on video tape not Jihad.
- 2 The individual "Abu Hafs" was killed with many other people as they were fleeing through the mountains. I never saw him with a weapon.
- 3 There are no flights between Kuwait and Afghanistan and as I needed to document the conditions of the refugees in Western Afghanistan. The route mentioned would be the only route. If I was with the Taliban I would not need 2 months to flee the country they could have given me a safe passage well in advance. And I was captured as mentioned earlier because I was delivered hand to hand from the Afghanistan villagers to the N.A.F. for money.
- 4 I have never been to Afghanistan prior to June 2001. I was working in Kuwait at Kuwait airways where we have to punch in and out every working day; also the Kuwaiti immigration authority will prove that I did not leave Kuwait during that time. "This is one example of the nick name problem."

B. Training:

In 1988, I had 2 weeks attendance in the Kuwaiti compulsory service after which I was sent back to my home in a cast when I fractured my knee and that is my "military training". 2 weeks 17 years ago.

C. Connections / Associations:

- 1 Correction, I am a business partner in ~~Summits~~ ^{Health} Institute and a manager of the Islah Health Club from 2000 to 2001. The Muslim Brotherhood owns the building and we pay monthly rent just like the restaurant next door.
- 2 I am not a member of either group.
- 3 The SHI doesn't train for Jihad as explained before.
- 4 As explained earlier working with the Kuwaiti NGOs is a great honor and none of them support terrorism. (4,10,11)
- 5 This is a false statement the interrogators said that "Abu Sulaiman" recruits people not me. I never knew that about him in Kuwait, or any other person in the club doing anything that is related to jihad.
- 6 That is another assumptions made by the interrogators. In Kuwait I never knew anybody in the club to be connected to Al-Qaida.
- 7 I never collected money and I have no idea who this man is or anything about Jama'at Al Tabligh. This must be another example of the "nick name problem".
- 8 I am not a member Jama'at Al Tabligh.
- 9 This point has been explained earlier and many test points to cover it.
- 12 I have never been an operator to any non Kuwaiti (NGO)
- 13-14 This is another example of the nick name problem; I have no idea what the
- 13-15 Media House or • Committee is, its also cover with test point.
- 15 This point was explained in details with the interrogators and they no longer ask about it. The numbers are either from Abu Sulaiman or from the Kandhar officials that I saw

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regarding the refugees problems. I gave them my business cards. I do not know about Khalid Shaykh Muhammad until I came to Cuba.

← 16-17 I would give my business card to any person working with Islamic Relief Agencies, but I would never have given him any card if I knew he is an extremist. But please keep in mind that I do not recall giving any Libyan my card.

Intent:

1 On 12 October I was looking for Abu Sulaiman to help me get out of Afghanistan, I was told that he will be in that house. I stayed one night waiting for him. I had nowhere else to stay for that night. There were no gun here,

← 2-3-4 These are completely false statements. I was a 240 lbs a person with ^{many} weight related health issues, ~~also~~ ^{and} ~~my~~ ^{my} night blindness and ~~my~~ ^{my} being complete stranger to the land and the people and never been on a mountain before. Suddenly, I became a chief of supplies for both Taliban and Al-Qaida and leading a group of fighters? Also holding meetings? I don't think even Bin Laden can do all those things in the same time. I have added many test points to clear these ridiculous accusation~~s~~ .

In conclusion: I went to Afghanistan to raise the name of my country Kuwait to help the needy and refugees as I have done in many other countries for many years. This is a message of peace that Kuwait sends all over the world help people in need, help them to live not die.

I hope that I was able to tell you who Fouad Al Rabiah is and that I am a man of peace not war. I am not a terrorist and would never support those who kill innocent civilians, and I no longer have any intelligence value and you know everything, I know, and I have nothing more to add.

I believe that 3 ~~and half~~ years are more than enough price to pay for 2 hours of an unexpected invitation.

Finally, I repeat my apology for not coming in person. I thank you for your time and hope that you will see the truth and end this ordeal so I can go back to my family and work and my Kuwait.

Thank you.

Signature



Date:

5-9-2005

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Summary of Administrative Review Board Proceedings for ISN 562

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the (Muslim) oath.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Memorandum, DMO-2, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

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The Detainee chose to respond line by line to the Unclassified Summary of Evidence. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee was arrested in early February 2002 in the village of Kajacki in the Helmand Province.

Detainee: That is true. On this date in February 2002, I was in Helmand in Kajacki. I was helping the new government, the government that has the backing of the United States. I was trying to serve with that government. I was a clerk [and I would] write stuff. I was helping the people of the community, writing papers for them. This was my way of serving the new government against the Taliban. This is what I could do on my terms to help democracy. This was my district. I am allowed to serve the people of my district and of my province. I had not gone out of the country; this was my home district, my home province. Every Afghan should be allowed to help his people, to serve his people in his district or his own province. I think what I was doing was a positive thing. I was helping my people in my province. You are a wise man; think to yourself, this cannot be considered as an allegation. Why is it posed or brought up as an allegation against me? Does anybody have the right to tell you to not serve your country? Suppose that you are serving your country and I hold you by your hand and lead you...this will be my fault, not your fault because you are helping your country. I was helping the government that was against the Taliban. They had just destroyed the Taliban Empire. I was helping that kind of government. I am pro American. I support them because they have brought peace to Afghanistan. I liked them before, I like them now, and I will like them in the future because they are bringing peace to Afghanistan. I would be considered guilty if I [were] caught working with the Taliban. I was helping democracy. I came to the Kajacki district to help my people.

Presiding Officer: Let me interrupt before you continue. Could you please stick to answering the question and toward the end of the session you will have an opportunity to give a summary or statement.

Detainee: I apologize; I just got carried away. I have so much in my heart. I just want to get some things off my chest. Most of the allegations are baseless and it hurts. I just let it out by talking.

Presiding Officer: I appreciate that, I am not going to restrict you. At the end you can give us as long a statement as you want.

Designated Military Officer: (3.a.2) The detainee was identified as Taliban and turned over to Americans by two individuals for whom he worked.

Detainee: I have not had any relationship with the Taliban. I have not worked with them or for them. I was working for the new government. The Taliban hated me. They didn't

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want me to help the new government. They told me that they would kill me. They said it was legal to kill me because I was helping Americans. This is why, out of the hatred, they told on me and [told] you that I was [associated with the Taliban]. In Afghanistan there are many, many, parties and groups, with tribal animosities going on between people. These conflicts have been going on forever. Because I was supporting Americans, that is why they said I was with the Taliban. This allegation is baseless...a lie...this is not true. Two Taliban members that hated me have told this to you.

Designated Military Officer: (3.a.3) When captured, the detainee was in possession of pocket litter containing a list of known Taliban.

Detainee: Yes, I did [have the pocket litter]. I got that paper from a friend of mine. I was trying to learn to write. I was just writing the words that were on the letter. I didn't know it was the names of Taliban members. I was imprisoned in Iran for 9 years and 4 months. The guy that gave me this paper, he has the same name as I, he was with me in the jail in Iran. He was there for 10 years. He obtained that paper from the Taliban. Because he was my prison mate, I just got it from him to practice writing from it. It was in my pocket. I have not contacted the Taliban, so please don't consider me Taliban for that incident. Since it was not my paper, please don't consider me guilty for that particular charge.

Designated Military Officer: (3.a.4) Notebooks found on the detainee at the time of the capture contain codes know to be used by the Taliban.

Detainee: This book has letters and words. The combination of these different letters would signify something. For example if you put these letters in some order it will mean the name of Allah, but it will not read that way. People carry it around their neck or hang it in their home, so if there is a disease or some black magic, it will go away automatically. It is called Taweez. We rap it in a cloth and some people hang it around their neck. In that notebook [that was found] I had Taweez. It is not only in the notebook that I have. There are millions of other books full of these Taweez. It is not in any code. If you show it to any Afghani guy, he will recognize that it is not [written] in any code. It is not a complicated thing to do. It is very easy to show them to someone else and they will recognize it. If it was shown to someone else and it was proven to be some type of code then please kill me. This is a part of my religion, my Islamic religion. Why did it [become] an allegation against me? I have this disease [witchcraft]...things come to me...like [demons, bad spirits], I have the Taweez to keep them away from me.

Designated Military Officer: (3.a.5) The Detainee confirmed that he had two million Afghans in his possession when arrested. He claims 600,000 came from his brother, 1,000,000 from his father and 400,000 were his own.

Detainee: That is true, I had that [amount] of money. I will explain this to you. At that time Afghan money did not have any value. One U.S. Dollar would be equivalent to

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80, 000 Afghanis. Because of the inflation, there was too much money and people used to carry money on their backs in big bags. You could not put money in your pocket because of the [amount] of papers. If you wanted to buy a pair of cheap shoes, you would [pay] one million Afghanis. You couldn't buy anything for less than 100,000 Afghanis at that time. For example if you wanted to buy some tea and sugar. You could not buy it for less than 100,000 Afghanis. When Karzai took [over] in Afghanistan, the value of money increased a thousand fold compared to what it was. Those same two million Afghanis would be two thousand Afghanis due to the increase in our currency. Everyone should have two thousand on him if he is traveling from place to place. It shows like two million here and appears like too much, but it is not. That is the reason I am giving this long [explanation] to make you understand the change in the value of the money. My dad gave me part of this money, part by my brother, and I had 400,000 of it. I wanted to work with this democratic government and it is good to have some monetary support and I had that. Almost one million was spent when I went from my home to Kajacki to pay the rent, buy some food, and spend it in other ways.

Designated Military Officer: (3.b) Connections/Associations (3.b.1) The Detainee tried on at least two occasions to get a job with the Taliban government.

Detainee: I was outside the country for the most part. Then I came to Afghanistan and friends and relatives were coming to see me. I was busy with them, and then I came here. I [had] not been there [while the] Taliban was there. Not one time did I apply to work with them. The Taliban or enemies of the democracy [must] have told this to you.

Designated Military Officer: (3.b.2) The Detainee worked as a clerk for Haji Mullah Sharif Adin, who was the Governor of the Tangi of Kajaki District.

Detainee: [Haji Mullah Sharif Adin] was not a 'Governor'. He was more like a district manager because Kajaki was a district. Yes, I have worked for Sharif Adin. Let me tell you what kind of person he was. He was gone during the time the Taliban [was] in Afghanistan. When Karazi came to power, they found him and he came to Afghanistan and worked for Karazi. He was also supportive of democracy and I was working for him. Karazi sent some people to find [Sharif Adin] and he made [Sharif Adin] district manager of this Kajaki place. He was Karazi's person and not Taliban. [Sharif Adin] is still the district manager in Kajaki and he is still Karazi's man. He came there during a time of democracy. This guy is not an enemy. He is your friend and he is [Afghanistan's] friend. When I was there [Sharif Adin] had ten to twelve Americans working for him during this time.

Designated Military Officer: (3.b.3) Haji Sharif Adin worked for the Taliban Intelligence Chief, Qari Hamid Ghul, during the Taliban rule.

Detainee: I think we have covered this already and I have explained who Sharif Adin is. Let me [also] add that he fought the Taliban and he got wounded at the border of Pakistan and Afghanistan. And the other name Qari Hamid Ghul I don't know...this is the first

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time I have heard this name. This is a surprise question this is new. Not even in the prior interrogations was this name brought up to me. I told you about Haji Sharif Adin, but I don't know Qari Hamid Ghul.

Designated Military Officer: (3.b.4) Haji Sharif Adin was expected to attend a meeting at the home of Haji Ghul Agha. Agha is responsible for an explosion in front of the Kandahar Mayor's office in May 2002.

Detainee: Items #2, #3, #4 all refer to the same person, Haji Sharif Adin, and I explained it to you [already]. I worked 15 days for the new government before my enemies handed [me] to you and then you brought me here. But, Haji Ghul Agha, I do not know who he is and I don't know the story about this bomb. I don't know about this story, I have not heard the name Haji Ghul Agha, and I was not aware of this bombing. It doesn't relate to me.

Designated Military Officer: (3.b.5) Agha and the Hezbe Islami Gulbuddin are suspected of planning several of the recent bombings in Kandahar and are planning to target U.S. personnel in the near future.

Detainee: Hezbe Islami is my enemy. I don't know anything about that incident. I was here. I don't know when or how it happened. Let me tell you something about Hezbe Islami. Our family had some relations with the last king of Afghanistan, King Zahir Shah, and Hezbe Gulbuddin's guys were enemies of King Zahir and [they] didn't get along. At that time [Gulbuddin's guys] killed the Minister of Planning. We are enemies with Gulbuddin. Almost every Afghan knows Gulbuddin and King Zahir did not get along.

Designated Military Officer: (3.b.6) Hezbe Islami Gulbuddin (HIG) has long established ties with bin Laden. HIG has staged small attacks in it's attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration, and establish a fundamentalist state.

Detainee: I want Americans to be in Afghanistan. If they withdraw the peace will be destroyed. I like Americans, I am happy with them, and I want them in my country.

Designated Military Officer: (3.b.7) The Detainee had a working relationship with persons known by him to be associated with the Taliban.

Detainee: The Taliban and I don't get along and if they see me they will kill me. This is a lie, I have not worked with the Taliban, and I have not had any association with the Taliban.

Designated Military Officer: (3.c) Other relevant data (3.c.1) The Detainee spent 9 years and 4 months in various Iranian prisons for possession of hashish, which he had been trafficking.

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Detainee: I don't like Iranians and I don't like the Iranian government. I am their enemy and that statement is true. I could not hurt them by any other means; this is why I took hashish to them to make them crazy. That is true.

Designated Military Officer: (3.c.2) The Detainee is extremely evasive and uses multiple resistances techniques. He was likely recruited by the Islamic Revolutionary Guards Corps (IRGC) or the Iranian Ministry of Intelligence and Security (MOIS), trained and returned to Afghanistan as a collector and for operational use.

Detainee: When I was in detention for 9 years and 4 months it was not like here. They were very cruel and a lot of beatings and physical punishments were [taking place] in their jails. I was [so] far from being trained by them as an intelligence agent. For example, I am detained here, do you think that you would train me to work for some intelligence agency or be your intelligence agent. I am just a detainee. It wouldn't work. Who would trust a detainee and make him an intelligence agent. This is just your thought and beliefs and I cannot believe this. This is too far from reality. I was in jail and I was beat up and punished by them and I was their enemy. I don't like them and I have bad memories of them, now you think they have trained me? It does not sound right. You were probably told this by Hezbe Islami or Taliban because they are both my enemies and they will kill me any day or anytime they see me.

Designated Military Officer: (3.c.3) Contacts with al Qaida were said to have been established through the Iranian Ministry Intelligence and Security (MOIS). All Iranian Intelligence Chiefs had contact with al Qaida as of the mid 1990's.

Detainee: You might be right. The Iranian Intelligence Chiefs and al Qaida may have had some sort of relations[hip] [since] the 1990's with each other, but it does not have anything to do with me. Why did you bring this up to me? [Iranians] are my enemies and I am not even allowed to go back to Iran. I can't go there again. They have written my name down and have given it to all of the borders, customs and securities so that I cannot go to Iran again. I am not allowed to go to Iran again, I can't. Al Qaida are very crude people and they kill people everywhere and that is against human rights. But, democracy is for safe guarding human rights and that is why I am supporting democracy. I am enemy of al Qaida because they are crude and that is not right. I don't participate in those cruel acts and there is no solid evidence of me being associated with them.

Designated Military Officer: (4) The following primary factors favor release or transfer:
(4.a) The Detainee denies having any knowledge of the attacks in the U.S. prior to their execution and denies having any knowledge of any rumors or plans of future attacks on the U.S. or U.S. interests.

Detainee: I was in jail for a very long time, 9 years and 4 months, and then for a year and a half I was held captive, and then I was brought here. I don't know many of the events that happened. Here in the jail I found out that these attacks had taken place. I did not know that.

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Designated Military Officer: (4.b) The Detainee states that Usama bin Laden is responsible for his current incarceration and he would like to kill him if he could get his hands on him.

Detainee: Here, I am detained while I am innocent, and I think there are many other people that are innocent that are detained here. Everybody is here because of what Usama did and he is not an Afghan he is an Arab. There is a four to five hour flight [between] our countries. He is not Afghani and Afghans don't do that. Just because one Arab did what he did, all of these Afghans are suffering as a result of his actions. This is why [America] is his enemy. An Arab did that, the bombing, and you brought me here. We have different cultures, different languages, different customs, and different countries. There is a big difference and we are suffering because of [Arab] actions.

Designated Military Officer: (4.c) The Detainee stated that the current idea of jihad is wrong. He believes that jihad is the spreading of Islam or preaching. Jihad is not brutality and killing.

Detainee: I don't know about Arabs, but in my religion, jihad is not taking your sword and cutting the heads off of people. This is not jihad to me. And to me it is not necessarily jihad, [jihad] is the preaching of Islam. I said jihad could be saying a few good words to someone to make a person happy, saying the word of peace, calming a person down by the means of talking, that is what I meant by jihad. I don't know about Arabs, but in our religion, killing is wrong.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: The detainee chose to speak openly and give his oral statement and I would like to read the AMO Comments on the Enemy Combatant Election Form.

Presiding Officer: Assisting Military Officer please read the AMO Comments on the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's Administrative Review Board interview occurred on 3 August 2005 and lasted for 60 minutes. After a review of the Administrative Review Board's purpose and procedures, the Pashtu translation of the Unclassified Summary of Evidence was read to the Detainee. When asked if he would like to attend the Administrative Review Board, the Detainee stated he wished to attend the Administrative Review Board and speak openly with the board members. The

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Detainee prefers to respond to the Summary of Evidence after each allegation is read during the Administrative Review Board. He also wishes to give his oral statement. A translated copy of the Unclassified Summary of Evidence was provided to the Detainee. The Detainee elected not to have the Assisting Military Officer submit a written statement on his behalf. The Detainee was very polite during interviews.

Presiding Officer: Qari Hasan Ulla you may begin your statement.

The Detainee made the following statement:

Detainee: I have been detained here for almost three and half years. I am innocent, but I am detained. You guys are big people, big bosses, please help me because I am innocent. Please get me out of this problem. I wonder why you don't know the difference between the Taliban and innocent people. Big bosses of the Taliban, or big government officials, including a secretary (we call it a minister), who were here with me [at Guantánamo], all of those big Taliban commanders left and went home. I am still here and I don't think this is justice. While [at Guantanamo], the Taliban was telling me that I was [in Afghanistan] supporting the democratic government and working for democracy and against the Taliban, but [the Taliban] were being released. With this kind of talk they made me crazy. Most Taliban will lie to you. Just by the means of telling lies they left, but I tell the truth and I am still here. I was working with this new government. I was working with your government, but why am I still here. I would never hurt a human being, any human, American, Afghan, except for the Iranians [I don't like them]. I have not hurt anyone physically or emotionally. Now, use your fair judgment since I am innocent, let me go. I have been here three and a half years and I am innocent. I don't blame you because you wanted to discover the facts, the truth about me. Now that you know that I am innocent, use your fairness and judgment and let me go. I believe in mutual respect. One of the reasons that I like you is because you treat people with respect and whoever treats me with respect, gains my respect mutually. The reason I like you and I am happy with you is because you have respect for humans and you treat everyone with respect. I come from a rich family. My parents and my grandparents have close ties with King Zahir. At that time Afghanistan was enjoying freedom, freedom of speech, freedom of religion, nobody could force anyone to perform [religious] duties. I am coming from that kind of society. I don't get along with the Taliban and at that time I was supporting democracy at the time of the King and now I will be supporting democracy here, but I don't support the Taliban. When I go home I will serve my people, I will serve my country, and I will support my government as much as I can. Democracy in the country and having a democratic government is what I favor. That is what I like and that is what I want to support. I have always wanted it and I will want it in the future too. I have a very clear conscience and I have a very clear heart, but it is very difficult for you to see my heart. If you could see my heart, you would have treated me very differently from the beginning. You would have probably treated me something like a celebrity or something similar. This government has a lot of enemies too. The Taliban and all other extremist are the enemy of [the U.S. and Afghani Government] because they are the enemies of democracy.

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I don't support those people, I don't like those people, and I don't associate with those people. Whoever respects humanity and human rights, that person is respectable, but whoever hurts another human and whoever abolishes human rights, that person is my enemy. One of the reasons I like [the U.S.] is because you stand for human rights and human rights has a relative freedom with limits that are already set for them and you don't interfere in everybody's business or what they do. This is what human rights do. I am an innocent person and I don't have bad intentions for you guys. I have good intentions and I went under oath and I am telling you the truth. Here in this detention [facility] we have Taliban, we have al Qaida, and a bunch of innocent people too. Some Taliban [members] went home. I know that there are still some innocent people here. Most of these innocent people were working for the new government and then they were brought here. So, use your fairness and good judgment to solve our problems so we can return back to our country and rebuild those...and take part in rebuilding our country. Our country has been through a long war. Thirty years of civil war and other war and our country has been destroyed. Many people are handicapped and paralyzed. Our country needs to be rebuilt. There is work; the country needs to be rebuilt. If I am here I am missing that process. Most people in Afghanistan are illiterate. Some of them can read and write, but most just graduated from fifth grade. That country needs some work done. I am just an innocent guy and you should know my innocence. This was my story that I told you and I trust your good judgment. I know that you also care for human beings and human rights and I leave this to you now. Now use your good judgment, your fairness, release me and I will go home and together, with the [U.S.], we will work in that country.

