

List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006

176	AL QURASHI, SABRI MOHAMMED EBRAHIM	570	Yemen	Hudaydah, YM	1/1/1970
177	AL QURAYSHI, MAJID AYDHA MUHAMMAD	176	Saudi Arabia	Mecca, SA	5/29/1972
178	AL QURBI, MOHAMMED MUBAREK SALAH	342	Saudi Arabia	Khamees Musheet, SA	7/30/1978
179	AL QUWARI, MAHRAR RAFAT	519	West Bank	Gaza, Palestine	2/18/1965
180	AL RABIA, FOUAD MAHOUD HASAN	551	Kuwait	Kuwait City, KU	6/24/1959
181	AL RABIESH, YUSEF ABDULLAH SALEH	109	Saudi Arabia	Al Khasim, SA	1/1/1981
182	AL RADAI, RIYAD ATIQ ALI ABDO AL HAJ	256	Yemen	Taez, YM	UNKNOWN
183	AL RAHIZI, ALI AHMAD MUHAMMAD	45	Yemen	Ta'iz, YM	10/13/1979
184	AL RAMMAH, OMAR MOHAMMED ALI	1017	Yemen	Al Beitha, YM	1/1/1975
185	AL RASHID, MESH ARSAD	74	Saudi Arabia	Sana'a, SA	1/1/1980
186	AL RAWI, BISHER AMIN KHALIL	906	Iraq	Baghdad, Iraq	12/23/1969
187	AL RIMI, ALI YAHYA MAHDI	167	Yemen	Sana'a, YM	1/1/1983
188	AL RIMI, MUHAMMAD ABDALLAH MANSUR	194	Libya	Al Rimi, YM	12/1/1968
189	AL RUSHAYDAN, ABDALLAH IBRAHIM	343	Saudi Arabia	Khobar, SA	1/4/1967
190	AL SABRI, MASHUR ABDALLAH MUQBIL AHMED	324	Yemen	Mecca, SA	1/1/1978
191	AL SALEH, ABDUL	91	Yemen	Muqela, YM	1/1/1979
192	AL SAMIRI, BADER AL BAKRI	274	Saudi Arabia	Mecca, SA	1/1/1977
193	AL SANI, FAHMI SALEM SAID	554	Yemen	Mikala, YM	5/17/1977
194	AL SAWAH, TARIQ MAHMOUD AHMED	535	Egypt	Alexandria, EG	11/2/1957
195	AL SEHLI, IBRAHIM DAIF ALLAH NEMAN	94	Saudi Arabia	Medina, SA	10/26/1965
196	AL SHAKOURI, RADWAN	499	Morocco	Asafi, MO	2/12/1972
197	AL SHAMAREE, ZABAN THAAHER ZABAN	647	Saudi Arabia	Arar, SA	1/1/1979
198	AL SHAMARI, ABD AL AZIZ SAYIR	217	Kuwait	Al Fahahil, KU	9/23/1973
199	AL SHAMYRI, MUSTAFA ABDUL QAWI ABDUL AZIZ	434	Yemen	Sana'a, YM	7/7/1978
200	AL SHARABI, ZUHAIL ABDO ANAM SAID	569	Yemen	Taiz, YM	1/1/1977
201	AL SHARAKH, ABDULHADI ABDALLAH IBRAHIM	231	Saudi Arabia	Riyadh, SA	7/2/1982
202	AL SHARBI, GHASSAN ABDULLAH	682	Saudi Arabia	Jeddah, SA	12/28/1974
203	AL SHARIF, FAHD UMR ABD AL MAJID	215	Saudi Arabia	Mecca, SA	3/18/1976
204	AL SHIHRI, YUSSEF MOHAMMED MUBARAK	114	Saudi Arabia	Riyadh, SA	9/8/1985
205	AL SHIMRI, MAJI AFAS RADHI	181	Saudi Arabia	Kharij, SA	5/1/1974
206	AL SHULAN, HANI ABDUL MUSLIH	225	Yemen	Ibb, YM	1/1/1979
207	AL SHUMRANI, MOHAMMAD AL RAHMAN	195	Saudi Arabia	Riyadh, SA	2/1/1975
208	AL SHURFA, OHMED AHMED MAHAMOUD	331	Saudi Arabia	Jeddah, SA	12/26/1975
209	AL SUADI, ABDUL AZIZ ABDULLAH ALI	578	Yemen	Milhan, YM	6/16/1974
210	AL SULAMI, YAHYA SAMIL AL SUWAYMIL	66	Saudi Arabia	Jeddah, SA	2/3/1979
211	AL TABI, MANA SHAMAN ALLABARDI	588	Saudi Arabia	Al-Qarara, SA	1/1/1976
212	AL TAIBI, RAMI BIN SAID	318	Saudi Arabia	Ta'if, SA	12/24/1980
213	AL TAMIMI, HAYDAR JABBAR HAFEZ	648	Iraq	Kute, Iraq	8/24/1973
214	AL TAYABI, ABDULLAH	332	Saudi Arabia	Halban, SA	1/1/1980
215	AL TAYS, ALI HUSAYN ABDULLAH	162	Yemen	Sada, YM	6/1/1977
216	AL USAYMI, NAYIF FAHD MUTLIQ	436	Saudi Arabia	Riyadh, SA	1/1/1979
217	AL UTAYBI, ABDULLAH ALI	243	Saudi Arabia	Mecca, SA	1/1/1972
218	AL UTAYBI, MUHAMMAD SURUR DAKHILALLAH	96	Saudi Arabia	Qaisuma, SA	9/26/1983
219	AL UWAYDHA, SULTAN AHMED DIRDEER MUSA	59	Saudi Arabia	Medina, SA	12/4/1975