Presiding Officer: Oari Hasan Ulla does that conclude your statement?

Detainee: Yes, thank you.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Do you know whom the two individuals were that you worked for that turned you over to the Americans?

Detainee: I was not working for those two people. Those two people are Taliban and they told lies on [me] and handed me to the Americans.

Board Member: Do you know the names of the two Taliban?

Detainee: Yes, Abdul Kahliq and Sayed Saha.

Board Member: What is the name of the friend that gave you that piece of paper with the Taliban names on it that you were using to learn how to write from?

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Detainee: He has the same name as mine, Qari Hasa Ulla Khalozai.

Board Member: He is not a member of the Taliban is he?

Detainee: He applied for a job there during the Taliban, but he could not get a job with them because [he] spent 10 years in jail and they thought he lost his mind while in prison.

Presiding Officer: That last description was about [Qari Hasa Ulla Khalozai] not you?

Detainee: Correct. I was in jail for 9 years and 4 month and he was in jail for 10 years. I hope my friendship with him does not signify I am like him, just a jail mate and that's all.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

(The Detainee interrupts with the following questions:)

Detainee: Those people in Washington D.C., they don't know me, they did not listen to me, I talked to you. You have a better understanding of my situation now and it is better if you make a decision on it not them. They are far from here and they don't know what is going on. If you let Washington D.C. decide on this, it will happen again just like it happened sometime ago. It is better that you make a decision.

Presiding Officer: Qari Hasan we will make a recommendation to the Designated Civilian Official and he will act on that.

Detainee: I hope your recommendation will be in my favor because I am innocent.

Presiding Officer: We appreciate you being honest with us and we will take all of your comments into consideration.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, USMC
Presiding Officer

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(Revised 30 SEP 05)

Summary of Administrative Review Board Proceedings for ISN 567

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the (Muslim) oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, (and DMO-2 to DMO-3, other unclass information) to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.

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(Revised 30 SEP 05)

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

Designated Military Officer: The detainee worked for the Dahabshiil Company in Karachi, Pakistan.

Detainee: Correct, I worked with Dahabshiil and I was their agent Karachi, Pakistan and you know that Dahabshiil Company has many branches in many countries that have a Somalian community; including the United States, the gulf countries, Europe, African countries, Australia, and also Pakistan. The Pakistani branch was one of those offices. All of those offices fall directly under the main department based in Somalia. If work in Dahabshiil formed an accusation, [then] their places would not be open with you in the countries I mentioned before. Dahabshiil has a page on the internet website. You may have enough information that attests its integrity as well. This will prove its distance from terror and some of its customers are international organizations like "Save the Children". The Dahabshiil website is www.dahabshiil.com.

Designated Military Officer: Dahabshiil is closely related to Al-Barakat, a Somali financial company designated by the United States Government as a terrorism finance facilitator. Following Al-Barakaat's designation and shutdown, Dahabshiil took over much of Al-Barakaat's business.

Detainee: I did not know anything about this before. All I know is that Dahabshiil Company is [a] free-lancer or independent company owned by a known businessman and its main office is in Herikesa, Somalia. I received instructions from this office and I did not hear from them...that they have any connection[s] to other organizations, but generally these issues you can discuss with the owner of the company. If this company has any association with companies suspected of terror [then] some of their offices would not be left open and working while some others were closed. This shows something. It shows that it has clean pages.

Designated Military Officer: The detainee was identified as a member of the non-governmental organization al Wafa.

Detainee: Not true. I was never one day a member of this organization and I did not hear of [it] until entering the jail in Pakistan from a Pakistani interrogator officer. I spoke of this at the first tribunal that this accusation is not true. I requested from them to bring the company director or manager that is detained here by you [so] he could testify [to] the truth in front of the tribunal. The reply was that the tribunal president refused this request and is not allowing this person to attend this tribunal. I do not know how you want me to prove to you my innocence from this accusation that was built upon phone numbers found in my phone memorandum. Based upon my job that I worked, I received many phone calls from people I know and from people I do not know. It wasn't necessary or required to me to know all the phone numbers listed in the memorandum. Dahabshiil

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(Revised 30 SEP 05)

Company is not a secret or underground company. It is on the air directly in the internet and any person who has the company address can contact any agent from the company from any country in the world. You also know that I was arrested from my house where it was my workstation. Also, information sources that were with me were confiscated like the computer, files, and notebooks, which provided all the information about my job and they did not find anything that would show association with the company you mentioned. Just phone numbers in the phone book memorandum. Is this enough to direct an accusation? It's something strange.

Designated Military Officer: The al Wafa organization has been identified as a terrorist organization on the United States' State Department's Terrorist Exclusion list.

Detainee: This has nothing to do with me.

Designated Military Officer: The non-governmental organization al Wafa reportedly was believed to have had connections to Usama Bin Laden and Afghan Mujahidin.

Detainee: This has nothing to do with me. This does not concern me.

Designated Military Officer: The detainee received a Tablighi Jamiat Visa to Pakistan.

Detainee: Like the rest of the Somalians, the wars exited the Somalians from their country, I was looking for any refuge [so] I can live in safety, but I wasn't lucky. I wanted to live in countries where people desire to live, where jobs are available; such as Europe, America, Australia, and the Gulf Countries. Though I had to leave to somewhere so I proceeded toward India and I heard that in Pakistan there was a United Nation office receiving Somalians and giving them immigration passes for a period of time and they could also migrate to other better countries that has better living conditions than Pakistan. The office was the best office in the area so I decided to travel to Pakistan. So, I asked the Somalians who were there how I could go to Pakistan and they told me to go the Pakistani Embassy and tell them that I was going to Pakistan for missionary [work] and they will give you the visa. If you can't find another way because you have a Somalian passport and they don't have a country. I did what they told me and I entered Pakistan and later [went] to the United Nation office. It's worth mention[ing] that this type of visa is known by the Pakistani government. It's not against the law and I have taken this type of Visa before, more than ten years ago.

Designated Military Officer: Jama'at Al Tablighi, a Pakistan based Islamic missionary organization that is being used as a cover to mask travel and activities of terrorists, to include members of al Qaida.

Detainee: I do not have any knowledge of these things.

Designated Military Officer: The detainee ran an illegal money transfer business out of his home.

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Detainee: The business job I worked in was very small and there were no licenses for this kind of business within the Pakistani government and this job of mine was in the middle of the Somalian residents living in Pakistan.

Designated Military Officer: Some of the detainee's counterparts in the United States did not have licenses. They were operating illegally, also out of their houses. In addition, there was reason to believe that the detainee had contact with people involved in the support network for al Qaida.

Detainee: If there are people violating the law of the United States [you] have to take all the appropriate measures, but what I know is that Dahabshiil company has many locations/places in the United States and they have permission [to] work out in the open. You are saying that I have connection[s] with the terrorist, so what is the reason [or] cause? It would be clear to [you] everything about my personal matter and I worked with the Dahabshiil just like the rest of the employees that worked with them. So where is the terror and where is my connection with them? Terror is what departed me from my country and I am one of the people who hates terror most.

Designated Military Officer: The detainee lied to obtain his three-month Pakistani visa.

Detainee: This point is connected to number six and I did not do this, but the necessity of basic human needs and you know that many refugees that entered [the] United States, they entered illegally, but due to their special situation, [the] United States and other countries received them. Today they prosper with official residential documentation or even received the citizenship.

Designated Military Officer: The detainee was captured after the Pakistani authorities had conducted three raids on his home and finally detained him for illegal money transfer.

Detainee: These weren't raids. They were just routine visits by the special police and the Intelligence. They wanted to check my identification and my papers. These visits repeated three times, somewhat distant from each other. They took pictures or copies of my immigration paper/pass from the United Nation and after a time period, they came to my house and arrested me. [They] told me they wanted to check some matters and [that] I would be released soon. After four months, they handed me over to the United States Forces.

Designated Military Officer: The following primary factors favor release or transfer. The detainee stated he was never involved in an Islamic Militant group or knowingly transferred funds for their cause.

Detainee: I have never knowingly or not knowingly transferred funds to anyone. I only received money for the poor Somalian people.

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Designated Military Officer: The detainee, during his oral Combatant Status Review Tribunal statement, stated that he had no knowledge of al Wafa until he entered prison in Pakistan.

Detainee: Correct statement. The first time I heard of it is from the Pakistani officer.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Detainee: Based on what was mentioned before and my innocence from these accusations, I do not deserve to stay detained [for] all this time. A lot of interrogators said to me that through this war that was lead by the United States, a lot of mistakes were made and they must be corrected. They told me many times [that] I am here by mistake. I think you came here to correct these mistakes and I have cooperated with the interrogators during all this time and I did not refuse to talk like many detainees who were frustrated from the long interrogation. I was always telling the truth. Like I told [you] before that I left my country because of civil wars and I would like to live in a safe place...with my family making a living.

Presiding Officer: Does this conclude your statement?

Detainee: Yes.

The Assisting Military Officer stated that he had no additional comments.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: the Company that you worked for, did you ever inquire into what the purpose of the money was going to be?

Detainee: No.

Board Member: Did you just give money to people who asked for it without a purpose?

Detainee: Like I mentioned before, the office was open to the Somalian community who were living there. They would receive money from their relatives or family to help them live there.

Board Member: Did you ever provide money to anybody that was outside the Somalian community?

Detainee: Very, very rarely because it has an internet site and was very well known. Sometimes the college students who were there, a few Somalian or Pakistani students. Those cases.

Board Member: You compared the company you work for with the "Save the Children" organization. Was this just a humanitarian aid? Is that what they provided?

Detainee: It was not [a] comparison. In the tribunal, my personal representative went on the internet and printed out the website and some of the customers of the Dahabshiil Company were "Save the Children". That was an example of the customers of that company.

Board Member: When your home was raided you said that they were checking your identification and your papers. When they came back again did you suspect that they thought you were doing something illegal?

Detainee: I suspected them, but then if I knew I was [going to] get arrested I would [have left] the place, but because it was a company [where] money was transferred I thought maybe it was a routine for them to come and check. Otherwise, if I knew I was going to get arrested I would have left.

Board Member: Do you speak English?

Detainee: A little bit.

Board Member: Did you learn English in Somalia?

Detainee: Yes.

Board Member: This was a hawalal that you had?

Detainee: It was a money transfer.

Board Member: How old are you?

Detainee: I was born at the end of 1965.

Board Member: Did you receive any education in Somalia?

Detainee: Yes.

Board Member: What education level did you reach?

Detainee: A Bachelors Degree in Agriculture.

Board Member: Did you work with this banking institution in Somalia?

Detainee: No.

Board Member: You are familiar with the process of transferring funds. Were you familiar with that in Somalia? Is it very commonly used there?

Detainee: After the government of Somalia fell, then I had to look for some other way to make a living, a clean way to make a living. This was not my major; it was not my specialty. I had to find a clean way to make a living.

Board Member: Where did you go after Somalia? Pakistan?

Detainee: No, I went to India.

Board Member: Then you went to Pakistan after India?

Detainee: Yes.

Board Member: You had mentioned that you had a traveled on a visa ten years prior to when you went to Pakistan. Where did you travel to at that point?

Detainee: I took it from the Pakistani Embassy in India.

Board Member: How long were you in Pakistan?

Detainee: I have been here since 2005 and my movement was 1994 to India and Pakistan.

Board Member: This business was operated out of your home?

Detainee: Yes.

Board Member: Did you generally have the same customers that came for money transfers?

Detainee: Yes. The office usually opened in a Somalian community. There was a small Somalian community there in Pakistan where that office opened for their needs to go there to have their family send them money and so on. It was in a community where the Somalians were living.

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(Revised 30 SEP 05)

Board Member: It was out of your home, is that correct?

Detainee: My workstation?

Board Member: Yes.

Detainee: Yes, my house.

Board Member: When there was a transfer, did they come to your house or would they contact you by phone?

Detainee: Sometimes they had my phone number they would call me then they would come or they would call me and I would meet them and we would make sure there was no problem.

Board Member: What bank did you use to keep the funds?

Detainee: I did not work with banks. The money was in my house.

Board Member: Did you do any large financial transactions? What was the largest financial transaction?

Detainee: It was usually receiving money. The most I remember was about \$20,000.

Board Member: Pakistani rupees or US dollars?

Detainee: American dollars.

Board Member: You kept that much money in your house at one time?

Detainee: It never stayed there for a long time. I would get faxed from the company the amount of money and the customers would get the information and would come to me and [say] this is the amount of money I am receiving.

Board Member: Did you do any swaps? Did you exchange money for anything other than money?

Detainee: No.

Board Member: You were in Pakistan in 1994, you're educated, and you are obviously very smart. Did you see what was going on in Pakistan?

Detainee: I use to hear it on the news just like I heard the news about the wars in my country that I left.

Board Member: Did you know about Usama Bin Laden?

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Detainee: I haven't seen the Taliban. I have never entered Afghanistan. The whole world heard the news that [was] broadcasting. The only information that I have, I was getting from the news that I was watching.

Board Member: Did you know about al Qaida?

Detainee: I didn't know anything. Sometimes [it was] on the news.

Board Member: Were you ever suspicious about the money transfers that you had?

Detainee: No, never.

Board Member: Were you ever suspicious about any of the sums of money that you transferred?

Detainee: No. Not one thing was susp[icious]. The money that came to me was [a] very small amount, very simple money for the Somalians that was receiving [it]. I never suspected because it was [a] very small amount of money.

Board Member: I want to make sure that never once were you ever suspicious about any transfer?

Detainee: I had someone call me a Somalian and came to me and said [they] want to transfer money... I didn't have any orders from my company, any procedures that I had to check to suspect anything. I didn't have that.

Board Member: No paper trail. You never kept records.

Detainee: Records how?

Board Member: Of transfers?

Detainee: There were records of the fax. The faxes said the time and date, the amount of money which company was sent, the address where it went. The other persons on the other side receiving it had to keep the same records.

Board Member: Were all of your transfers from Somalia?

Detainee: The main department or orders came from Somalia. There was no direct connection to me and other offices in the rest of the world. My orders came directly [from] the main department in Somalia.

Board Member: All of your transfers went to Somalians?

Detainee: Yes, that is how it was.

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Board Member: How did they know about your business? By word of mouth?

Detainee: Like I said, my address, my name, my phone number, everything was on the website. Everything was there for people to see.

Board Member: Were you making a good living?

Detainee: It wasn't what you think [of] a way of living, because the customers, the people I work with were very, very few. [There] were very few transfers. My situation kind of forced me to work this kind of job.

Board Member: How many transfers were there a day or a month or a week or a year?

Detainee: I've been here four years, but if you want the information, all the files everything I have, the computer, the phone books were taken from me. You have it. You can go back and get them.

Presiding Officer: We're just asking for a rough estimate of how many transfers you did on a daily or weekly basis.

Detainee: It was not a money transfer. It was to receive. It was not a transfer. In the beginning sometimes this would go and I would not even have one person [then] later day by day I would see one person a day and later on they got more; maybe two people a day. The day that I was detained I have about four to five people, but they were receiving a very small amount of money.

Board Member: I would like to talk about Jama'at Al Tablighi. Were you a member or a missionary or a part of Jama'at Al Tablighi?

Detainee: No.

Board Member: You just used that to get your visa?

Detainee: When I went to the Embassy and they gave me the visa and the place where it says purpose of the visa I put missionary. I didn't know anything about Tablighi or anything. They looked at it and said missionary, okay.

Board Member: Did you ever visit the Jama'at Al Tablighi center in Lahore, Pakistan?

Detainee: I've heard, but have never gone there.

Board Member: Were you a member of any NGO, non-governmental organization?

Detainee: Never.

Board Member: Did you ever give any alms to any organization?

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Detainee: Never.

Board Member: Did you ever travel with any organization?

Detainee: Never.

Board Member: Did you know anybody who was a member of these organizations?

Detainee: I do not know.

Board Member: So you don't know if you transferred any money between these organizations?

Detainee: Like I mentioned before, this was a receiving office. It was not to transfer, but if someone came and told me they want to transfer, they usually mention the name of the person. They don't mention...the name of the organization.

Board Member: You didn't know all of your customers?

Detainee: Not personal[ly].

Board Member: You don't know if somebody came to you who might have been a member of al Qaida, al Wafa, or Jama'at Al Tablighi, or another organization. You wouldn't know if they came to you?

Detainee: Like I said, the first time I heard of that was here. Let's say for example a person goes to the bank and wants to transfer some money somewhere else, of course you are not going to know that person. That person could be [a] bad person, you would not know what kind of person he is.

Board Member: Hawalals are all over, is that right?

Detainee: In the places where there was a Somalian community and Somalian people.

Board Member: Why did they come to you? Why were you arrested?

Detainee: I do not know. You are directing this question at the wrong person. I do not know why I was arrested. When they came to me they arrested me (I was arrested for four months before I was turned over to American forces), they told me I had phone numbers in my booklet that [belong to] bad people and they wanted to be sure what happened and then [that] I would be released.

Board Member: Did you have problems with the police, Pakistan, Somalia? Did you have any problems with anyone prior to this?

Detainee: Never. Nope I did not.

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(Revised 30 SEP 05)

Presiding Officer: I am convinced that your branch of the Dahabshiil Company was used to transfer money for terrorism.

Detainee: How? What is your evidence?

Presiding Officer: I believe that your company was used in that way. My question is did you know it or not? That is what we are trying to answer today. In the Somali community in Karachi did you ever hear of any support for al Qaida or the Taliban?

Detainee: Open your ears very well and hear me out. When I say Somalian community in Pakistan, I don't mean all the Somalis together and they have a leader and they know who is what, doing what. I mean people who are scattered everywhere, the students and the workers who are working all over the place.

Presiding Officer: I understand that they are all over the place, but I assume that you lived with and knew any of these people that were Somali and clearly they used you to receive money from different places. Did you hear much about al Qaida or Taliban?

Detainee: Never. I did not hear.

Presiding Officer: What year did you move to Pakistan?

Detainee: 1994.

Presiding Officer: In those nine years you were there before you were picked up by the Pakistani police you didn't hear much at all about al Qaida or Taliban?

Detainee: What do you mean by hear?

Presiding Officer: What I am trying to find out is if you think maybe there were some people that were using your company and using your branch to transfer money or whether you were just totally not paying attention to who they were or if you knew that perhaps some of these people were using your company to transfer money for al Qaida.

Detainee: Like I said before, the office was open to students. I do not know what was in people's hearts when they came to me. They came to me and asked did they receive this money yet. My job was only to tell them yes it is here or it is not here.

Presiding Officer: You never heard of al Wafa?

Detainee: I've mentioned it before I heard it from the Pakistani interrogator officer when I first entered the jail there.

Presiding Officer: Where if we decide to release you or transfer you, do you want to go back to Pakistan or go back to Somalia?

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Detainee: Honestly, as you know Pakistan is not my country and every person in their own heart will want to go back to their own country and the only reason I was there was the immigration office. I was there as a refugee. I filed for immigration to go somewhere else, but I would love to go to my country if my country is stable and has a government and is safe to go to. I have been here four years and I don't know any thing [that] has been happening in Somalia right now. If the country is stable and it is okay for me to go there I would rather go to my own country and if my country is not stable I would seek refuge or immigrate to another country that is safe.

Presiding Officer: Where is your family?

Detainee: My family, I was taken from them in the middle of a very dark night and from that day I don't know [any]thing about my family. They were in Pakistan.

Presiding Officer: You haven't heard from them at all?

Detainee: My wife's father was arrested. He told me that she has moved in with them. That is the last thing I have heard about my family.

Presiding Officer: Why was he arrested?

Detainee: He is here. I don't know. He was in his house when he was arrested.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Captain, USN
Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 568

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Assisting Military Officer presented the Enemy Combatant Notification Form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

It was noted by the Presiding Officer that from Exhibit EC-B, the Detainee had chosen not to be present for the Administrative Review Board proceedings.

The Presiding Officer confirmed that the Assisting Military Officer had met with the Detainee and informed him of his rights regarding the proceedings, that the Detainee appeared to understand the process, that the Unclassified Summary of Evidence was read to the Detainee, that a translator was used during the interview, and that the Assisting Military Officer confirmed that the translator spoke the same language as the Detainee.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

The Presiding Officer asked the Designated Military Officer for any further unclassified information.

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The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

When asked if the Assisting Military Officer had any information to present on behalf of the Detainee to the Administrative Review Board, the Assisting Military Officer stated that he previously submitted a summary of the interview but would read his comments listed on Exhibit EC-B.

The Presiding Officer read the remainder of the unclassified portion of the Administrative Review Board proceedings, and then adjourned the proceedings.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Captain, USN
Presiding Officer

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January 31, 2005

Commander [REDACTED]
CDR, JAGC, U.S. Navy
Legal Advisor, Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
2000 Navy Pentagon, Rm 4D545
Washington, DC 20350-2000

Dear Commander [REDACTED]

The family of Adil Zamil Abdul Mohsin Al Zamil has requested that we submit materials to the Annual Review Board (ARB) on his behalf, to be provided to and considered by the ARB in accordance with Administrative Review Board Process §§ 3(f)(1)(a), 3(f)(1)(d)(7) and Administrative Review Board Process Step-by-Step § 1(g).

Mr. Al Zamil's family has submitted multiple letters for your consideration, written by his parents, wife, siblings, and other relatives. These letters testify to Mr. Al Zamil's good and peaceful character, demonstrating that he would not be a threat to the United States or its allies if released. They also provide information about his work history, and family status, to be considered by the ARB pursuant to Administrative Review Board Process § 3(f)(1)(d)(10). Mr. Al Zamil is characterized by his family as a kind and merciful man with a great sense of humor. He is very social and has many friends in Kuwait, all of whom are following his story avidly and waiting for his return. Most importantly, Mr. Al Zamil has eight children who desperately need his presence and guidance.

Mr. Al Zamil's family would also like to resubmit certain materials that were previously requested by and submitted to the Department of Defense, but which are also relevant to the ARB proceedings under Administrative Review Board Process § 3(f)(1)(d)(10). Included are Mr. Al Zamil's "Personal Particulars," submitted by his brother, which confirms Mr. Al Zamil's age, education, marital status, number of children and employment by the Public Authority for

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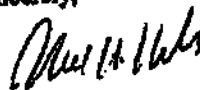
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Housing Care, as well as documentation concerning the psychological and physical condition of Mr. Al Zamil's relatives.

Finally, please note that these submissions do not constitute a waiver of the detainee's right to pursue his petition for habeas corpus and related claims brought in *Al Odah v. United States of America*, D.D.C., Civil Action No. 02-828 (CKK).

Sincerely,



Neil H. Koslowe

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To: The members of the Annual Review Board

Esq.

Dear Sirs,

To my dear son Adel Zamel Abdul Mohsin Al-Zamel whom I miss very much. He is always in my mind and I am very sad for his current position. I hope he will be back soon as he is a kind and good son. He obeys his family members and he is kind with his children who miss him very much and they are always asking about him. My heart is breaking down for my son and his children. My family misses him and we hope that he will be back so that I will be happy as he is a piece of heart.

Please release my son soon because his father is very ill and I hope that he will be back before the death of his father, God forbid.

"Please be merciful with us in order to God will be merciful with you".

Mother of the detainee: Lulua

Civil ID card No. 244050900366

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الحمد لله الذي هدانا لهذا
 الذي كنا لنهتدي لولا
 أن هدانا الله

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To: The members of the Annual Review Board

Esq.

Dear Sirs,

I the uncle of Adel Zamel Abdul Mohsin Al-Zamel, I do hereby write this message to explain one small portion of our sufferings and pain and to express the extent of our grieve due to the loss of our son Adel. I have been acquainted with him since his early life. He has always been respectable and kind person. He likes people and cares for them to the greatest degree possible. He used to meet the people with smile and to utter nice words. He is calm and lovely to all. During his absence we lost one dear son and we suffered from very painful wound. We are looking forward to his return in order to bridge the gap which resulted from his absence and could not be bridged by any other person.

We like him, but unfortunately the prison deprived us from him. However we are still like him, so please return him that to make us happy.

We appeal you excellency to free our son Adel and to release him in order to restore happiness to our life.

With many thanks and appreciation.

Ibrahim Othman Al-Zamel

Civil ID card No.233052600101

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To: The members of the Annual Review Board

Esq.

Dear Sirs,

To my dear brother Adel Zamel Abdul Mohsin Al-Zamel

Please be advised that Adel enjoys good reputation among people due to his kindness and mercy with family members and all people.

Frankly I miss my brother very much and I am longing to see him. All of us gather with our children in the house of our father, but he is not heard and this has great impact on us, particularly on our father and mother.

All people are praising my dear brother due to his honorable deeds and his assistance to the needy. He performed many glorious deeds with charitable committees and all people acknowledge of this fact.

Further his children are always asking about him (when will our father come back?) but no answer. They waited for long without seeing any solution.

Brother of the Detainee: Waleed Zamel Al-Zamel

Civil ID card No. 264080100456

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الدعاء على المراجعات السنوية

الحمد لله
والصلاة والسلام على من لا نبي بعده

عائلة من الأشخاص النعماء الله الخداه انكر

طيب عن الناس سمع في ٢٠١٥ طيبة قارة ٩٠٠ الامل

والناس سمع في ٢٠١٥

صراخنا انفق اذ في كثر اننا اننا اننا

كلنا نجمع مع اولادنا عن الوالد والبنين صنا الامل

ونلله له تاسير بحير علينا وما لا عن الوالد والوالدة

واجمع احب لله الحمد اننا نكر وبنين عليه

وله اي المشقة المساعدة الجنا حيدر ولها اعمال

كثيره في كثير من اللجان والجمع ويشهد بذلك

وايضا اولاده كثير من السنو المنه (مفني عروج ابرو)

ولا يوجد اي مرد وصبروا ان كثير من ذلك نعم

٢٠١٥ سنو ولا في ٢٠١٥ اننا

اضل

التزم المنه في ٢٠١٦ ١١ ٢٦٢٠٨

ولنا اننا اننا

- 1/2

المعلومات الشخصية

رقم الملف (١٣)

الاسم الكامل : سعد ما من سعد هوش العازمي
اسم الأب : ما من العائلة : العازمي
الميلاد : ١٩٧٩ / ٥ / ٢٩ العمر : ٢٢ سنة
الأم : خايزة

عدد الأخوة : ١٣ للتربيت الأسري للأسير بين أفراد العائلة : الشامة

المؤهل الدراسي : رابع متوسط الوظيفة : بدون وظيفة

معلومات الزواج :-

تاريخ الزواج : أعزب

عدد الأبناء :

هم :	
١ -	العمر
٢ -	العمر
٣ -	العمر
٤ -	العمر
٥ -	العمر
٦ -	العمر

جنون الأهل :

المنطقة : الدوحة ق : ٣ ش : ٥ جادة : ١
م : ٥٤
هاتف : ٤٨٧٤٢٧٩ هاتف : ٦٨٠٨٢٤٤ هاتف : ٥٤٤٨٥

To: The members of the Annual Review Board

Esq.

Dear Sirs,

I write this message with regard to my brother, the detainee Adel Zamel Abdul Mohsin Al-Zamel and I would like to tell you that we are longing to see him and to enjoy his sense of humor among his relatives and friends. Following his detention our family suffered from great grief as he is very generous and likes the welfare of all people. He did not distinguish between us and he has many friends who are asking about him. Whenever I see any of his friends he talks good about him. All people are longing for him and asking about him. They are looking forward his freedom and they follow his news, either in the TV or daily newspapers. Whenever anything is published about him they call us and ask about his news. He used to do well. During the invasion of Kuwait he used to help the Kuwaiti poor families. He is very kind father and he used to recommend us to do well. When we heard that he was detained we were surprised and we didn't believe this news as he has no previous experience in fighting. Should he is a fighter he would fight the Iraqi Enemy in Kuwait which deserves Jihad should he a Terrorist.

Ahmed Zamel Abdul Mohsin Al-Zamel

Civil ID card No. 266061600382

UNCLASSIFIED

كتب للاعضاء مجلس المراجعة السنوية

المفتل - عادل زامل محمد حسن الزامل

صحة القرابة (أهني)

... نحن متناقنين له ولستما الخفين بينا الأهل والأهله ماد وبعد
انتقاله فتدنا مكانا كبيرا في عموم العائلة وكانه كرمنا جدا
وكانه يحب الخير للجميع ولا يفرق بيننا وبين نو كبير وكانه له
أهله ماد كثير في يمشونك عنك كمالا واجهته هذا منهم كانه
لا يفرقة إلا بالخير والحديث والجمع حضتا قين له ويستنون
منك وعن موعده فله قسمة وقابضين أجابة أول بأول
سواء بالتفزيون أو بالجزائر اليوسية وأي خبر منكم كانوا
يقولون بنا ويشدون منكم وكانه دائما يعمل الخير وكانه
في فترة منة الكريمة كانه ياند الأسماء الركنية المحتاجات
وكانه أبنا حونا ويوهين دائما يعمل الخير ويندنا عننا أسرة
ذمتنا ولا كانه هتأ يهدق أنت هو عادل لأنك لا سابقك له
في القتال ولو كانه كذلك لتقاوم العدو العراقي في بلدة وهي
أولا بالجهاد لو كانه أرها بيتا

المرسل -
عبدالله محمد حسن الزامل

266061600382

To: The members of the Annual Review Board

Esq.

Dear Sirs,

I the wife of the uncle of Adel Zamel Al-Zamel do hereby appeal you to reconsider the detention of Adel during all these years. Adel is a kind man of good conduct and merciful. He enjoys the sense of humor. All his relatives in Kuwait are looking forward for his return as soon as possible.

Peace be upon you.

Name: Fouzia Mohamined Al-Rasheed

Civil ID card No. 286031100158

UNCLASSIFIED

التاريخ :

بسم الله الرحمن الرحيم

الحمد لله الذي هدانا لهذا الذي كنا لنهتدي لولا أن هدانا الله
والصلاة والسلام على من لا نبي بعده

والله اعلم بالصواب
الحمد لله الذي هدانا لهذا الذي كنا لنهتدي لولا أن هدانا الله
والصلاة والسلام على من لا نبي بعده

والله اعلم بالصواب
الحمد لله الذي هدانا لهذا الذي كنا لنهتدي لولا أن هدانا الله
والصلاة والسلام على من لا نبي بعده

بسم الله الرحمن الرحيم
الحمد لله الذي هدانا لهذا الذي كنا لنهتدي لولا أن هدانا الله

To: The members of the Annual Review Board

Esq.

Dear Sirs,

I the cousin of Adel Zamel Abdul Mohsin Al-Zamel, I do hereby write this message to appeal your hearts and to express my sad feelings for the loss of my cousin Adel. Our longing for him is steadily increasing day after another and with this longing our pain becomes greater. We are continuously thinking about him, even in our dreams. Our love to him is great, greater than what words can express. He is kind hearted, with cheerful smile. Whenever you see him you wish that you would be always with him. I do not say this because he is my relative, rather I would like feel the same should he is not my relative due to his kindness that makes you feel safe and secure. He is generous, kind and respectable person. I know that these few lines are not suffice to mention his good traits and noble character of cousin. Further it will never reflect what he deserves. However I hope that you will be aware of the through identity of him and you can imagine our longing and need to him.

Therefore I pray to Almighty God and appeal your Excellency to release my cousin Adel so that we have him among us and restore our happiness which we lost during his absence.

With great thanks and appreciation

Othman Ibrahim Al-Zamel

Civil ID card No. 277052300429

UNCLASSIFIED

التاريخ :

- الأمانة العامة للإسلاميات -

11 جمادى الأولى 1431 هـ الموافق 11/11/2010 م

ابن خال / عادل زامل عبداً لله والرسول

إنتي أكتب كلمات القليلة هذه لأنفسى بها ضماؤكم وقلوبكم ، ولتجرب عما يحتاج
النفس من أحاسيس حزينة يفقدان ابن عمي عادل ، فشوقنا له يزيد يوماً بعد يوم
ومع التسوق يكبر المناحق أصبح لا يفارق التفكير ولا الأحلام في ضامنا ، وإن ما ذكره
له من الحب لهو أعظم من أن تجرب عنه حروف ، قليلة فهو صاحب القلب الأبيض
الكبير والوجه البشوقى المبتسم دائماً الذي عندما تراه فإنك تتفنى أن تكون بقره يوماً ،
ولا أقول ذلك بسبب صلة القرابة التي تربطني به فقط ، أو لم يكن عادل قريبى كنت
حلت له نفس الشعور وأكثر الحمية قلبه التي تجعل الشخص يشعر بالراحة والأمان
وهو أمانه ولما عمله من معاني الرجاء كالتسامح وطبقة القلب والاحترام ، ولنتي
أعلم أن سطوري القليلة هذه لا تكفي لذكر الخصال الحسنة التي كان يتمتع بها ابن عمي
والصفات الحيرة التي يقللوا ولا توفيه حقه ولكن كل أمل بأن ضماؤكم الخير سوف تعام
بحقيقة ابننا المريب ، وسوف تعام بهدى شوقنا وحاجتنا له ،
لذلك فليتني أطلب من الله أولاً ومن بعده حضراتكم المطلق سراج ابن عمي عادل
ليرجع إلى أحضاننا فنستعيد بسمتنا وفرحتنا التي فقدناها بفجائه عنا .

وأكرر بنيل الشكر والتقدير ..

عبدان إبراهيم الزامل

٢٤٩ ٥٤٣ ٢٧٧

To: The members of the Annual Review Board

Esq.

Dear Sirs,

To Mr. Adel Al-Zamel

Please be advised that Adel is the best one of my nephews due to his kindness since he was a child. He is benevolent to his parents, particularly to his mother and he used to satisfy all her demands without discussion. With regard to me, he used to visit his relatives and he assisted me personally in the construction my house and satisfaction of my several demands.

As a family we miss him very much and we are suffering from his absence, especially during the holy month of Ramadan, festivals and family occasions. His brothers got married in his absence.

I know him when he was young and all, in all circumstances he was kind hearted and merciful with young and old people.

Further he has big family, consisting of sons and daughters who are currently in the adolescence age and they need his presence among them for guidance. At this age the children need their father, his instructions and directions.

We are his family members and we tell you that we need him as our life without him is poor.

His Uncle: Naser Al-Ruwats

Civil ID card No. 252050100668

UNCLASSIFIED

الاعضاء الخمسة المراجعة السنوية

الاسماء / عائل / المزايا

أولاً فإنكم بعد ان عايننا طاب من أحياء المزارع التي
كانت حشوتها وعلفها من المزارع المراجعة السنوية
وخصوصاً أحياء طاب يديرها جليل المزارع دون مزارع
أما بالنسبة إلى مزارع طاب من لرحم واما مزارع شريف
من مزارع طاب من لرحم واما مزارع شريف
ومن كائناته: نقتدر جداً ونقتدر المزارع وخصوصاً
في مزارع طاب من لرحم واما مزارع شريف
أما حشوتها دون وجودها بينهم
عروضها حشوتها وعروضها بغيرها واما مزارع شريف
وأيضاً الفلب ومنتج مع كبير واهمها
أما ان له عائلته بغيرها من اولاد وبنات
المزارع حشوتها المزارع المزارع المزارع
لأن اولادها من حشوتها المزارع المزارع
وتوزيعها حشوتها
بما احده المزارع المزارع المزارع
محتاجاً إليها لأن حشوتها المزارع المزارع

٢٠٥٥.٥.١.٦٦٨

To: The members of the Annual Review Board

Esq.

Dear Sirs,

I Mohammed Al-Zamel, Uncle of Adel do hereby state that I am longing to see him, to talk with him and to hear his laugh. Kuwait is nothing without Adel. During his absence we are suffering from continuous darkness and never ending night. All family members and friends are looking forward for his safe return and they pray that he will overcome his calamity and return to his country so that we enjoy his face. Finally I can say nothing, but we are longing for him and we are looking forward for his return.

Peace be upon you.

His uncle: Mohammed Abdul Mohsin Al-Zamel

Civil ID card No. 241051000104

UNCLASSIFIED

التاريخ :

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

والله أعلم بما اجازت له
 في الامم والارواح والاعمال
 انتم محرمون الزمان عم عاداء انكم لا تعلمونكم اشتقنا له
 اشتقنا لطلقة علمنا، دهرسته معنا، دهرسته، اه الكونية من غير
 عادك لانتادى شينا، فلما اذاعم وظلامنا راسد من غير وجوده، ان
 كل الاضمار والاضيقاد لاجبو به عمدته الما عافوا، مانه دهر ح من انتم
 بصحة، واخير، دهره لوطه لكتفنا ناظنا بوزن، ولا يصح، في
 الختام الا ان اتوا اننا اشتقنا كسرا جدا، و اننا اشتقنا عمدته، ان
 آهم بيننا الجمن
 انكم عليكم، حوله، و بر سانه

ع ٩
 محمد عبد الحبيب الزامل
 ١١١١٦٦ ٠٣٦ ٠٢٦

التاريخ :

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

يا أيها المسلمون، إنكم لا تعلمون أنكم اشتقنا له،
 يا أيها المسلمون، إنكم لا تعلمون أنكم اشتقنا له،
 اشتقنا له، لطلنته علينا، دهمسته معنا، دهمسته، ان الكونية من غير
 عادل لانت ابي شينا، فلما اذا انما وظلامنا راس من غير دهمده، ان
 كل الزهراء الاصفى الاجو به عمدته سالنا معانوم، ان بهرح من اتمته
 بصحة، افرور، دهم دهمه لوطه لكتفنا ناظنا بهر دهمته، د لاسهمه
 الختام الاز اتمه اننا اشتقنا كسنا اهدا، و اننا اشتقنا عمدته، ان
 امر ينال الجوز
 يا أيها المسلمون، انكم لا تعلمون انكم اشتقنا له،

محمد بن محمد الزامل
 ١٤١٠ هـ / ٢٠٠٩ م

To: The members of the Annual Review Board

Esq.

Dear Sirs,

To Adel Zamel Al-Zamel

We are the family members of the detainee do hereby state that we like and miss him. We hope that we will be able to see him soon. We are longing for him due to his position among us. We pray to Almighty God to release him soon. All people are praying for God to release him as soon as possible. He is an effective member in the community who used to assist people and do well. Further he used to help the poor and the needy. Please defend him and get him out of the detention as his family members and relatives are in dire need to him. Please note that the family without the father is susceptible to loss. His colleagues are praising him and like him. Further they are always asking about him and his news.

Khaled Zamel Al-Zamel

The detainee is my brother

Civil ID card No. 262072700399

انوار صافی تراجمت ہندی

ایک عارف زائل الزائل

غم اہل عقل ہفتل شب عادل و نعتیہ و شمس اہل براہ
 باسرم رفت و گم گناہینا الیہ لہ حکانہ بینا و غم نعتیہ
 و نسال اللہ اہل عقل غرضہ ماناں بدکرم لہ اہل خیر باسع و نکت
 و ہد و حصو مقالین اجمع و با اہل اللہ و بیہر عقل و کبر
 دانیا و بیامہ اہل کبر و انفسار و بحب الہیہ للباس
 غرضوا اہل تکرہ و غیر اللہ عاجلہ و اضریہ و ہفتل نوم
 جا ہو زک و ساعدہ جاہ اہل اللہ و حاجہ الیہ و عانیہ
 لہم فائدہ بہ وہ اب و رضیہ للضیاع و اشتاکی
 و ہمتہ نطلانہ تیوہ الیہ و کیوہیہ و دانی بانہ عنہ
 و غم اجباریہ

قالہ زائل الزائل

صلوہ بفرہ اخ

۲۹۹ ۰۷ ۵۷ ۰۷ ۶۵

To: The members of the Annual Review Board

Esq.

Dear Sirs,

My dear brother Adel Zamel Abdul Mohsin Al-Zamel is very kind person and merciful with his brothers and sisters. We miss him every day, especially during festivals. Whenever I see my brothers together I become sad because my dear brother Adel is not present with them. He is the kindest person among them. Every occasion I do not feel happy, rather I feel sad because he is not with us. I will never forget his kind stands with me during my troubles. Further he used to assist all people, so they liked him. either in the family or work. Moreover all people are sad for his absence, but I am the saddest person.

His sister: Tahani Zamel Abdul Mohsin Al-Zamel

Civil ID card No. 271122600586

UNCLASSIFIED

لإعطاء مجلس المراجعة السنوية

السلام عليكم ورحمة الله وبركاته

بخصوص أخي عادل زامل عبد المحسن الزامل الغالي الحبيب
انه انسان طيب القلب وحنون على اخوانه ومخواته لقد
افتقدته في كل يوم وكل حين وخصوصاً في الأعياد والأفراح
كل ما أسوف اخواني متجمعين عندنا يحزن قلبي لانه الغالي عادل
موجود معاهم لانه احن واحد فيهم وأطيب قلباً وفي كل عيد
لا أفرح بل أحزن لهم لعدم وجوده معانا وما أنسى مواقفه

الطيبه الكنونه معي في طريقي وهو انسان خديم للجميع

ومحبوب من الكل سواء في الأسرة أو العمل والكل حزين عليه

فانا أحزن واحد عليه جداً جداً

أختي : عفاف زامل عبد المحسن الزامل

الرقم المدني ٥٨٦٠٠٥٦٦٧١١

Personal Particulars

File No. (11)

Full name : Adil Zamil Abdul Mohsein Al Zamil
Father's name : Zamil Family name : Al Zamil
Mother's name : Luluwa
Date of birth : 23/8/1963 Age : 39 years
No. of brothers : 6 Order between family members : 2nd
Qualification : Secondary school certificate Occupation : Employee in the Public Authority For Housing Care

Marriage details:

Date of marriage : 20/12/1983

No. of sons : 8

Namely :

1. :	Nawf	Age	: 18
2. :	Wadha	Age	: 16
3. :	Hassa	Age	: 13
4. :	Nourah	Age	: 12
5. :	Zamil	Age	: 10
6. :	Sara	Age	: 8
7. :	Munirah	Age	: 5
8. :	Omar	Age	: 3

Family address

Area : Khaitan Block : 4
Street : 36 Avenue : -
Telephone : 4726300 Telephone : 4726400
Telephone : 6668761
Details stated by : Walid Al Zamil Relationship : His Brother
Signature : (signed)

FL 11/FAC (1)



المعلومات الشخصية

رقم الملف (١١)

الأم: لولو

الأسم الكامل: عادل زامل عبد طه حسن زامل
إسم الأب: زامل
العائلة: الزامل
الميلاد: ١٩٦٢/٨/٢٢
العمر: ٢٩

عدد الأخوة: ٦ الترتيب الأسري للأسير بين أفراد العائلة: ٢

الوظيفة: موظف
المؤسسة المقامة للري
السكنية

المؤهل الدراسي: ثانوي

معلومات الزواج:-

تاريخ الزواج: ٢٠ - ١٢ - ١٩٨٢

عدد الأبناء: ٨

- العمر ١٨
- العمر ١٦
- العمر ١٢
- العمر ١٢
- العمر ١٠
- العمر ٨
- العمر ٥
- العمر ٢

- ١- نوزة
- ٢- روضة
- ٣- مروة
- ٤- نورة
- ٥- زامل
- ٦- سارة
- ٧- منيرة
- ٨- عنوان الأهل

المنطقة: حنظلة ق: ٤ قس: ٢٦ جادة:

هاتف: ٢٦٢٠٠ ٤٧٢ هاتف: ٢٦٤٠٠ ٤٧٢ هاتف: ١٦٦٨٧٦١

FL 11 / FAC (4)

التاريخ : 1/11

الرقم : 1

التاريخ : 1/11

الحمد لله الذي جعلنا من عباده
 خلقا صالحا من حيث يشاء
 وما كنا لننسبهم له غيره
 اللهم أنت الله لا إله إلا أنت
 أنت الغني ونحن الفقراء
 أنت السميع العليم
 اللهم صل على محمد
 وآل محمد الطيبين الطاهرين
 الذين جعلهم الله للناس
 خيرا
 اللهم صل على محمد
 وآل محمد الطيبين الطاهرين
 الذين جعلهم الله للناس
 خيرا

التاريخ : 1/11

الرقم : 1

التاريخ : 1/11



المعلومات الشخصية

رقم الملف (٩)

الاسم الكامل : حؤاد

إسم الأب : محمود

الميلاد : ٢١٩٥٩/٦/٢٤

الأم : حصة محمد صالح

العائلة: الربيع

العمر : ٣٤ سنة

عدد الأخوة : ٤

الترتيب الأسري للأسير بين أفراد العائلة : الرابع

المؤهل الدراسي : ماجستير في إدارة الطيران : مهنة : مهندس طيران من
مؤسسه المطور الجوية المدنية
معلومات الزواج :-

تاريخ الزواج : ٢١٩٨٦/٤/٢٦

عدد الأبناء : ٤

هم :

١- طيبة

٢- عبد الله

٣- محمود

٤- كين

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العمر ١٥ سنة

العمر ١٤ سنة

العمر ٨ سنة

العمر ٧ سنوات

العمر

العمر

عنوان الأهل :

المنطقة : الزهراء ق: ١ ش: الشالحي جادة: ٩

هاتف : ٥٤٢٢٢٢٧ هاتف : ٢٥٢٢٥٧٦ هاتف : ٢٥١٦٦٦٥

صاحب المعلومات : م.ي العامر العلاقة : الزوجية التوقيع : م.ي

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Summary of Administrative Review Board Proceedings for ISN 570

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the Muslim oath.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Certification, DMO-2, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

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The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Presiding Officer: Sabri Mohammed Ebrahim, do you want to respond to each of the Unclassified Statements? I know you have already responded to the Assisting Military Officer.

Detainee: I am ready to give my comments on each one.

Presiding Officer: What I would like to do is since you have already given [the Assisting Military Officer] comments on the Enemy Combatant Election Form, and you have responded to every comment on the Unclassified Summary, I can have him read these responses and you [can] further comment on them or just agree with what he reads on the comment.

Detainee: I prefer to say them now and not have the AMO read them. Maybe I forgot something.

Presiding Officer: That is fine. Let me finish with the Assisting Military Officer.

Presiding Officer: Assisting Military Officer please read the AMO comments on the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's initial ARB interview occurred on 28 Jul 05 and lasted for two hours and twenty minutes. After a review of the ARB purpose and procedures, the Arabic translation of the Unclassified Summary of Evidence was read to the Detainee. Despite his initial reluctance the detainee opted to attend the board. The detainee expressed concern that he would have no input on the contents of the classified material the board would consider. The Detainee elected not to submit written comments regarding the Unclassified Summary of Evidence. A follow up interview lasting two hours and ten minutes took place on 01 August 2005. The Detainee was cooperative and attentive throughout the interviews.

Presiding Officer: Sabri Mohammed Ebrahim Al Qurashi you may begin your statement at this time. If you would like to answer each of the Unclassified Summary allegations I will have the DMO read them one at a time.

Detainee: I would like to comment on them one at a time. I have a question. [Have] you read all [of the information] in my [file]? Should I go over [my entire] story or not?

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Presiding Officer: Yes, we have read your case file and some information we cannot bring up here, but if you bring it up we will be happy to listen to you. I can only discuss the things that are on the Unclassified Summary.

Detainee: I just want to be sure that you know my case.

Presiding Officer: I know it the best I can from the material they have given me and we may have some clarification questions once you answer the Unclassified Summary of information that has been presented.

Detainee: You are going to be [dealing] with me, so I want to make sure you read my [file] and you know what is going on in my case.

The Designated Military Officer read the unclassified summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following factors favor continued detention: (a.) Commitment: (3.a.1) The Detainee traveled to Pakistan to purchase perfume for later resale, and to fulfill his religious Dawa.

Detainee: Before I give my comments...I gave my comments to the AMO. I am not going to add anything to what I said to the AMO...maybe a little bit...I just want to say it in my [words]. What I am about to say now I want to be considered, not what I said to the AMO. I want you to [hear it from me]. Yes, that is true. I was starting a perfume business and I had very little capital. I wanted [to start] with simple stuff. I have worked in the perfume business before, but this time I wanted to do it myself. I [knew] Pakistan had the biggest plants, companies of perfume in the Middle East. These perfumes are...the perfume there is the kind [made of] ointment, not spray or alcohol. It is an ointment perfume. It is very famous in our country. I [wanted to] visit these companies and I [wanted to bring back] to Yemen some of these perfumes so I could start my business. [Also] in Pakistan there is the biggest center for Dawa and Tabligh. I [wanted] to combine the trip for my business and my religion. This is the reason why I chose Pakistan on this trip and what I said is [the truth].

Designated Military Officer: (3.a.2) The Detainee traveled from Sanaa, Yemen to Karachi, Pakistan; then on to Quetta, Pakistan; Spin Boldok, Afghanistan and Kandahar, Afghanistan.

Detainee: Yes, that is right. About the [route] I took...this is the only way I could take by air because Yemeni Airlines only [has] one trip a week to Pakistan and the same thing from Sanna to Karachi. I didn't have [any] choice except to go this way. Of course there is another way...go by sea...but I don't know [anything] about that. But, going by land there is now direct way to go from Yemen to Pakistan. I [didn't] have any choice but to go [the route I took]. Why is this [statement] against me? I don't know...why did they put this on my Unclassified Summary?

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Presiding Officer: It is just a description to the board how you got from point "A" to point "B". It is just for our information. If you could please indicate when you are finished so that we can move on to the next question because the board will ask questions at a later time not right now.

Detainee: Yes, please go on [to the next question].

Designated Military Officer: (3.a.3) The Detainee arrived in Afghanistan with \$3,000.

Detainee: Yes, that is right. This is a very ordinary thing to do and the reason is as I mentioned before I was going for business and also I [didn't] have any credit cards on me so I had to carry cash. This \$3,000. [included] whatever I [needed] to spend on food or staying somewhere..

Designated Military Officer: (3.a.4) A senior al Qaida lieutenant recognized the detainee in a photograph. He saw the detainee in 2001 at a guesthouse on the frontlines in Afghanistan.

Detainee: I cannot say no to this. I cannot say if it is true or not. I have a comment...for this witness...if you allow me to meet him and see my face...but with all the pictures, maybe he got confused. It is a good possibility. I have a funny comment on this. Maybe someone in this room will agree with me. If we take your (*referring to the Presiding Officer*) picture with the flag, the American Flag, I will say this is Bush (*referring to President Bush*), because there are similarities in your face. Do you think this is right?

Presiding Officer: I am sure the President would not agree with you.

Detainee: But, in my view you look like Mr. Bush (*referring to President Bush*), but Mr. Bush has a taller face. Maybe this witness is confused and made a mistake. Maybe this witness has something to hide. Maybe he is greedy and needs something to get him out of something he said, or he was scared. There are many other possibilities. I don't know if you can bring that guy in front of me and talk to me...maybe we can solve this problem. Also, I have never been in that house [that] the witness said he saw me [in]. I was not there.

Designated Military Officer: (3.a.5) The Detainee was identified as a mujahideen fighter,

Detainee: [By] whom, the same witness?

Presiding Officer: It does not indicate to me by whom, it just says you were identified by someone as mujahideen.

Detainee: That is not true.

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Designated Military Officer: (3.a.6) After Kabul fell to the Northern Alliance, the Detainee joined a group of about 100 Arabs in the mountain regions. More than half were armed with Kalashnikov weapons, and they were led by Abu Muhammad Al Musri.

Detainee: This [statement] is not [correct] this way. I didn't say...there is a mistake there...I didn't say 100, but I want to comment to tell you why I went to the mountains. When Kabul fell, I was living outside of Kabul, and I saw with my own eyes a lot of people leaving. I [went] to the main road to [see] what was happening and I met [some] Afghans and I asked what happened. They said Kabul fell and some people are after the Arabs and some of the Afghans or what ever they want to go after. [The Afghans] advised me to flee with them. That is what happened. I didn't have a car. I went with [the Afghans] to the road that led to Khost. When we fled I saw a lot of people. Not like it says here '100', but hundreds including Arabs, Afghans, Pakistanis, from other nationalities, kids, women, old people, animals, and cows that belonged to the people going toward Khost. I didn't say 100 Arabs; I was one of [the people who fled]. I was one of the people that ran for my life. That is what I said. About Abu Muhammad Al Musri, I don't know if he was leading the Afghans, Arabs, animals, kids, children, women, old men, but I had no choice. I had to do it because the situation at the time was we had to leave. The situation at that time was like a water slide. We collect[ed] everything and after that everybody went his way. When I knew I [was] in a safe place I tried to go to Pakistan. That is what happened but about this point here...I don't know anything about this statement.

Designated Military Officer: (3.b) Training: (3.b.1) The Detainee trained at the al-Farouq military training camp. He identified Abu Muhammad al Musri as the leader of the camp.

Detainee: Yes, I said that to the Pakistani interrogators. Not Pakistani interrogators, [but] American interrogators in Pakistan. And what I said [to the American interrogators] was because the Pakistani interrogators wanted me to say that. When [the Pakistani interrogators] arrested me they took me to a building and they divided us. They put me in a room [with] three people in front of me. I was sitting on a chair and next to me was a Pakistani interpreter. They asked me to tell my story. I told them my story about my mission...coming to Afghanistan to teach Islamic rule. The Pakistanis told me after I gave them my whole story...they told me the American interrogators are going to ask [your story] and they are not going to believe what you [have told us]. You [will say] you went for Jihad and to fight for the Taliban. They said they would force me to say this. [I asked them] why [they] were forcing me to say what [they] want me to say? They said because the Americans...if you don't say what we are saying to you...you know there are no rules or system to defend you. We will start torturing you until you say what we are telling you to say to the [Americans]. [If you do] you will be released. They said that has happened with some other Saudi people...we have arrested some other Saudis and they did what we asked them to do and they left. They promised me they would keep their word. I didn't go for jihad and I don't know...they said just say I went there for military training [and] it would be [easier] for me. I told them if I say that, then

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they are going to ask me who trained me and where...I need information. They said they would give me simple information because our intelligence works with those people in the camps. We have information and we can give it to you. I asked them if each of them promised and they [all] said yes. They brought some pictures and showed them to me and they said if they ask you who is the prince of the camp say Abu Muhammad Al Musri. [They also said I need to appear to be telling the truth to the Americans]. Also, [they said not to] tell the Americans that I have been interrogated by [the Pakistani interrogators]. The only thing that made me agree with them was that I knew [they had tortured some people with us], and this made me nervous. This is my story.

Designated Military Officer: (3.b.2) The Detainee stated he spent about three days learning to disassemble the Kalashnikov, and then trained on a different type of weapon identified as a PK.

Detainee: As I said, the Pakistanis gave me the information about the camp...told me about the camp...if you (*believe me*) then I don't have to answer this question. Do you believe that I would come all the way from Yemen to Pakistan to Afghanistan just to learn how to disassemble a Kalashnikov, unless I am some crazy guy. But that is what the Pakistanis asked me to say. In Yemen, every Yemeni they have a Kalashnikov...even our children have a Kalashnikov. Why would I go all the way to Pakistan? That is what the Pakistani interrogators wanted me to say.

Designated Military Officer: (3.b.3) The Detainee stayed at the al-Farouq camp for a total of about 45 days.

Detainee: How come the one before said 3 days and now it is 45 days.

Presiding Officer: It is just another comment that we pulled from a source and he can deny it if he wishes. There is limited Unclassified Information that we can go on.

Detainee: There is a conflict here. First it says 3 days now 45 days. I have never been at the al-Farouq camp.

Designated Military Officer: (3.c). Connections/Associations: (3.c.1) Abu Khaloud offered to assist the Detainee with travel arrangements, but was unable to complete them due to the heightened state of alert in Pakistan.

Detainee: [Abu Khaloud] didn't [make the] offer to me directly. I mentioned to the interrogators that another guy knew Abu and he gave me a paper in an envelope, I did not know what was in the envelope, and he said just give it to [Abu Khaloud] in Kandahar and he will know the whole thing. He cautioned me not to open the envelope. He said [Abu] could help me leave from Afghanistan and go to Pakistan. This is what I did. I went to Kandahar and I gave him the letter. He opened the envelope in front of me and he read it. He promised me...said wait for me...give me a month and I will help you. He said I don't know anything about you, but because of the guy that wrote the letter, [Abu] would help me. After approximately 1 month I went back to [Abu] and he said he could

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not do anything for me now. He said that there was a problem now and he could not take me to Pakistan. Then I left the area where I was at [and] went to Kabul. There was no reason to stay there. That is all that I know about him.

Designated Military Officer: (3.c.2) Abu Khaloud has been identified as the manager for the Al Ansa guesthouse. He arranged for individuals to go train at the al-Farouq camp.

Detainee: As I said before I don't know anything about this guy.

Designated Military Officer: (3.d.) Other Relevant Data: (3.d.1) The detainee stated that when he was arrested all of his property was taken from him, including his Casio watch.

Detainee: Yes that is right. Yes, when they arrested me, I had a wallet with close to \$2200 to \$2300, my airline ticket, some other papers, my passport, and a little radio I carry. That is all they took from me. I didn't say that I had a Casio watch on me, but I have a Casio watch from a long time [ago]. I was wearing it in Afghanistan and in Yemen and when I was in school. To say I had a Casio watch on me when I was arrested...no...if they think it is mine they can check my fingerprints.

Designated Military Officer: (3.d.2) The Casio digital watch was given to al-Farouq attendees.

Detainee: I don't know anything about this statement.

Designated Military Officer: (3.d.3) The Casio watch model F-91 has been used in bombings that have been linked to al Qaida and radical Islamic terrorist improvised explosive devices.

Detainee: I know Casio watch...it is digital...all I know about the watch is it is a Casio, but I don't know what brand. I know it has a compass. When we pray we have to face Mecca. All I know is some of them have lights and some don't, an alarm, in case you want to set it to wake up, that is all the information I have about Casio. The information in this statement I know nothing about.

Designated Military Officer: (3.d.4) On 7 February 2002, the Pakistanis raided a Karachi statehouse and captured the Detainee and approximately 15 other individuals.

Detainee: Yes that is right, but I don't know the date and I don't know the number. I can't recall the date.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee stated he did not receive any weapons, explosives or terrorist training while at al-Farouq.

Detainee: Basically I have never been to al-Farouq.

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Designated Military Officer: (4.b) The Detainee stated he did not know al-Farouq was an al Qaida training center until he later reached Karachi.

Detainee: Also, I have never been in al-Farouq and the first time I learned about al-Farouq was from the Pakistani interrogators. I have something to say about al-Farouq in general. Al-Farouq camp...one of the interrogators told me there [were] people [at al-Farouq] at the same time that the Pakistani people said I was in the al-Farouq], and they said those other people were there in the al-Farouq camp. [Those other people saw and witnessed other people in the al-Farouq camp] and I said [show them my picture] or let me go [before them] [and they can tell you if I was there during that time]. I have never been in the al-Farouq camp and you can find [that] out any way you want.

Designated Military Officer: (4.c) The Detainee adamantly denies being at al-Farouq.

Detainee: And I still [do].

Designated Military Officer: (4.d) The detainee stated he learned details about the al-Farouq camp from Khalid Dossieri, a Saudi who was staying at a guesthouse in Kabul, Afghanistan.

Detainee: Yes that is right. But about the details, there was not a conversation with him. Because I was in that house and he was there I asked him where he was from. Of course he did not tell me, but he said he was at al-Farouq camp. This information...that was the first time I heard about al-Farouq camp was from this guy and the Pakistanis. That is the only information I know. When I asked him his name and where he was from he said his name was Khalid Dossieri and he was from Saudi Arabia. That is all I know about [that] gentleman. I even forgot what he looks like. I met him for seconds and didn't see him anymore.

Designated Military Officer: (4.e) The Detainee claimed the Pakistani authorities fed him the details he provided about the camp.

Detainee: Yes, and I am ready to meet with those Pakistanis and I will tell them that they are the ones that told me what to say.

Presiding Officer: Sabri Mohammed Ebrahim does that conclude your statement?

Detainee: Yes, that is all I have.

Presiding Military Officer: Assisting Military Officer there are two paragraphs at the end of the election form, did you want to read them so that he can confirm that's the input from you?

Assisting Military Officer: The Detainee said that he had a number of plans for when he is released; to get married, prepare a program to complete his studies, give advice to the young, look for a good school for his children and help them with their homework. He

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said that he had a lot of programs in his head for the future. As to why he feels he should be released, the Detainee said that he has no problems with the Americans. He invited us to take his fingerprints and compare them with those found at any terrorist crime scene in the future. If he does anything against the Americans in the future, he would have the U.S. hang him even without a trial because he is confident that he did not do anything against the Americans in the past. He said that he was teaching the Koran, helping the old and the orphans. He left Yemen for Pakistan because a lot of people were doing it, and he traveled to Pakistan on business and later to Afghanistan for his missionary work. For these reasons he does not think he should be detained any longer. He said that it was stupid for him to listen to the Pakistani authorities. He said that he learned a lesson not to follow: don't give your brain to anyone else. This is a very strong lesson he has learned.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: While you were in Pakistan did you ever purchase any perfume?

Detainee: No.

Board Member: Can you explain why you didn't purchase any?

Detainee: Yes. When I left Yemen going to Karachi...I was late in Afghanistan because I had a brief case...I was late because of that bag...I was waiting for that bag. There were a lot of people going from Yemen for that mission. They left me and I didn't know where to go: I had one address for a mosque where the other Yememis were going to go. It was a religious center. So I went to the hotel. I couldn't go to that center. The next morning I met with someone who was putting on an Arab suit. I asked if he was from an Arab nation and why he was here. He told me he had addresses of the perfume companies. He also said I should go as a missionary. For these two reasons I am here. And the people I arrived with, I didn't know where they went, but he said he knew where they went and that he would take me there. He said he would go with me. He [asked me] why don't I go to Afghanistan as a missionary. I told him I don't know anything about Afghanistan and my trip is for Pakistan and all I have is 1 month. After that month I want to split from the mission and go after my business. He said go with me now to Afghanistan because the people need you there, and I promise you I will bring you back in one month from Afghanistan to Pakistan. I told him to give me time to think about it and he gave me one day. He mentioned to me that he was going back and forth between Afghanistan and Pakistan and he would help me. I [told the guy] I thought Afghanistan had a lot of wars, problems. He told me not to think that way and there are no such things. He promised [that I would be able to] go to Islamic centers and mosques and that he would help me. He promised me that he could bring me back to Pakistan. I decided to go for a mission to Afghanistan and then come back to take care of my business. I

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entered Afghanistan and I couldn't get out because the guy who took me to Afghanistan left and I never saw him again. It is a long story and I said it to the interrogators. I left Afghanistan after problems started. I could not buy perfume and I still have the addresses and the card of those factories if it is still in my wallet. I don't know if it is still there or not, but I remember it was there.

Board Member: When did you go to Afghanistan? Approximate date?

Detainee: By date? My problem is I cannot remember the date, but you can go back to my airline ticket.

Board Member: What did you do to help the old people and the children?

Detainee: Where in Afghanistan?

Board Member: Where did you help the old people and the children?

Detainee: What he (*referring to the Assisting Military Officer*) mentioned?

Board Member: In Afghanistan or Pakistan?

Detainee: I went to Afghanistan to teach them and that is what happened. After that, I opened my own mosque. I mentioned that to the interrogators. It was an old mosque that I remodeled.

Board Member: Where was that?

Detainee: In Afghanistan.

Board Member: What city?

Detainee: Lugar.

Board Member: Why did you go to Kabul?

Detainee: You mean at the first or the end?

Board Member: When you went, why did you go?

Detainee: At the beginning...

Board Member: Why did you go to Kabul?

Detainee: From Pakistan to Kabul?

Board Member: From Kandahar to Kabul.

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Detainee: Because there [are a lot of religious centers in] Kabul and there is a big center there named Hanthulla. It is the main center in Kabul and you can get all of the information about the smaller centers inside Afghanistan. The same guy that offered me...he told me there was a main center in Kabul.

Board Member: What did you do with the \$1,000 that was missing? You started with \$3,000 and ended with \$2,000.

Detainee: I stayed a year and 6 months, maybe a little less, I don't know exactly. Does it make sense that I would stay all that time without spending money? I had to travel, eat, that is what I spent...if you go somewhere then you spend money. If you have \$3,000, then after one year, [if you] spend money you will [not] have the same amount. Does that make sense?

Board Member: Yes, that makes sense.

Presiding Officer: Do you deny being at al-Farouq at all?

Detainee: Yes, and I still do.

Presiding Officer: The one comment where the senior al-Qaida lieutenant recognized your photograph and claims he saw you at a guesthouse on the front lines. Is it possible you were on the front lines and did not know it?

Detainee: I didn't know how to get there. As I said earlier, the guy who witnessed it got confused. Also the statement says there is a guesthouse close to the frontlines. I said in front of the interrogators and I am still saying, and I will say it to you, I was in a house in Kabul, Afghanistan and maybe he thinks that house is on the frontlines because I was in the capitol. All I know is that it was in a guesthouse and it was inside the market...unless that market is on the frontlines.

Presiding Officer: Was there any fighting going on in that area?

Detainee: There was no fighting inside Kabul.

Presiding Officer: Thank you.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

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AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, USMC
Presiding Officer

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28-JUN-05

From: AL WADY, HAMOUD ABDULLAH HAMOUD HASSAN (Variant Spelling: Al Wailee)

To: Presiding Officer

Via: Assisting Military Officer

Subject: Translation of Detainee's Written Statement Submitted by AL WADY, HAMOUD ABDULLAH HAMOUD HASSAN, on 27 Jun 2005 by OARDEC Linguist OL-10.

(x.x.x) – Refers to the paragraph number on the Unclassified Summary of Evidence.

1. (3.a.1) [The detainee traveled to Afghanistan for jihad.] It is true, but I went to Afghanistan before the year of execution of the attack on September 11th. Jihad is not limited to fighting only, but there are many kinds of Jihad, for example, guard duty or assisting people in need of help.
2. (3.a.2) [The detainee was recruited and his travel instructions to Afghanistan were facilitated by Abu Abdul Rahman at the Hayel Said Mosque in Adan, Yemen] It is true, but I did not know Abu Abdul Rahman well before, also, I do not have any information about him. According to what is going on in Islamic countries, any Muslim can speak in the mosque as a Preacher. This man spoke about Jihad and its moralities. After he finished his speech he sat in one of the mosque corners close to me. His speech about Jihad was perfect. I asked after he sat next to me some questions with reference to Jihad. Some of the questions I asked him were, "If I want to participate in Jihad where do I have to go?" He said the best place is Afghanistan. "How can I get there?" His answer was via Mashhad, Iran, without any problems. That is all that I have to say about Abu Abdul Rahman. Nobody recruited me but I went by myself.
3. (3.a.3) [The detainee also had 2,000 USD of his own money saved for the trip] It is true.
4. (3.a.4) [The detainee traveled to Afghanistan from Yemen via Iran and Syria in early 2001] It is true.
5. (3.a.5) [The detainee served as an assistant officer at Kho Ajagir, the Northern Afghanistan Front.] It is not true.

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6. (3.a.6) [The detainee has been identified as being part of a group of Yemenis that a foreign government service considered dangerous extremists that was still active in Sana'a in April 2002] It is not true. I was not a member of any group or party at any time.
7. (3.b.1) [The detainee stayed at the Said Center, a military post in the Bagram area, for 25 days] It is true, approximately twenty days.
8. (3.b.2) [The Said Center Training Camp was a Taliban-run training camp for Arab recruits in route to fight General Dotsam's soldiers to the north of Khonduz, Afghanistan. Training consisted of small arms familiarization and range qualification] The Said Center was for rear guarding, not for training. That center has no significance.
9. (3.b.3) [The detainee has been identified as an expert in using the SAM-7 missile systems] It is not true. I don't have any knowledge [about this], and this was never mentioned during the previous interrogations.
10. (3.c.1) [The detainee stayed at multiple safe houses in Pakistan and Afghanistan] It is not true. I stayed in a regular house. Everybody knows them and calls them 'Arab Houses' in Kandahar and Kabul. But in Pakistan I went to a house belonging to a Pakistani person. I got his telephone number from Afghanistan. This was the same house I was arrested in. When the United States started their raids on Afghanistan, I had no choice but to leave Afghanistan for Pakistan. I did not plan to go to that particular house; I only had the telephone number and I did not know if it [the phone number] belonged to a house or something else, a shop, for example.
11. (3.c.2) [The detainee couriered money to Herat on three occasions and was supposed to give the money to Abul Hannan, Deputy Governor of Herat] I sent money two times, not three. Money had been collected to assist people in need of help after a heavy snow storm which caused five thousand casualties. I sent the money to Abul Hannan for him to give out to the needy. The money was not for Abul Hannan personally but for the needy. I didn't raise the money by myself but somebody else [did]. I will state how I met him. After I left the Said Center, I found out that there is no basic element [provision] for Muslims to fight between themselves. I decided to leave Afghanistan, I

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need to mention here, there are no embassies or consulates to obtain an exit visa.

[Because of this] it will take a long time to leave Afghanistan. I went to the Arab House in Kabul. While I was staying in that house a person preached after the afternoon prayer. He explained that not everybody came to Afghanistan for fighting. He advised that some of them could help the orphans, widows, or to do any other humanitarian acts. This man came to Afghanistan only as an immigrant and to live in Afghanistan. He had never been on a battlefield, or had seen a fight, or participated in a fight, nor had the idea to fight his Muslim brothers. After he was through with his speech, I asked him if he needed my help, but I mentioned to him that I had no money to help him. He asked me where I wanted to live, in Kabul or in an other place, because I told him I was leaving Afghanistan in the very [near] future and when I finished the exit [visa] procedure. I mentioned to him that I wanted to go to the Arab House in Kandahar. If you need me, I will be there. After two months we met at the Arab House in Kandahar. The weather was very cold at that time. He raised money to assist the victims in Herat, and because he had a family living in Kabul and he could not leave them alone, and because he was an alien with not many people knowing him, he asked me to take the money to the victims in Herat. This happened twice where I gave the money to Abul Haman, the Deputy Governor of Herat. I gave it to him because he spoke a classic Arabic and I did not have any relation with him in the past nor did I know him. That is all that I have to say about this paragraph C-2.

12. (3.c.3) [A senior al Qaida operative identified the detainee as an al Qaida member who fled Afghanistan and stayed at the Khalid al-Pakistani Guest House in Pakistan] It is not true, I never heard about al-Qaida until I was arrested by the Americans.
13. (3.d.1) [The detainee explained he had traveled to approximately 4 or 5 different countries throughout his life, which began when he left Yemen for Saudi Arabia with his father. Other countries the detainee visited are as follows: Afghanistan, Pakistan, and Turkey] It is true.
14. (3.d.2) [Besides traveling through Syria on his way to Afghanistan, the detainee made two other trips to Syria. On the second trip, he also traveled to Azerbaijan] Yes, I visited

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Syria twice and also I visited Azerbaijan.

15. (3.d.3) [Detainee's overall behavior is generally compliant, but he has shown signs of aggression on occasions. Detainee threatened to kill a guard and he attempted to incite a riot] It is true, I am compliant, but I do not agree with the rest of this statement.
 16. (3.d.4) [The detainee was detained by Pakistani police with 6,000 USD, 2,700 Saudi Riyals, 6,000 Pakistani Rupees, a camera, and a new cellular phone] It is true, but I want to add that there was an American there, too.
 17. (3.d.5) [In Yemen, the detainee owned a Kalashnikov rifle and knew how to use it] It is true.
 18. (4.a) [The detainee related he had never received any type of training in Afghanistan because it was well known that Yemeni citizens know how to use weapons. The detainee had sold the only weapon he owned prior to his marriage, because he needed the money] It is true, but I want to add that I know just the Kalashnikov rifle only.
 19. (4.b) [The detainee was adamant about the fact that while in Afghanistan he did not fire any weapons, kill any people or fight in any way] It is true.
 20. (4.c) [The detainee claimed he never fought the Americans] It is true; I am not faking.
 21. (4.d) [The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11th, and also denied knowledge of any rumors or plans of future attacks on the United States or its interests] It is true.
 22. (4.e). [The detainee never received permission from anyone to leave the front lines. He felt it was wrong to fight against his Muslim brothers so he returned to Kabul on his own] It is true, but I was in the rear area, not in the front.
- [A comment on plans if released] I want to go back to my family, take care of them, improve their lives after I left them for a long time. I want to go to construction business. This is the best I want to do if I am released.

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٧ - ٢ - ٤ ص ٥٥٥

٧ - ٢ - ٥ ص ٥٥٥

٧ - ٢ - ٦ ص ٥٥٥


Detainee's Signature

6-27-05
Date

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EC-C7

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Handwritten text in Arabic script, appearing to be a letter or document. The text is mostly illegible due to blurriness and fading.

Handwritten notes or initials in the left margin.

Additional handwritten text at the bottom of the page, possibly a signature or date.



Detainee's Signature

6-07-05

Date

Enclosure (4)

EC-C2

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Summary of Administrative Review Board Proceedings for ISN 578

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

Detainee: After I am done I would apply the appropriate oath for me.

Presiding Officer: So is that a "No"?

Detainee: We have a different way of applying the oath, for now it is no. After I am done telling you what I have to tell you I will say it my way.

Presiding Officer: That's fine.

The Detainee declined taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

Detainee: Almost (the Detainee stated he almost understood the instructions).

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

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Assisting Military Officer: The Detainee's ARB interview was conducted on 17 December 2005 and lasted 115 minutes. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. When asked if he understood the difference between the CSRT and the ARB, the Detainee said, "Yes." When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee said, "I would like to attend but I do not want the media there." The Detainee wants the AMO to present documents to the board on his behalf. A follow-up interview was conducted on 19 December 2005 and lasted for 60 minutes. This interview was necessary to get the documents the Detainee wishes to be presented and to review his written statement for accuracy. The Detainee was very polite and attentive during both interviews. He elected to keep a copy of the translated Unclassified Summary of Evidence for his review.

Assisting Military Officer: Detainee's additional comments: During both the interviews the Detainee said he wanted to participate in the ARB and answer the allegations after each had been read. He wants to know who would make the decision regarding his detention. I (AMO) told the Detainee that the board would make a recommendation...the process will be explained to him during the ARB. The Detainee said, "If I speak to the board will my answers be public information? I have a lawyer. I asked to have the documents regarding me be part of my evidence files. I want to attend but I don't want the media present." The Detainee was concerned about how to address the board members. I (AMO) told him it was okay address them as gentlemen or whatever he felt comfortable with. The Detainee asked the AMO in English, "Man what can you do for me? Can you tell them I am a good man?" That concludes the Detainee's additional comments.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1 and the FBI Redaction Memorandum, DMO-2, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer for presentation to the Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of the information from the Unclassified Summary as it was presented.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following primary factors favor continued detention; (3.a) Commitment (3.a.1) The Detainee attended a mosque in Yemen where he heard about jihad from a Sheikh. An individual urged him to go to Afghanistan to participate in jihad against the Russians.

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Assisting Military Officer: Sir, can we explain to him that this is his opportunity to respond?

Presiding Officer: Do you have any comment concerning that allegation?

Detainee: Should I speak with you casual?

Presiding Officer: Sure whatever is comfortable for you.

Detainee: Sorry, I would like to talk a little bit in English. Is that okay?

Presiding Officer: I just want to make sure the reporter can hear it clearly.

Detainee: Okay, sorry about that. I am sorry I don't have a dictionary but when I came in here I decided I wanted to talk about the future.

Presiding Officer: You will get a chance to make a statement. Right now we need to discuss these allegations. OL-13 could you please repeat the first allegation again.

Detainee: I decided when I was coming here that I wanted to talk about the future, okay.

Presiding Officer: We want to talk about these allegations first. You will be given plenty of opportunity to provide a general statement before we conclude this process. We are going to go through each one of these allegations. If you want to answer them fine and if you don't we are going to continue on. Do you have a comment on the first allegation?

OL-13: I am going to repeat it.

Presiding Officer: Go ahead.

OL-13 repeats allegation 3.a.1 to the Detainee.

Presiding Officer: If you have no comment that is fine too.

Detainee: Very good. I would like to explain something to you. First of all a jihad is one main pillar in our Islam. In general jihad has lots of meaning. Jihad means the struggle, you struggle with your money and you struggle within yourself this is jihad. Jihad when you struggle seeking work to make a living, this is jihad; jihad to be obedient to your parents.

Presiding Officer: Okay, I appreciate (Presiding Officer was interrupted by Detainee).

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Detainee: I would like to explain that so you would understand what jihad means to me. It is the struggle for oneself; self struggle. Self-jihad to me means to stay away from sins. And jihad to me means to help other people. This is jihad.

Presiding Officer: Okay, did you go to Afghanistan for jihad against the Russians?

Detainee: I have answered this question before.

Presiding Officer: Okay.

Designated Military Officer: (3.a.2) The Detainee was urged to help with the jihad and he traveled to Afghanistan near the end of 2000.

Detainee: The same kind of assistance, which is providing some kind of assistance for the same thing that I have mentioned before.

Designated Military Officer: (3.a.3) The Detainee traveled from Damascus, Syria, to Tehran, Iran to Mashaad, Iran to Tibatt, Iran and the to Kandahar, Afghanistan.

Detainee: You could look at my passport to verify and find out which countries I went to.

Designated Military Officer: (3.b) Training (3.b.1) In 1990-1991, the Detainee completed basic training and served as a volunteer National Guardsman in the Yemen National Guard.

Detainee: I like to make a correction on this allegation. When they stated the National Guard this is wrong, what I went to was the Police Forces.

Designated Military Officer: (3.b.2) The Detainee received training with the Rocket Propelled Grenade, AK-47, Pulemyot Kalashnikov and a weapon similar to the .50 caliber machine gun. The training took place between 1991-1992.

Detainee: I don't quite understand this allegation. You can verify it with my own home country. I have trained on some of [them] but I don't understand the rest of [them]. You can verify with my home country the type of training I had. Is this some type of interrogation or investigation or are you just trying to clarify a point, what is it?

Presiding Officer: Just clarify the point. This is not an interrogation or investigation.

Detainee: The training that they are talking about here, are they talking about I had it in Yemen or where?

Presiding Officer: That's what it looks like, yes.

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Detainee: I don't understand the Pulemyot. I never heard of it.

Presiding Officer: That's fine you could say you never trained on those weapons.

Detainee: I did not get trained on these kinds of weapons.

Presiding Officer: Okay, was he trained on any of these weapons listed here?

Ol-13: He would like for me to repeat it.

Presiding Officer: That's fine.

OL-13 repeats the weapons listed in allegation 3.b.2 to the Detainee

Detainee: All I was trained on was the Kalashnikov. The rest I have never heard of.

Presiding Officer: Okay, thank you, noted.

Designated Military Officer: (3.b.3) The Detainee attended the explosives course at the al Farouq training camp in Afghanistan. After graduation, the Detainee was chosen as an assistant to teach an explosives course at Tarnak Farms.

Detainee: On the next page you will find the answer to this allegation and I would like for the translator to read that to you.

Presiding Officer: We will discuss that when we get to that [allegation].

Detainee: That allegation itself is your answer.

Presiding Officer: We will discuss the allegation further on when we get to it.

Detainee: Yes, okay could you please explain to me what do you mean [by] Tarnak Farms?

Presiding Officer: Have you ever been to Tarnak Farms it is a training site?

Detainee: I don't understand.

Presiding Officer: Just say yes or no.

Detainee: I never heard of it and I never been there.

Designated Military Officer: (3.c) Other Relevant Data (3.c.1) The Detainee was seen at a guesthouse in Kandahar during August 2001.

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Detainee: I don't understand the question.

Presiding Officer: Have you ever been to a guesthouse in Kandahar?

OL-13: Somebody saw him right?

Presiding Officer: That's what it says. I am asking him, has he ever been to a guesthouse in Kandahar.

Detainee: It's possible.

Designated Military Officer: (3.c.2) The Detainee and the others were waiting training while in Afghanistan. An operative stated he assumed the Detainee was traveling to Chechnya for jihad.

Detainee: How would I know that somebody assumed that I was traveling to Chechnya for jihad? How could somebody assume? And who was he, that somebody who assumed?

Presiding Officer: Were you awaiting training while in Afghanistan?

Detainee: No, I didn't.

Designated Military Officer: (3.c.3) An operative saw the Detainee in January 2002 at a guesthouse in Karachi, Pakistan where the Detainee was eventually captured. The operative did not know exactly how the Detainee traveled there from Afghanistan, but stated typically, a network of Pakistanis would bring them.

Detainee: To be honest, I don't understand the allegation. When I was captured they captured me from the house.

Presiding Officer: Okay, that's fine.

Designated Military Officer: (3.c.4) The Detainee was in a Karachi guesthouse for approximately one month before his arrest. During that time, the Yemenis were waiting to travel home to Yemen. All the men had turned in their cash, passports, and identification over to al Qaida facilitators upon their arrival in Afghanistan, for safekeeping.

Detainee: Are you talking about Afghanistan, I am kind of lost here. Afghanistan or Pakistan?

Presiding Officer: It says Karachi, Pakistan.

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Detainee: I had my passport and all my intentions were to travel back to my home country. When I was captured I had my passport on me.

Presiding Officer: Were you captured at this guesthouse?

Detainee: I don't know if it was a guesthouse or not. All I know is it was a house.

Presiding Officer: Were there other Arabs there?

Detainee: Yes, it is a casual house and there were other Arabs there. It could be Arabs could be Pakistanis, I don't know.

Presiding Officer: Who captured you?

Detainee: The Pakistani government.

Designated Military Officer: (4) The following primary factors favor release or transfer (4.a) The Detainee denied having any knowledge of the attacks prior to their execution on 11 September 2001.

Detainee: Is this a question?

Presiding Officer: It is a reason for release.

Detainee: What do you want me to answer?

Presiding Officer: He does not have to answer anything. Did he have knowledge prior to September 11th?

Detainee: How could I have [known]?

Presiding Officer: Okay, you have just answered it.

Designated Military Officer: (4.b) The Detainee denied having any knowledge of any rumors or plans of future attacks on the United States.

Detainee: What do I answer yes or no, is this an allegation, what? Because you are saying the Detainee denied. Should I answer yes or no? What?

Presiding Officer: Sure, answer yes or no.

Detainee: Yes, I didn't know.

Presiding Officer: Okay, fine that's good.

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Designated Military Officer: (4.c) The Detainee denied any knowledge of bomb making or explosives instructors. The Detainee claimed the entire notion of building a bomb out of homemade materials seemed very strange and foreign to him.

Detainee: This only talk consuming. This is only talk. This is not an allegation.

Presiding Officer: Do you have any idea why you are suspected of dealing with explosives as both receiving training and being the trainer? Why you are suspected of being one?

Detainee: I don't know they suspected me. I have no idea. Is this an allegation against me is this an accusation against me?

Presiding Officer: No, it something in your favor. You are denying it. These are factors for release or transfer. You are denying an allegation on a previous page.

Ol-13: Can I read it again?

Presiding Officer: Sure.

OL-13 repeats 4.c to the Detainee.

Detainee: Yes, it is true.

Presiding Officer: Thank you.

Detainee: Did I answer something else?

Ol-13: No.

Detainee: Did you understand something else?

Presiding Officer: No, I understand you deny that allegation, fine.

Detainee: Is this an allegation?

Presiding Officer: No, they are saying you deny the allegation that you were trained on explosives and you were also a trainer to others on explosives.

Detainee: Yes, it is true. I deny all of this. Did you understand something else before?

Presiding Officer: No, I understand your denial perfectly.

Detainee: To be honest all of this process is kind of weird to me and I cannot comprehend most of it, but I am trying.

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Designated Military Officer: This concludes the Unclassified Summary of Evidence.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: Yes sir, he wishes to make an oral statement. He wishes also to have some documents presented to the review board as well as have the review board take a look at a photo of his family. I am handing the Administrative Review Board the following unclassified exhibit, marked as exhibit EC-C. Copies of these exhibits have previously been provided to the Designated Military Officer.

The Administrative Review Board reviewed the picture of the Detainee's children and they were quite beautiful.

Presiding Officer: You may begin your statement.

Detainee: I believe you have some questions for me are you going to ask me about them now or later.

Presiding Officer: Later.

The Detainee made the following statement:

Detainee: In the name of God, the most Gracious, the most Merciful. Much blessed praise to God, my Lord's peace and prayers be upon the master of his creatures, Muhammad, peace and prayers be upon his relatives and upon his Companions, including us with his mercy and his favors.

My parents, dearest to my heart,
Peace and God's mercy and blessings be upon you. Furthermore I send to you greetings filled with passion and love from a yearning heart to see you and to see my beloved home country.

To those who taught me kindness and love towards others, to those who raised me based on love and loyalty, to those who live in my mind, to those who live far away from me but yet close to my heart and mind, I swear by God that I miss you terribly one by one.

Dear parents, the years I spent away have taught me a lot, and if God has destined for us to be reunited, to compensate you for every day and every second we were apart, I will

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never leave you as long as I live, and as the poet said: "I have regretted our separation for eras, and tears poured from my eyes. I made a promise that if time should unite us again, I will never utter 'separation' with my tongue."

The first time I was separated from you, I thought it would only be for a one month or two, and I would return, but God's destiny was meant to be, I know that the small family became big, the little girls grew older, they need to attend to school with bigger and greater needs. I am aware that I have caused problems, but God willing, if I return, my intention is to return to my old job with my father and my brother, and I will repay your obligations, and if I find a better job, I will do it. I want you to take care of your own duties and to help my father in his business.

I advise you to continue your college studies and seek education and knowledge from the ministry, because if, God willing, I return, I will continue my college studies and try to balance between you, my studies, and my work. Also, my number one priority will be to please you and provide you a kind and generous life, and to compensate you for every second you have lived away from me, and no matter what the circumstances are, I will never again separate from you.

I give you good news; that relief, God willing, is near. I am the same as I used to be, perhaps better. I advise you to love, and to be kind to others, and to pray for us at all times.

Finally, my best regards to each and every one of you, especially mother, father, my wife and my daughters, and to who ever asks about me. At the conclusion of this letter, I ask God to unite us very soon. May peace and God's mercy and blessings be upon you. Your son, Abdul Aziz Al Suweidy.

Presiding Officer: Does that conclude your statement?

Detainee: Is there something else?

Presiding Officer: It is totally up to you if you want to make another statement, a general statement because this is the time to do it.

Detainee: I have nothing further to say. What about the other documents that I asked to be presented?

Presiding Officer: We have those and we will review those as a part of our deliberation.

Detainee: Okay.

Presiding Officer: Does the Assisting Military Officer have any further information to present?

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Assisting Military Officer: Sir, the Detainee asked that I check on some educational courses from his lawyer, which his lawyer has some courses from a college in D.C. Those courses are here and they are in the hands of the person who can deliver them to him. They were received on the 14th of November. He only wishes for that to be recorded so you can understand he is trying to further his education. No further information sir.

Presiding Officer: Understood and we consider that a positive thing.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: You make mention of an old job. What was your old job or old profession?

Detainee: I used to work with my father and he was an electrician. I used to work with him and I don't master the electrician occupation I was just assisting him.

Board Member: So, you are kind of a "Mr. Fix it Man?"

Detainee: No, say he was climbing the ladder I would give him the pliers and if he needed something I would help him.

Board Member: My doorbell is broken would you be able to fix my doorbell?

Detainee: I can't.

Board Member: You can't, come on! My electrical garage door, you can't fix that?

Detainee: No, no I can't my father couldn't even fix this kind of thing.

Board Member: I understand you were in the Honey business for a while. Were you a beekeeper or a honey salesman?

Detainee: I never kept the bees.

Board Member: I was just curious I used to keep bees.

Board Member: What courses are you taking, the courses that your lawyer sent down? What is the curriculum?

Detainee: I actually asked to be registered in any college. I did not ask for anything specific and you have the letter in my file. I asked the AMO to present it and it will tell

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you in detail what I asked of my lawyer. All I wanted was to continue my education from here and I didn't specify what kind of courses.

Presiding Officer: Why did you leave Yemen and go to Afghanistan at the end of 2000?

Detainee: All I wanted was to provide assistance.

Presiding Officer: Why would you leave your family in Yemen to go to Afghanistan?

Detainee: I had two reasons. I was seeking an education and some of the countries were near Afghanistan. Secondly, just from time to time to go there and provide some assistance.

Presiding Officer: How long were you there?

Detainee: I went through different circumstances and it is so difficult for me to explain it right now, but you have it in my file how long I stayed there. I went through different circumstances and it is very hard for me to explain right now.

Presiding Officer: You were there for quite a long period of time. What did you do while you were there?

Detainee: I was only trying to go back.

Presiding Officer: He was there after September 11th 2001, correct.

Detainee: I don't know exactly specifically whether I was in Pakistan or at the border. I cannot tell you where I was exactly.

Presiding Officer: What are your feelings toward the attack on the World Trade Center in New York City?

Detainee: I didn't see the event. When you hear something it is different from seeing it with your own eyes. I didn't see anything but when I heard of the event it was just casual but I was not happy. I did not feel anything, I just was not happy.

Presiding Officer: The United States intervention in Afghanistan and Iraq; do you think the United States is an invader or a liberator?

Detainee: How would I know what the intentions were for the United States? This I don't understand much. I don't understand why American went for what purpose or what.

Presiding Officer: What is your education level?

Detainee: My education level is high school.

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Presiding Officer: Do you have anything else to say? This concludes my questions.

Detainee: I have some responses to certain questions. They are about the fact that if I was released I would not pose a threat and I would like to talk about this topic.

Presiding Officer: Sure go ahead.

Detainee: When the interview went on, the AMO mentioned that the Board Members may ask you some questions about your intentions if you were released. These are the questions I would like to hear now because I have answers for them.

Presiding Officer: How would you support your family if you were released or transferred back to your country?

Detainee: I would go back to my old job and I used to be a bus driver. I would probably do that.

Presiding Officer: Can you tell us why you are no longer a threat and we should recommend a transfer or release?

Detainee: I am so certain I don't pose a threat to anybody. How would I pose a threat to the United States of America?

Presiding Officer: Does that conclude your statement?

Detainee: I have nothing, I am confused. I just wanted you to understand the whole process that had been going on I really do not comprehend it the right way. Specifically, what is going on and what kind of procedures is going on, I did not get it right. For that reason I am feeling kind of confused.

Presiding Officer: What we have done is reviewed all relevant information and we have conducted this board process. At the end of this process we will make a recommendation of whether you should be detained, transferred or released.

Detainee: Do you have any other question you would like to ask me?

Presiding Officer: No, I don't, board members?

Board Member: No.

Board Member: No.

Detainee: I would like to make on simple comment. To be honest I really was surprised of the excessive questions. I did not know what to answer and I don't know if you wanted me to explain some of the facts. I was really confused about responding to the allegations. This is one of the reasons why I couldn't answer you specifically because I was confused at what kind of question you were going to ask me. I did not know whether

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to answer or to clarify because of the way the allegations were stated. So I would like to clarify this. I am confused and I don't know what to say. I wanted to answer this specific question, "Should I be released, and why should you release me?" That is the only question I had in mind. I am just wondering why you did not ask me the five questions that the AMO stated that the board may ask.

Presiding Officer: AMO do you know what he is talking about?

Assisting Military Officer: Yes sir, when the Detainee was asked if he would like to make an oral statement these are some of the question he may consider when he makes his statement. As well as the board MAY ask you some of these questions. So consider these and be prepared to answer them.

Presiding Officer: Just to let you know the board asked what they thought were necessary and that is the conclusion for questions, we are not going to ask any more.

Detainee: That is very good but there is one question that I heard but you did not ask me, "Why United States must release me?" and you did not ask this question. If there is no problem I would like to answer this question.

Presiding Officer: Go ahead.

Detainee: I am talking too much.

Presiding Officer: No, this is your time.

Detainee: Many, many people problem in my shoes if they were asked, "What are your intentions if you are released?" About a year ago I wrote this letter to my parents to clarify my intentions during my stay here in prison and what is my goal for the future. I mentioned to them that I have intentions to go back home to my country and continue my education. To prove what I meant, I have asked my lawyer to register me in a college in a state. Which he did and he sent me the courses. I am honest and faithful to my education; I would really like to continue my education. I talked to my lawyer and he is sending me the course.

Presiding Officer: That has been noted by the board.

Detainee: As to the question why America has to release me. I have proved that I have meant well by continuing my education. I have no bad intentions towards anybody and I believe that the United States should release me.

Presiding Officer: Okay, thank you.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

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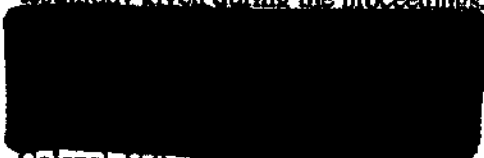
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The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Colonel, U.S. Air Force
Presiding Officer

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CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY COMBATANT

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Exhibit #	Date	Classification	Guantanamo#/ICRC Letter #
EC-C1	19/12/2005	UNCLASSIFIED	NONE
EC-C2	19/12/2005	UNCLASSIFIED	NONE
EC-C3	19/12/2005	UNCLASSIFIED	NONE

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DETAINEE STATEMENT 578

Detainee's letter to his parents:

In the name of God, the most Gracious, the most Merciful. Much blessed praise to God, my Lord's peace and prayers be upon the master of his creatures, Muhammad, peace and prayers be upon his relatives and upon his Companions, including us with his mercy and his favors

My parents, dearest to my heart,
Peace and God's mercy and blessings be upon you. Furthermore I send to you greetings filled with passion and love from a yearning heart to see you and to see my beloved home country.

To those who taught me kindness and love towards others, to those who raised me based on love and loyalty, to those who live in my mind, to those who live far away from me but yet close to my heart and mind, I swear by God that I miss you terribly one by one.

Dear parents, the years I spent away have taught me a lot, and if God has destined for us to be reunited, to compensate you for every day and every second we were apart, I will never leave you as long as I live, and as the poet said: "I have regretted our separation for eras, and tears poured from my eyes. I made a promise that if time should unite us again, I will never utter 'separation' with my tongue"

The first time I was separated from you, I thought it would only be for a one month or two, and I would return, but God's destiny was meant to be, I know that the small family became big, the little girls grew older, they need to attend to school with bigger and greater needs. I am aware that I have caused problems, but God willing, if I return, my intention is to return to my old job with my father and my brother, and I will repay your obligations, and if I find a better job, I will do it. I want you to take care of your own duties and to help my father in his business.

I advise you to continue your college studies and seek education and knowledge from the ministry, because if, God willing, I return, I will continue my college studies and try to balance between you, my studies, and my work. Also, my number one priority will be to please you and provide you a kind and generous life, and to compensate you for every second you have lived away from me, and no matter what the circumstances are, I will never again separate from you.

I give you good news; that relief, God willing, is near. I am the same as I used to be, perhaps better. I advise you to love, and to be kind to others, and to pray for us at all times.

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Finally, my best regards to each and every one of you, especially mother, father, my wife and my daughters, and to who ever asks about me. At the conclusion of this letter, I ask God to unite us very soon. May peace and God's mercy and blessings be upon you.

Your son, Abdul Aziz Al Suweidy

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DETAINEE'S LETTER TO HIS LAWYER

My dear Mr. Douglas Cox,

The purpose of sending my letter is that I have decided, or, to state correctly, I have thought to continue my college studies while I am in prison, and truthfully I don't know if I am able to do so or not, because of my situation here, but I hope that you will inform those whom it may concern of my desire.

I would like to inquire for me if there is an Arabic college, starting from my home country, that would accept me. And if they agreed, I would like for you to send me the programs, or the names of the colleges that allow people to apply to them. I do not know the circumstances of the exams, I hope you will find a solution for that, or I could join with the hope that I will be out of here before the examinations start, and to tell you the truth, I am in big dilemma, I hope you will ask around and do some research from all aspects. I hope that when you come to visit me here, you will have an answer for all these questions, or you could send a response.

Start by contacting my parents to inform them of my interest, and have them check at San'aa University about which colleges might accept me and about the types of concentrations available, in order for me to decide what is best for me. Also tell them to obtain my high school diploma. Note: I would like you to ask if there is any reason that will prevent me from continuing my education from here, or if it is possible to bring me the study programs or not? Also, would it be possible to arrange a test for me here by the college, that would be through you and it would be the same level, and the law firm Allen & Offery or the military, if they wanted, could act as proctors during the exams. That is a solution I have thought about and I hope, God willing, that I will get out before all this, but if it took a little longer, can I continue my education from here or not?

I would like you to search for a solution for this problem for me whether through the court or any other way.

Give my best regards to all the employees in the company, especially the attorneys who are representing our case. Until we meet again, thank you.

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Detainee's children photo



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Summary of Administrative Review Board Proceedings for ISN 627

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

Presiding Officer: Detainee, I was told you could speak English would you like to respond in English or would you like to use your translator?

Detainee: I would like to speak in English. I will only use the translator if something is complex.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

Detainee: I do, I can give the oath.

The Detainee accepted taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

Detainee: What is the EC-A?

Assisting Military Officer: EC-A is the form notifying you what the CSRT results were and preparing you for the Administrative Review Board.

Detainee: I don't have a copy. Can I get a copy?

Presiding Officer: We can provide a copy.

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The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's ARB interview was conducted on 16 December 2005 and lasted one hour and five minutes. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. The Detainee stated he understood the difference between the CSRT and the ARB. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he would attend the ARB, and wished to respond to each statement of information in the Unclassified Summary of Evidence after it is presented. The Detainee also requested the AMO present letters to the ARB for consideration on his behalf. The Detainee was very cooperative, attentive, and cordial throughout the interview. Copies of both the English and Arabic translated Unclassified Summary of Evidence were provided to the Detainee upon his request.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, the Terrorist Organization Reference Guide, DMO-3, CITF Redaction, and DMO-4 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer for presentation to the Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of the information from the Unclassified Summary as it was presented.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee traveled with a small group of friends from Pakistan to Afghanistan to fight against the Soviet occupation forces. They crossed into Afghanistan on foot eventually arriving at the Khaldan Camp. The Detainee stayed at the camp for two to three weeks and then moved to the Hugay area in Afghanistan where he stayed for approximately one month.

Detainee: Yes, but there is some misunderstanding on this point. I was in Hugay area and I have never been to Khaldan itself. I said it was near Khaldan. I stayed two weeks in one village for refugees out in Peshawar. Then they moved me to Hugay. Hugay is

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the mountain beside Khaldan directly, but I gave Khaldan as an example to my interrogators so they could know the area I was in. This was because I didn't know which state it was in Afghanistan. So I never been to Khaldan itself, I was in Hugay and Hugay is near Khaldan. I gave Khaldan just so they could mark the area.

Designated Military Officer: (3.a.2) The Khaldan Camp is a known al Qaida training facility near Kabul, Afghanistan.

Detainee: Sir, I was not in Khaldan.

Presiding Officer: Have you received training for al Qaida at any camp?

Detainee: I have not been to any training camp for al Qaida. I was with the leader of the Mujahidin during the Soviet occupation. This camp was there and they trained us on AK-47. I was just seventeen years of age at that time and I was going there to work for my admission to medical college in Pakistan. I didn't go with a small group; I went with [just] my friend. There was a small group there in the camp. I went there only with my friend.

Designated Military Officer: (3.a.3) In the summer of 2000, the Detainee decided to go to Chechnya to assist in a medical capacity. The Detainee was advised he could get to Chechnya through Afghanistan. The Detainee flew to Karachi and then to Lahore, Pakistan. He traveled to Kandahar, Afghanistan with a group by crossing the border at Quetta, Pakistan. This trip was facilitated through the Taliban Office.

Detainee: The tickets were not from the Taliban Office it was guidance only. I funded everything from my pocket. There was a guesthouse in Quetta for Taliban officially from the Pakistani government. They have the facilities for you to stay in Pakistan as a refugee. I went to their office in Quetta and took a taxi with a group of other people to cross the area and I went to Kandahar just to participate in providing medical aide to Chechnya refugees.

Designated Military Officer: (3.a.4) While in Kandahar in June 2000, the Detainee stayed at a guesthouse.

Detainee: Yes, it was about 12 days.

Designated Military Officer: (3.a.5) This guesthouse was run by a know al Qaida operative.

Detainee: When I went there it was nothing stating this was an al Qaida guesthouse. There is nothing called al Qaida guesthouse in Afghanistan. All the taxis will take you to the guesthouse. Hundreds of people have been to Afghanistan and have [stayed at] that guesthouse without knowing whom it is from. Because if they came to know it was from al Qaida no one will go directly to that guesthouse, number one. Number two, there are

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no hotel facilities in Kandahar it was like a small village and number three, all the people who were coming from that route were staying at that guesthouse. The taxi picked me up from that area and I rented the taxi to Kandahar because the route from Kandahar was the first point of Afghanistan to check-in. I got another cab so I could go to the guesthouse. I made the arrangements from Kandahar for the guesthouse directly. So it was not a guesthouse for al Qaida, it was a common guesthouse and a lot of people go there.

Presiding Officer: Were there many Arabs staying there?

Detainee: Yes, there were many Arabs there, about 60 -70 people were there. It is the most common guesthouse in Kandahar everyone was going. The Taliban caught about one to two spies who were trying to harm Arabs, Usama bin Laden and other groups. They make their way over the border with their weapons and they stay at the guesthouse. So the guesthouse was common for everyone, if you did not go to the guesthouse, you are under suspicion.

Designated Military Officer: (3.a.6) The Detainee tried to get to Chechnya again in May or June 2001.

Detainee: Yes.

Designated Military Officer: (3.a.7) During a May 2001 trip to Afghanistan, the Detainee traveled from Kandahar to Kabul and stayed in the Ghulam Bacha guesthouse for five or six days.

Detainee: Okay, Ghulam Bacha is the other guesthouse in Kabul. So, when I traveled from Kandahar to Kabul, maybe 16 or 17 hours, I may get someone to travel me to the guesthouse, Ghulam Bacha. The other place was for women in Kabul, so because I don't travel with Afghanis and I don't believe by them, I traveled some other place in Kandahar to Kabul and they placed me in the guesthouse Ghulam Bacha.

Designated Military Officer: (3.a.8) The Detainee believed the Ghulam Bacha guesthouse was supported by Usama bin Laden.

Detainee: I came to know most of the guesthouses were used by Usama bin Laden after September 11th. I don't know if it was used before by Usama bin Laden. After 11 September, I left the al Wafa Office to go to Ghulam Bacha I had a small bag. There was this security person outside and he would not let me go inside so I stayed about 20 minutes outside of the gate. I believe that was because they wanted to keep us from the house and the guard said, "maybe Usama bin Laden is present." I didn't see Usama bin Laden himself and maybe there was some other guest there. I did not see Usama himself. Maybe some other important person was there. After that I came to know all the guesthouses were full and busy after 11 September because a lot of people came to Afghanistan to help.

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Designated Military Officer: (3.a.9) In May 2001, the Detainee visited the director of the al Wafa Office in Kabul to inquire about working there. The Kabul Office Director arranged for the Detainee to meet with the al Wafa Director in Kandahar.

Detainee: Yes, the Director's name is Bayad Rasaman, and he is from Kuwait and he was released about one month back. He was director of Kabul and he is now in Kuwait. He was here in the beginning at GTMO. They investigated on his case and he was cleared because he was just the Director of al Wafa in Kabul.

Designated Military Officer: (3.a.10) Al Wafa is known to have provided financial and logistical support to al Qaida and the Taliban.

Detainee: This needs to stop somewhere because the relationships between al Wafa, the guesthouses and the people of Afghanistan were very bad. The people of Afghanistan and the people of Usama bin Laden believed al Wafa was spying for Saudi Arabia, because some friends in Saudi Arabia support them financially. The relationship between Abu Aziz, the head of al Wafa and Usama bin Laden was very bad and he was afraid of them. I explained to them that the al Wafa office worked well with the Taliban Office, especially with the Ministry of Health and Ministry of Education because they built the hospital, the schools and the Mosque there. But the relationship between al Wafa and the other Arabs and all Afghanistan especially with the people of Usama bin Laden because they were against the Saudi regime and anyone who was getting support from the Saudi government. So, there was animosity to Usama bin Laden and other Arabs there.

Presiding Officer: So you are saying al Wafa was a facilitator to the Saudi government rather than for al Qaida?

Detainee: Yes.

Presiding Officer: Thank You.

Designated Military Officer: (3.a.11) The Detainee returned to Kandahar and agreed to travel to Karachi, Pakistan to assist al Wafa with medical purchases.

Detainee: In Kabul I found a building, it was a hospital and they needed to make it work. We needed about four months to establish the hospital and they asked me to go to Karachi and help in purchasing the medicine because I have experience in purchasing the medicines because I am a doctor and the person in Karachi was not a medical person and he didn't know about purchasing the medicines. They told him they wanted me to go to Karachi with him to purchase the medicine because he was purchasing a very bad quality. The quality of medicine he purchased was very bad and I decided to go with him to purchase the right medicine.

Board Member: What kind of medicine did you purchase?

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Detainee: It was antibiotic, some vaccines, and some blood testing tubes and general medicine through the hospital. I received five to six lists from Afghanistan's Health Department and Ministry Health.

Board Member: So, it is like saline solution for intravenous transfusions.

Detainee: Yes, it was for the hospital.

Board Member: How about atropine?

Detainee: Atropine is very common drug and it is used for (unintelligible) and we use only the pill. So, I purchased about 3000 pills.

Board Member: How about adrenaline?

Detainee: No.

Board Member: Did you tell us?

Detainee: No, I did not purchase.

Board Member: For the heart?

Detainee: No, I know for the IV and the injector to the heart and the shock. But atropine was used instead of adrenaline. Adrenaline is a very expensive medicine and it was not on the list. The list was from the Ministry of Health and on one of the list there were 270 items.

Board Member: And although it was expensive you still purchased some atropine?

Detainee: I purchased only atropine and I purchased three boxes and each box contained 1000 pills.

Designated Military Officer: (3.a.12) On the way to Karachi, the Detainee stayed overnight at the Quetta Taliban guesthouse where he met an individual.

Detainee: The route is very rural and it is very difficult to cross from Kandahar to Quetta. It is about four to five hours and we were going there to the guesthouse of Taliban just to stop. I went to that area because I [would] go through Taliban to get to Afghanistan. I liked to go through Afghanistan official through the Taliban Office but I don't like to have my passport stamped Afghanistan. If I were to go back to Yemen and they see that my passport was stamped by Afghanistan they would place me in jail. So I was going through the Afghanistan Ministry of Health Officially to Afghanistan. I didn't use the backdoors for any reason, except for when I was wanted in Pakistan.

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Designated Military Officer: (3.a.13) The individual the Detainee met was an al Qaida facilitator.

Detainee: I did not meet anyone of them. The person I did meet is here at GTMO and his name is Riyadh Shar Kalwi. I met him at the guesthouse and he gave me his phone number. He said he was residing in Karachi and if anyone needs help in Karachi or need any facilities from him that could help. Then he gave me only his phone number. I met him in the Quetta guesthouse that was for the Taliban.

Designated Military Officer: (3.a.14) The Detainee claimed that al Wafa paid the cost of the airline ticket for his flight from Quetta to Karachi.

Detainee: Al Wafa paid for me from Kandahar to Quetta and it was by taxi. It cost about 2000 Rupees, which is about \$55.00. I paid for the flight from Quetta to Karachi with my own money. Al Wafa only provided that because I was not a member of al Wafa I was only thinking about joining them. The second trip to Afghanistan, I had become a member of them and I worked for them so I didn't receive any money, except for the transport from Kandahar to Quetta. It was by road and it was about 2000 Rupees and it was about \$35.00.

Designated Military Officer: (3.a.15) The Detainee worked for al Wafa for approximately nine months in 2001. He soon held the position of Medical Advisor for al Wafa.

Detainee: I worked for about five months not nine months, from June until 11th September. After 11 September, I stayed for two months and then I left them. I distributed the medicine for them and this was for four to five months only not nine months.

Presiding Officer: Where did you stay in Afghanistan after 11th September?

Detainee: I stayed in al Wafa Office. There was an office in Kabul and an office in Kandahar and I stayed there.

Presiding Officer: Why did you stay in Afghanistan after 11th September? Why didn't you go back to your home country?

Detainee: Because, all the routes to Pakistan were blocked, they closed all of the borders. I tried to ask to go back to Pakistan but I couldn't. So I traveled another way from Kabul to Jalalabad and from Jalalabad to Peshawar and then from Peshawar to Lahore and it was only from the backdoors because the border was closed. I carried all my passports and all of my documents but they were only valid during the Taliban time. After the bombing they listed al Wafa name under organizations that help with terrorism from George W. Bush the President of the United States. I quit from al Wafa but I stayed as a guest of theirs because I didn't have any place to go in Afghanistan.

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Designated Military Officer: (3.a.16) After the Detainee learned that he was being sought by Pakistani Intelligence, he left Lahore, Pakistan for Afghanistan on 10 November 2001, traveling through the tribal area of Gendab to avoid the main road.

Detainee: Yes, the person who was from al Wafa who was in Karachi they carried him to Jordan on a special flight. And we called the medical advisor to him and said he was not there. Then the person who supplied all the money had left to Emirates and no one remained. They caught about 300 students in Karachi to investigate them after 11 September. They said your name was mentioned on the wanted list with al Wafa because it was said you were purchasing the medicine for them. They advised me to go to Pakistan for a while. I knew all the borders were shut and stopped the people from traveling. I couldn't go back to Yemen and so I decided to go back to Afghanistan to help the people. Especially when I heard this one village was bombed and 160 people were killed in the Jalalabad area, so I said I would go there as a volunteer. I was out of al Wafa and I was only trying to help the Afghans who were victims of the war.

Presiding Officer: You were being sought by Pakistani Intelligence because you were on a list identifying you as al Wafa?

Detainee: Yes.

Designated Military Officer: (3.a.17) Following his escape from Pakistan in 2001, the Detainee worked with the head of the Jalalabad, Afghanistan clinic who had a contract with the Taliban.

Detainee: There was a check-in point on the rural roads from Taliban because they were afraid of [people] spying there. So at the check-in point we gave the taxi the address of the head of Intelligence of the Taliban in Jalalabad. He took me directly to the Office of Intelligence of the Taliban in Jalalabad. They sent me to the clinic to work for them. They said to me "until you find work in a hospital you can work in this clinic and practice administering health and it is no big deal." Even at the backdoors they were checking cars and the Taliban was observing all of the area. I went there and worked at the Jalalabad Clinic.

Designated Military Officer: (3.a.18) The Detainee left the al Wafa clinic in Jalalabad during the bombing of the city and escaped to the mountains of Tora Bora.

Detainee: There was no office for al Wafa in Jalalabad it was a clinic for the Taliban. There are three offices for al Wafa, one in Kabul, Kandahar and the third in Herat. In Jalalabad, there is no relation to al Wafa; the office was for the Taliban.

Designated Military Officer: (3.a.19) At Tora Bora, the Detainee told Usama bin Laden that he needed assistance to find a safe route to depart from Afghanistan and to secure medical equipment in Jalalabad that was in the hands of the Taliban.

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Detainee: Jalalabad city collapsed within a half of an hour and I was in the hospital at that time. I escaped to the mountains by the advice of some doctors. He said you are Arabs and Arabs here have a very bad history, if they find you they will kill you. It would be best for you to go back to Pakistan. The border was closed and he said the Tora Bora area was the backdoor. Go to the mountains and then you could escape to Pakistan. I called my supervisor and he gave me about \$11,000 in surgical equipment and medicine for Jalalabad hospital and it was with the Taliban. So I left all the medication and equipment there in Jalalabad and I needed somebody to help me get it back. I wrote to the head of the mountains and I didn't know who was there. They told me I could write the letter and they could carry it up to the head of the mountain. I did not know it was Bin Laden. They arranged for (interrupted by Presiding Officer).

Presiding Officer: You said you did not know it was Bin Laden?

Detainee: Yeah, I did not know who was the head of the mountains.

Presiding Officer: Did you talk to Bin Laden?

Detainee: Yeah, I talked to Bin Laden. After the letter they carried me to the mountains to visit Bin Laden. He was hiding himself in the mountains in one cave, and he was getting ready for prayer. He talked to me for ten minutes and asked me what did I need from them. He said he came to know I was stuck in the mountains with them and I needed to meet him. I said I didn't ask for him specifically, I asked for the head of the group in the mountain and I wanted him to go the Jalalabad to follow my case and [retrieve] my items there. He said he didn't have any route to leave the mountains and he was stuck there himself and he did not have any route to Pakistan to carry me back there. There is not any medicine present here in the mountains if you need it. I said I need the medicine to manage the people. The people here are getting sick and got open wounds that are getting infections and other minor wounds. There was slight bombing around the mountain area it was not heavy bombing like in the end. He agreed and said you can write to the villagers there and they can go to Jalalabad and purchase the items for you. I came to meet the head just to go back to Pakistan, number one. Number two, to follow my case because there are a lot of items there, about \$11,000 worth left in Jalalabad and I want to know what happened to it; and if the Taliban still had [possession] of them, or if maybe the Northern Alliance took it. So, I didn't know at that time he was Bin Laden. According to my knowledge he stays a maximum of three days in one [location]. He does not stay more than three days in anyplace. He was running from the bombing and he was trying to go to Pakistan.

Presiding Officer: But you did have a close relationship with Bin Laden. You could approach and talk to him?

Detainee: I couldn't but I stuck with them and they did it because they found I was honest with them. I managed their stuff and I carried the things from the house to the

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hospital. I stayed at the clinic for 12 days there. I met Bin Laden once before when I was in the graveyard burying someone. He came in his car and he asked where this person came from. I told him he came from the hospital and a mortar killed him. I carried him to the graveyard because he was murdered from a mortar in Afghanistan. So, he was there and he said a prayer for him. He came to know from the people around me that I was not a danger to him, I was disarmed and I did not carry a weapon with me and I didn't carry any gun in the mountains, so I was secure to him. He met with me for just ten minutes and he was in a hurry and he tried to just confirm, when we would go from the mountains and at what time, because he didn't have his own place.

Presiding Officer: Did you say you were given \$11,000?

Detainee: No, my supervisor purchased medical and surgical equipment from Pakistan and sent to Jalalabad. Because the Taliban agreed to open a new orthopedic department in the University Hospital. I spoke to the Professor there and he agreed to open an orthopedic department because my field was is orthopedics. I had to seek the donation from my supervisor because I was no longer with al Wafa and I didn't have any money.

Presiding Officer: The donation was in U.S. dollars?

Detainee: It was 700,000 Pakistani Rupees.

Presiding Officer: Okay, thank you.

Detainee: Plus items, approximately it was \$11,000 U. S. dollars.

Designated Military Officer: (3.a.20) The Detainee carried a radio during his time in Tora Bora in November 2001.

Detainee: The story of the radio is very simple. One of the people in the mountain was going to Pakistan and he said you are a doctor and you are on call all of the time and I have my radio. It was out of batteries and it would disconnect all the time. He said I could handle this radio because there was not any telephone communication in Jalalabad and he was a resident of Jalalabad. A lot of residents carry the radio in Jalalabad and they communicate with each other by the radio. He gave the radio to me because I was in the mountains and they may need to call me to help the injured people. So it was [given] to me from this resident of Jalalabad and he was Libyan or Moroccan person and he lived with a family in Pakistan.

Designated Military Officer: (3.a.21) Radios were given to those in charge of there are of operation in the al Qaida network in Afghanistan.

Detainee: My radio was not connected with them my radio was special and they only called me when they were injured. Their radios were on a different tune and different

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waves. There were two waves in the mountain working, one was for me and one was for the fighters. My radio was separate from them.

Designated Military Officer: (3.a.22) The Detainee carried a gun while he was in the Tora Bora region.

Detainee: I never carried a gun in Tora Bora and this what led Usama bin Laden to feel secure [around me] when I met him because I didn't have any gun with me. I carried the gun for the person who helped me because there was a bag that weighed about forty pounds and it was very heavy to carry with the gun. He was a guard for me and a guide as well. Sometimes I would put him at rest and take the gun from him to carry because the bag was very heavy. I explained it to the interviewer who interviewed me that I never carried the gun only for him when he was very tired from long march. We walked for about four hours when I met Bin Laden in the mountains.

Presiding Officer: Sir, that's fine you didn't carry the gun except to help this guy out, that's fine.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee trained with the Mujahidin in Afghanistan during the summer of 1988 for one and half months. The Detainee received training on the Kalashnikov and small anti-aircraft weaponry.

Detainee: It was in Hugay. I stayed two weeks in a refugee village and about one month in Afghanistan and it was in 1988 against the Russian regime. The Kalashnikov is a very common especially in Yemen everybody can carry the gun. My father himself has received permission to carry two Kalashnikovs and we have the Kalashnikovs in our house. They are very common weapons in Yemen.

Presiding Officer: We understand.

Designated Military Officer: (3.b.2) While in Afghanistan, the Detainee trained with the Kalashnikov assault rifle and participated in at least two night time raid against the Soviet outpost.

Detainee: Yes, I agree.

Designated Military Officer: (3.c) Connections/Associations (3.c.1) The Detainee followed his mentor to four hospitals and assisted him during surgeries at the mentor's private clinic in Lahore, Pakistan.

Detainee: Yes, he was against the corruption and the government was a very corrupt at that time. Pakistan was considered the second most corrupt country in the world after Nigeria. So there were a lot of clashes with him because he was very honest and they transferred him to four hospitals and he was my supervisor so I followed him all the time, from hospital to hospital because I worked under his supervision.

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Designated Military Officer: (3.c.2) The Detainee's mentor was a member of the Pakistan Islamic Medical Association. The Detainee attended a Pakistan Islamic Medical Association meeting with his mentor in 1998 or 1999.

Detainee: Yes, it is an Islamic organization that cares for the refugees and the medical help for them all around the world, especially Kashmir. There are a lot of camps in Pakistan and Afghanistan as well. There are 3 million Afghani refugees in Pakistan, so they tried to help all the refugees through these medical associations. I was not a member because I am not a Pakistani but he was an active member of that.

Designated Military Officer: (3.c.3) The Detainee met the Taliban Minister of Health during his June 2001 trip to Afghanistan.

Detainee: When I was in Pakistan, I received a call from the head of al Wafa. He said he had five trucks loaded in the Ministry of Health warehouse and the Minister of Health is trying to distribute this medicine and he does not know how to do it according to your list. We want you to come to Afghanistan for at least one week to distribute the medicine. I refused to come at first but they said you must come because we don't know how to distribute the medicine. I got a break and went to Afghanistan and I met with the Minister of Health and he was class four only, he was an uneducated person and he did not accept a signature and he his medical advisor was from another regime and he was a communist. I put all of my new medicine in to replace the old one; they were there for about 20 years. I don't know what they did with the new stuff I had two trucks full. The minister of Health was an uneducated person and he was rough. He said to me if you don't distribute the medicine from the hospital, I will take it by force and distribute it myself and I will use the medicine for the animals and the not the humans.

Designated Military Officer: (3.c.4) In mid-August 2001, the Detainee met a Malaysian microbiologist in Kandahar at the Haji Habbash guesthouse. This microbiologist wanted to equip a lab and train the Afghans to test blood.

Detainee: He was a student he was not a microbiologist. He wanted to complete his studies and he asked me [for help]. He was only here for four months and had wanted to learn from the people in the hospital how to used blood-testing equipment. He asked me if he could purchase this medical equipment from Pakistan because in Afghanistan there were not any facilities to purchase it. I told him we could purchase it through al Wafa Office and donate it to the hospital instead of you getting the money from yourself.

Board Member: What kind of medical equipment?

Detainee: It was centrifuge, anti placenta for blood groupings; it was autoclave for blood spacement. It was very simple equipment. He said it was approximately \$5000.

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Designated Military Officer: (3.c.5) The same microbiologist was involved in developing anthrax for al Qaida.

Detainee: This is the first time I heard this. There is no way that \$5000 worth of equipment could be used to make anthrax. There are not any facilities in Afghanistan to produce anthrax but a small lab. He asked me for blood testing lab only and he was a medical microbiology student he was not a full graduate yet. I don't think he had the facilities or ability to produce anthrax and the lab he asked for was very simple and it was not asked for the making of anthrax.

Presiding Officer: Do you believe that al Qaida was developing an anthrax program?

Detainee: I don't think in Afghanistan. If they are I don't have any information about it. You could make it from other labs around the world. But in Afghanistan there were no facilities. I saw that all of the equipment was out of order. Even very high special equipment that was donated from the foreign countries. In Pakistan there are labs present but they are out of work and in such bad [condition.]

Presiding Officer: So you don't know of any biological program being developed by al Qaida?

Detainee: No, I don't.

Designated Military Officer: (3.c.6) When the Detainee fled Pakistan, he traveled through Islamabad where he met with a friend who was a Yemeni merchant.

Detainee: I didn't mention this in my interrogations. I never met a Yemeni merchant, so I don't know where they got this.

Designated Military Officer: (3.c.7) The Yemeni merchant was an al Qaida member who was in overall control over the movement of al Qaida fighters from Afghanistan through Pakistan to Iran.

Detainee: The only merchant I met was from Emirates and he was an agent for Suzuki Cars and he donated a lot of money to the al Wafa Office. I never met a Yemeni. I mentioned his name and gave his address in the Emirates.

Designated Military Officer: (3.c.8) The Detainee saw Usama bin Laden four or five times in Afghanistan.

Detainee: Two times only. It was in graveyard when we buried the body and one in the mountains.

Designated Military Officer: (3.c.9) The Detainee talked with Usama bin Laden on two separate occasions in Afghanistan.

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Detainee: I said when he was in the graveyard. He just said the prayer and he asked me where did I get this person and I told him he had head injury from the bombs and he had shrapnel in his head. I also told him that he expired in the hospital. I told him that I didn't know who was coming to his ceremony, because all of the people from Kabul came and Usama bin Laden came and stayed about five to ten minutes only. This was the first occasion. The second occasion was in the mountain at the meeting.

Designated Military Officer: (3.c.10) During a meeting in the Tora Bora mountains on the 15th day of Ramadan in 2001, Usama bin Laden requested that the Detainee help supply medicine to the Tora Bora region.

Detainee: I told him there was no medicine at all in the mountains and people are sick. He told me he didn't have the facilities to bring the medicine but you could write to the people in the village and see if they can bring me the medicine when they come from Jalalabad. He then requested me to (he was not caring about the fighters he was caring about himself because he was also stuck in the mountains) so he said you could write to the villagers and have them these items from Jalalabad City. He did not ask me to provide any medicine or any helping the mountains.

Designated Military Officer: (3.c.11) The Detainee's name was found in a list of al Qaida martyrs, personnel missing in action and imprisoned brothers under the heading "Names of brethren who are in the prison."

Detainee: My name is (Detainee stated his name) and everyone is called names or gets nicknames in Afghanistan. I don't have any nickname and I was coming by my name because I didn't have any links to anyone. They called me "Abu Ayman". Abu means, "father" and they call everyone by son name in as apart of Arab tradition. I saw the American had the name Abu Ayman on a list and maybe someone else was named by Abu Ayman Martyr in the northern part of Afghanistan from the bombing and they got it mixed [up] with my name, because my name is Ayman not Abu Ayman. For the injured I don't know from where because everyone was caring about the injured people in Jalalabad and I was in the group. They came from Kabul, they came from Pakistan, they came from the television and they set up a meeting with me. I met with the BBC in the mountains and I met with Afghanistan television in the hospital and everyone cared about this. I don't know were they got the list with my name on it from these people. They mention Abu Ayman as I told you and Ayman is a very common name in Arabs, so we have so many people.

Presiding Officer: So, you are saying misidentification?

Detainee: Yes.

Designated Military Officer: (3.d) Intent (3.d.1) The Detainee purchased half a kilogram of cyanide. The cyanide was among many items stolen from a warehouse in Kabul and never recovered.

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Detainee: This cyanide is used for dental [purposes] for fillings. It was from the dental list and it was half kg and sold on the market in Pakistan and it is legal to purchase. I got the legal items purchased.

Board Member: Pharmaceutical grade cyanide or industrial grade cyanide?

Detainee: It was industrial. Not industrial it was pharmaceutical, sorry. Industrial half kg (Detainee was interrupted by Board Member).

Board Member: I got you doctor.

Detainee: It was for the fillings only. It was for the dentist. Sorry if you go to an Afghanistan warehouse you will find a lot of toxic items present from ten to twenty years [ago]. It was all stolen from there. I have a very bad clash with the Minister of Health because he wouldn't leave my items in the warehouse. He was putting them all back on the market.

Designated Military Officer: (3.d.2) The Detainee told another al Wafa volunteer to purchase four or five thousand United States Dollars worth of medical equipment for the Malaysian microbiologist.

Detainee: When I crossed the border to Pakistan they searched for me badly and I only had \$200 and they would have beat me to take the money. It was very difficult to carry the money with you for Afghanistan to Pakistan the police checking us was very bad. I told the Malaysian microbiologist; if you want to purchase the \$5000 worth of items for the lab it is better to purchase it through al Wafa and you give the money to Afghanistan to me and then send it to Pakistan because it is unsafe. And the person who was in Karachi we were already there and he was captured and he was not present. I called him and he said the border is closed and I cannot pass anything to Afghanistan anymore. It is better to wait until the bombing becomes light and they open the border for refugees. I told him that no one could carry the \$5000 through the border because the police are snatching everything.

Presiding Officer: Did you have one hundred dollar bills in your possession?

Detainee: Sorry.

Presiding Officer: Did you have one hundred dollar bills in your possession?

Detainee: All my money was hundred dollars. I carried \$2500 in my pocket in Jalalabad, it was my salary and I transferred it to Pakistan Rupees and it was 220,000 and I gave it to all the people around me who were injured. All the money was by hundred dollar bills.

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Designated Military Officer: (3.d.3) Sometime after 11 September 2001, the Detainee traveled to Herat where he bought three trucks to be used by al Wafa. The Detainee paid \$15,000 United States Dollars for the trucks.

Detainee: It was \$14,000 not \$15,000 and it was three vehicles, vans. We used them as ambulances in Afghanistan. Herat was the area of customs and all over Afghanistan all the cars from abroad would come into Herat and from there we would purchase them. I purchased three cars for the hospital and we used them as ambulances.

Presiding Officer: Did you receive the money from al Wafa?

Detainee: al Wafa, yes.

Presiding Officer: U.S dollars?

Detainee: Yes, \$14,000.

Designated Military Officer: (3.e) Other Relevant Data: The Detainee stayed in the Tora Bora mountains until he was severely wounded. A group of Afghans took him to the Jalalabad Central Jail. The next day, he was taken to the hospital where he was treated for over four weeks, then returned to jail. The Detainee asked to be turned over to the United States Forces because he believed he would receive better treatment. On 27 January 2002, the Detainee was taken to Bagram Afghanistan.

Detainee: I was already treated. The injury was in my chest and my lungs were full of blood. I was treated but there were still some wounds that did not heal yet. I asked to go to the United States authority because there maybe some better management and dealings because the jail in Jalalabad was about 30 years old and it was dirty and full of dust. I asked for a better place to stay and I thought if I would go to the American it would be good for me, number one. Number two, there was more judgment for me there because there were only three people there and I told them my story. They said you don't have any problems with us and we will carry you one day. I asked them to be in a hurry because I could get an infection inside the jail because the jail was very dirty.

Board Member: And your health now is fine? No, residual effects or anything?

Detainee: Yes, I have a collapsed lung, fractured ribs, bleeding spleen and some collection of blood in the abdomen. I stayed about four weeks in the hospital and they did all the appropriated procedures to help me and now my health is fine.

Designated Military Officer: (4) The following primary factors favor release or transfer (4.a) The Detainee denied having any knowledge of biological agents or ever having discussed biological agents with anyone.

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Detainee: They put my case with the Malaysian guy because he was a microbiologist. But now I found they claim he was with anthrax field. So I did not know anything about this charge. He was a student who did not complete his studies and he was in Afghanistan for only four months to work with the technicians about the lab test.

Board Member: Yes, but doctor in the course of your medical training and certification, you never received instruction in medical school regarding the affects of anthrax, plague, or fever?

Detainee: Yes, but since I graduated I have worked in the surgical field. The three and a half to four years in Orthopedics, it was never in medicine or microbiology. I don't train in microbiology or biological agents.

Board Member: Yeah, but you received some training in microbiology in medical school. Correct?

Detainee: Yeah, but microbiology is not the producing of biological items. It was only for urine test and blood test, some very simple procedures. It was in the second year.

Board Member: Yeah but you studied the certain effects of pathogens on the human body?

Detainee: I studied it very well but it was on a practical class I took for one hour a week. We did not study microbiology in great detail because it was a minor subject. It was anatomy and physiology, and microbiology was considered a part of the physiology.

Board Member: But you learned how to prepare cultures in petri dishes correct?

Detainee: The cultures, we only studied how to examine them. How to prepare them was only for the technicians.

Designated Military Officer: (4.b) The Detainee stated he did not attend any training camps in Afghanistan, as he was a doctor not a fighter.

Detainee: I said to them before, if I lay down during the bombing maybe I will get some shrapnel in my chest because I was sitting all the time. Even during the bombing I was sitting with the bag. I was walking for about two to four hours and I was chunky and obese. I was stuck in the mountains with those who didn't receive training themselves. They escape from Jalalabad to the mountains.

Presiding Officer: Sir, you did not receive any training?

Detainee: Not at all.

Presiding Officer: Okay, thank you.

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Designated Military Officer: This concludes the Unclassified Summary of Evidence.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: Yes sir, the Detainee would like for me to present to the Administrative Review Board letters from his home. I am handing the Administrative Review Board the following unclassified exhibits a marked as EC-C1. Copies of these exhibits have been previously provided to the Designated Military Officer.

Presiding Officer: You may give a statement, would like to make a final statement.

The Detainee made the following statement:

Detainee: Unfortunately, I don't have any relatives in my home country Yemen. My father passed away ten days ago. I came to know while I was in jail that he passed away and I don't have any other relatives in Yemen. I request for the interrogators to get asylum to Saudi Arabia because my family is in Saudi Arabia.

Presiding Officer: Does that conclude your statement?

Detainee: Yes, number one. Number two. So many times some interrogators and some people have made an offer to me to help the U.S and to work with the U.S. They offered it to me in Bagram the first time and they said, "You can either be with us or against us. You will only be in GTMO for one year maximum because we did not find anything against you." I denied to work for the U.S because I did not want to work as a spy for any country. I came to know they needed help only and they were not trying to make me an agent. I am ready now to work with the U.S. If you need for anything after releasing or if you keep me, I am willing to work with you as a helper but not as a spy. Because if I am in Yemen and they find that I have traded any organization or tried to do it, they would maybe kill me. It is very dangerous.

Presiding Officer: I understand. Does that conclude your statement?

Detainee: Yes.

Presiding Officer: Thank You!

The Assisting Military Officer had no questions for the Detainee.

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The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Presiding Officer: What are your views on Usama bin Laden?

Detainee: They ask me a lot about Usama bin Laden especially his health.

Presiding Officer: What are your views, is he a bad man or good man. Just tell me what you think of him?

Detainee: Until I was in Tora Bora, I don't believe in Usama bin Laden, because he was for ten to twenty years in Afghanistan and he did not have facilities to attack from Afghanistan because it s a very rural area. But since I have come here and been through interrogations I have gotten to know al Qaida has made a lot of threats and have done things to people outside. So myself I feel he was not brave enough or he was a coward when he left the people behind him while he escaped to the mountains alone and left the people. I don't feel the same respect as before. He was respected before as a Muslim, number one and as a leader number two. Now I don't feel any respect for him after escaping from the mountains and leaving the people behind him.

Presiding Officer: Including you.

Detainee: Including me. Believe me I did not know he was in the mountains. Even the U.S themselves believed he was in the mountains. I was the only witness against him who knew he was in the mountains.

Presiding Officer: U.S intervention in Afghanistan and Iraq, do you consider the United States an invader or a liberator?

Detainee: I thank the United States that they did not bomb Afghanistan like Hiroshima or Nagasaki. I thank them a lot.

Presiding Officer: What are your feelings concerning the attack on the World trade Center in New York City?

Detainee: It is sort of hell for people all over the world. It was business and I am against attacking civilians.

Presiding Officer: Do you believe al Qaida would like to do great harm to the United States and kill Americans?

Detainee: al Qaida is hiding and no one knows them. The mountains were full of young people 17 to 18 years old maximum and there were never any older leaders there. So I never mixed with real al Qaida, they are hiding themselves very well. They want other

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people to sacrifice their necks instead of them. Trying to get the people to be their slaves while they hide themselves and protect themselves.

Presiding Officer: Sir, you are very educated and intelligent man. My concern is if you are released you could help al Qaida achieve its goals.

Detainee: I can help the U.S now and I believe by helping I am ready for that. I can see they trust me because I have met Bin Laden. It is very dangerous. It took me four years to think.

Presiding Officer: Do you have family back in your country?

Detainee: Not in Yemen, but I have my sisters and brothers in Saudi Arabia.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.


Colonel, U.S. Air Force
Presiding Officer

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**CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY
COMBATANT**

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Exhibit#	Date	Classification	Guantanamo#
EC-C1	05/27/05	UNCLASSIFIED	GUAN-2004-I00426

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Type:	INCOMING	Format:	INTERNATIONAL MAIL
Letter Number:	GUAN2004I00426	ISN: JJJ	CCB
Date Translated:	December 16, 2005	Date on Mail:	
Sender's Name:	Suaad Ali Alkhalifa		
Addressee:			
Address:	GTMO		
City/Zip code:		Country:	
Language:	ARABIC	Family:	Yes Linguist Code: AD 02

Text: In the Name of Allah the Compassionate the Merciful

Peace and Allah's mercy and blessing upon you;
My dear son Aaymen..

How are you? assure me of your health, God willing, you are in good health and strength..God knows; I am in great sadness and hardship for you. I pray and supplicate for you day and night to be in the best conjuncture, to be relieved of your captivity and arrive to us safely (*redacted*).

I have been in a bad state missing you since we heard the news of your capture but this is the fate and destiny of God. God willing, we will meet again soon.

Aaymen, my dear son, believe it, relief of God is soon

Dear brother, my love and the light of my eyes Aaymen.

I missed you a lot, I know that you are unjustly held, you don't have any wrong doing in any thing but God is the reckoner and on him we depend. I wish you are just like I know you, you are the guide, you are the compassionate heart, the believer who never disobey his God.

(*redacted*). The days after you have no taste, I miss you a lot.

(*redacted*), amongst your family, brothers and my children Adel and my little daughter Huff whom you have not seen yet. I ask God to unite us together, to ease your burdens, relief your hardship (*redacted*).

Your sister who always loves you;
Al Shayma

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My precious son Aaymen, God; I miss you. I have great hope in God and that, it is not far till I see you before I die and that is my request from God, the high, the capable. God willing, I will see you; I have a feeling this is the way of God and release is soon because you are a kind man, you fear God, you won't do any thing to anger the God of the universe. May God relief your captivity amen.

This is the way of God and praise God for every thing. You are with God and he is not going to forget you ever Aaymen. I supplicate for you day and night and fast on your behalf months at a time, I pray for your good health and strength and God willing; relief is soon soon Aaymen. You come to us and we celebrate your arrival, this is my request from the God of the universe amen, amen.

Abusuaad, my request from you is, if I die; to name your daughter Suaad which is Urim Aaymen.

You, the most precious person in all life to me, I won't bore you with plenty of talk Aaymen but the heart is with you as long as I live, may God relief your affliction as soon as he can amen, amen the God of every thing.

I write you this letter and I am fasting on your behalf from Ramadan till now and God's relief is soon Aaymen. Patience, patience and God is the one to seek help from in every thing.

My greetings to you and to the ones with you (*redacted*). A thousand million greetings my love and the light of my eye Aaymen.

Peace and Allah's mercy and blessing upon you; all your family in Egypt pray for you.

Your mother;
Suaad Ali Al Khalifa

My beloved brother Aaymen, I hope you are in the best conjunctures, I miss you and hope to see you soon. I wish for God to protect you and watch over you. We are always praying for you.

Your brother;
Abuadel
Altaif, P O Box 628

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My precious brother Aaymen, I wish to God the high, the capable that you are in goodness and of those who have trust in God because he is the best helper (*redacted*). You feel for others more than any one else and unable to hurt any one, (*redacted*) kind, you have a big heart, you love every one and every one loves you and prays for you.

I have never had the feeling that I will not see you any more; I feel every day that I will see you because I know, you were waiting along time for these letters. We didn't know what address to send to. When we found our, we immediately sent letters.

You are in the mind and the heart and rest assured that we want to see you soon God willing. You are always with us. You can't be forgotten ever.

Your loving sister \ Al Sanaa

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GUANTANAMO BAY
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الرسالة
العلم

بسم الله الرحمن الرحيم

السلام عليكم ورحمة الله وبركاته

ابني العزيز أحمد

كيف حاله؟ طمأنينة على صحتك وإن شاء الله تكون
بمروءة وأخلاقه وبعلمه الله أفي في أشرف المهن والكرامة
عليك وأنا أتمنى وأدعيك لأكون ونصارك أن تكون
في أفضل حال وتفرح الله عليك من هذا وأنت تعلم
أليسا كما [] فمشت أنت من منا بمنزلة وأنا في
أشود حال لقراءتك وأرجو هذا قدر وضكوتك إن شاء
الله سوف نلتقي مرة في اقرب العاجل

بسم الله الرحمن الرحيم والحمد لله رب العالمين
أخي العزيز أحمد حسين وعمة عفيف
أنتجت الله والرسالة تختير أولادنا أعلم أنك تعلم
وليس لك ذنب في أوقاتنا ولا حرج مني لهم وهم لم يزل
أنتنا أنت تكونها من أهلك ثالثة الضقة وأنتنا الثقل

الرحيم الموصي الضقة لو دعيت به
عظيما أخي الحبيب السلام
أجلك ما لها طعم والله يصعب على فراقك حبا
أنتنا لو أي أدفع عني حله فدي الحرة أراك قولا
وأنتنا حري حله وسط أهلك وإخوانك وفي وسط أولادك
عادل ورفق ابني الصغيرة القوم قرطاج
أسأل الله أن يجمعنا سديا وأن يفرج همك ويسهل أمرك

من قدامي
أنتنا الحقة لك دعوت



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الصفحة
عدد

ابن الفحال بن يمين والديني شانه العلي
 وانما امل من الله كبير وليس رطل بسعد انه
 ارباع قبل انه اموت وهذا اصله الذي من
 الله العلي القدير والله شاء الله ما اراد بامر
 الله هذا الحسن بن علي والفرج قريب لابن
 طيب القلب ونحاف الله وله طفل عمل بعصب
 مرتبة العالمة والله اعزج عنك يا الله وهذا
 امر الله والكل لله على كل شئ وانت مع الله
 والله ينزل ايدى يا الله وهذا العلي لول
 الليل والنهار واعرف من اجله بالشعر والاشبه
 واعرف الله بالعلم والرافع والله الله
 العزج قريب قريب يا الله وتفر البنا والعزج
 بلع وهذا طين من سيرة العالمة الله
 يا الله سعاد هذا طين من لاج لوهوت الله
 شين استل سعاد يا الله ام الله يا اعلى
 الله انه عندي من الدنيا كلها والله الشكر اكر
 منه هذا الكلام الكلام كثير يا الله والله العلي
 وعلى كل الامير والله يفرج عنك يا الله من اقرب
 وقت لا منه آمين يا الله يا الله اكن لل
 هذا الخلفات وانما والله من اجله من صفات من
 لادن وفرج الله قريب يا الله الصبر الصبر
 والله الامتنان من كلام الامور وسلا من سلا

ابن الفحال
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 والديني
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 من
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 الامور
 وسلا
 من
 سلا

بسم الله الرحمن الرحيم يا ارحم الراحمين
 اللهم صل على محمد و آل محمد
 وسلم

امين
 سعاد على الفلاح

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Handwritten notes on lined paper, possibly a page from a notebook or a document. The text is in Arabic script and is mostly illegible due to heavy noise and blurring. There are several rectangular redaction boxes covering parts of the text. The handwriting appears to be in a cursive style.

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Summary of Administrative Review Board Proceedings for ISN 651

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. Muslim oath offered.

The Detainee accepted taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee's ARB interview was conducted on 29 November 2005 and lasted one hour. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. The detainee stated he understood the difference between the CSRT and the ARB. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee stated he would attend the ARB, and wished to respond after the entire Unclassified Summary of Evidence was presented. The detainee was very cooperative, attentive, and cordial throughout the interview. A copy of

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both the English and Arabic translated Unclassified Summary of Evidence was provided to the detainee upon his request.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1 and DMO-2 to DMO-3 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to wait until the entire Unclassified Summary was presented before responding.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

Designated Military Officer: The detainee joined the Tablighi group in Jordan in 1998 and went to Pakistan for the yearly Tablighi Committee meeting in November 2000.

Designated Military Officer: The detainee traveled to Karachi, Pakistan in October 2001 to preach Tablighi beliefs and to attend the annual Jama'at Tabalighi Conference in Raiwind, Pakistan.

Designated Military Officer: The detainee remained in Pakistan for nearly five weeks and stayed at various Mosques.

Designated Military Officer: The detainee received a flyer with a fatwa written on it while outside of the Makki Mosque in Pakistan. The fatwa encouraged Muslims to join the Jihad in Afghanistan.

Designated Military Officer: A Tablighi member facilitated the detainee's travel to Afghanistan. The detainee traveled with the facilitator and another Tablighi member, who was from Singapore. They traveled to Afghanistan via Karachi, Peshawar, Khowst and finally Kabul. The detainee and the individual from Singapore continued on to a checkpoint outside of Jalalabad.

Designated Military Officer: The detainee was the subject of a television interview dated 25 November 2001, while he was a prisoner in Kabul, Afghanistan. During the interview, the detainee stated that he supported and provided aid for the Afghans in the Jihad.

Designated Military Officer: The detainee was in the Jordanian military for 18 months beginning in March 1991.

Designated Military Officer: The detainee was trained with a M-16 rifle.

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Designated Military Officer: The detainee and his travel companion demonstrated they were proficient in handling weapons. They requested and were sent to the front lines to fight.

Designated Military Officer: The detainee and his travel companion set up an ambush on Northern Alliance fighters.

Designated Military Officer: The detainee and his travel companion from Singapore were arrested near Jalalabad on 22 November 2001.

Designated Military Officer: The detainee was captured with a digital Casio watch.

Designated Military Officer: The detainee claims he will not answer another call to Jihad and regrets going in the first place.

Designated Military Officer: The detainee wants to return to Jordan to his job and raise his children. He felt he was deceived by the people who encouraged him to travel to Afghanistan for the Jihad because they did not reveal the bad things the Taliban and al Qaida were involved with.

Presiding Officer: This is your opportunity to respond right now.

Detainee: I want to thank you for giving me this opportunity to appear before the board. I was surprised that the Tribunal/CSRT found that I am an Enemy Combatant.

Presiding Officer: Classified you as an Enemy Combatant?

Detainee: I did not do anything. I only stayed in Afghanistan for two days and now I want to respond to some of the points. Pertaining to the interview, the person that prepared these papers they said I gave support to the Afghans.

The detainee wants the translator to read certain points again.

Translator: The detainee was the subject of a television interview dated 25 November 2001, while he was a prisoner in Kabul, Afghanistan. During the interview, the detainee stated that he supported and provided aid for the Afghans in the Jihad.

Detainee: I did not say this. My intention was to provide aid to the Afghans. I told them I came to do so but I didn't. According to the paper it said I did and this is wrong.

Translator: The detainee and his travel companion demonstrated they were proficient in handling weapons. They requested and were sent to the front lines to fight.

Detainee: The entire statement was wrong.

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Translator: The detainee and his travel companion set up an ambush on Northern Alliance fighters.

Detainee: This is entirely not right. That is all I wanted to respond to.

Presiding Officer: Does that conclude your response?

Detainee: Yes.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Detainee made the following statement:

Detainee: First I would like to say one more time thank you very much for this opportunity to defend myself and I will try to prove I am innocent and I ask that everyone is neutral and just with me and to bring the truth out. I do not have anything against the Americans, against the people of the United States or the Government because of the suffering I went through, for the time I have been here. I can't imagine the suffering of the United States.

Translator asks the detainee what does he mean what happened in the United States. The detainee replies he is referring to September 11th.

Detainee: I have no intention to hurt any of the Americans or anybody else. I definitely know I do not pose a threat to anybody. Not only the American government but to anybody and I respect the rights of the people to live in complete peace as I like to live and my family to live in peace. About my future, I pray and hope that from God, the only God, to help me and to go back to my beloved because I have kids like stars. I love to be with them, to give them the passion and the love and to help them to build their future. I hope from God, the only God, the one who can do everything to be a good father and to be a good son for my parents; they suffer because they miss me. They see the misery from my kids because they miss their father and I hope from God which he holds all hearts and controls it to fill my heart with love for my wife and to help me to be nice to her after all she has done for me by raising and taking care of my kids. As for my job, I hope from the wealthy God which he can give and take from anyone he wants to, to give me enough and help me hold a job so I can spend on my kids. To help me to go back to my former job, which was selling respectable clothes to women. Thank you.

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The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Sir, why did you leave your wife and children to go to Afghanistan?

Detainee: I apologize not to answer any questions. My lawyer told me not to answer any questions. He told me to only answer questions if the lawyer is present.

Board Member: So you will not answer any of our questions?

Detainee: Yes.

Presiding Officer: Since there are no further questions we will proceed.

Detainee: I apologize for not answering any of our questions but that's what my lawyer asked him to do and this is the American rules.

Board Member: It is not the American rules. This is your choice whether you want to answer the questions or not.

Detainee: That's what my lawyer told me. This is the rules of the United States. From the time I came here I have spoken without any conditions with anybody, but this is what my lawyer asked of me.

Presiding Officer: That's fine.

Presiding Officer states this concludes the Unclassified Review Board Session.

Detainee: The CSRT also told me that they would notify me of their decision in two months. One year has completely passed and this is the second time. Can you estimate when I will be notified about this decision?

Presiding Officer: Unfortunately, no.

Board Member: Do you know the difference between the CSRT and the ARB?

Detainee: I know, but that's what they told me in the CSRT.

Presiding Officer: We will go back and check to find out exactly what has happened.

Translator states I would like to remind him that this is not court.

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Detainee: This board finds out if I pose a threat to the United States or not. The results you conclude is whether I will stay here or they will release me. Is that the way?

Board Member: We make a recommendation as to where you go from here and what would help us to make that recommendation is by you answering our questions. I understand that you have been drilled many times by many people but we are here to make an assessment.

Detainee: I am not going to answer but if you decide that I pose a threat to the United States that means that I am going to stay here another year correct?

Board Member: We make a recommendation whether to transfer, release, or keep you here. The decision comes from Washington.

Detainee: If it's you or the person in the United States, if you find out that I pose a threat that means I stay another year? There is another part to go through, is that correct?

Presiding Officer: Yes, that is correct.

Detainee: If you find that I do not pose a threat to the United States then supposedly I will be released.

Presiding Officer: Correct, released or transferred.

Detainee: A year has passed and they did not give you an answer whether I pose a threat or not?

Board Member: The CSRT was to determine whether you were an Enemy Combatant or not. They determined you to be an Enemy Combatant. We are here to determine whether or not you are still a threat. If you are no longer a threat then we will make a recommendation to transfer or release you. If we feel that you are still a threat we will make a recommendation that you stay.

Detainee: From last February they notified me saying that I had to go through the new ARB and that was nine months ago. The time has passed on my account because I am still here.

Board Member: Did you go through an Administrative Review Board before or did you just go through the CSRT? Is this your first ARB?

Detainee: Yes.

Board Member: The intent is different. The intent being that we will assess the information and what you share with us can help to determine whether or not you will stay or go home. The notification for this board was done well in advance and it notified

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you to get things together such as letters from relatives, friends, or your lawyer and it gave you an ample amount of time to get that information for you to present to the board.

Detainee: Yes.

Presiding Officer: We will continue then.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Colonel, USAF
Presiding Officer

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