5/15/2006

** Birth dates that state "1/1/XX" indicate unknown month and day of birth.

ISN: 535

Inprocess Date: 5-May-02
Inprocess Weight: 215.0

Refused: 1/05, 9/05, 1/04, 2/04, 3/04, 6/04, 9/04,
Inprocess Height: 70.0

Date	Weight
28-Nov-06	385
3-Nov-06	408
30-Sep-06	405
3-Oct-06	260
30-Aug-06	410
30-Aug-06	124
28-Aug-06	125
26-Aug-06	124
19-Aug-06	124
18-Aug-06	125
16-Aug-06	125
11-Aug-06	127
10-Aug-06	127
22-Jul-06	406
21-Jun-06	411
23-May-06	408
May-06	408
26-Apr-06	403
Jun-05	340
Apr-05	348
Mar-05	350
Feb-05	350
Jun-05	340
Apr-05	348
Mar-05	350
Feb-05	350
Nov-04	205
Oct-04	205
Aug-04	205
Jul-04	204
May-04	301
9-Apr-04	288
Apr-04	285.8
6-Oct-03	260
15-Sep-03	259
Sep-03	214
Mar-03	220
Jan-03	190
22-Oct-02	190
14-Oct-02	186
15-Aug-02	193
15-Jul-02	205
15-May-02	210
5-May-02	215

000655

CHARGE SHEET**I. PERSONAL DATA****1. NAME OF ACCUSED:**

TAREK MAHMOUD EL SAWAH

2. ALIASES OF ACCUSED:

a/k/a Tariq Mahmoud Ahmed al Sawah, a/k/a Tariq Mahmud Ahmad al Sawwah, a/k/a Abu al Laith al Masri, a/k/a Abu al Layth al Masri, a/k/a Abu al Laith al Muhajir

3. ISN NUMBER OF ACCUSED (LAST FOUR):

0535

II. CHARGES AND SPECIFICATIONS**4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.****SPECIFICATION:**

See Attached Charges and Specifications.

III. SWEARING OF CHARGES**5a. NAME OF ACCUSER (LAST, FIRST, MI)**

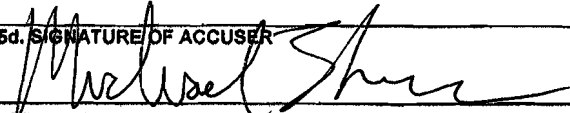
SAVAGE, MICHAEL E.

5b. GRADE

O5

5c. ORGANIZATION OF ACCUSER

OMC-Prosecution

5d. SIGNATURE OF ACCUSER**5e. DATE (YYYYMMDD)**

20081212

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 12th day of December, 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

J. ROBERT CANTRALL*Typed Name of Officer*OMC-Prosecution*Organization of Officer*LTCOL/O-5 United States Air Force*Grade*Judge Advocate - Article 136(a)(1)*Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)**Signature*

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

J. ROBERT CANTRALL, LTCOL, USAF

Typed Name and Grade of Person Who Caused Accused to Be Notified of Charges

OMC-Prosecution

Organization of the Person Who Caused Accused to Be Notified of Charges

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1640 hours, on 12 Dec 2008, at Arlington, VA

Location

For the Convening Authority: BOBBY J. CHAVIS

Typed Name of Officer

SSG, USA

Grade

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

CHARGE 1: Violation of 10 U. S. Code § 950 v(b)(28) CONSPIRACY

Specification: From in or about October 2000 to in or about November 2001, in Afghanistan, Tarek Al Sawah, (hereinafter "Sawah") a person subject to trial by military commission as an unlawful alien enemy combatant, did intentionally and knowingly conspire and agree with various members and associates, both known and unknown, of the al Qaeda organization, including Usama Bin Laden, Abdel Rahman al Muhajir, Abu Tarek al Tunisi, Abu Muhammad al Masri, and Muhammed Ibn al Libi and that al Qaeda engaged in hostilities against the United States, including the 1998 attack against the American embassies in Kenya and Tanzania, the 2000 attack against the USS Cole, the 11 September 2001 attack against the United States and other separate attacks, to commit one or more substantive offenses subject to trial by military commission, to wit: attacking civilians; attacking civilian objects; murder in violation of the law of war; destruction of property in violation of the law of war; hazarding a vessel and terrorism, and that Sawah knew the unlawful purpose of the agreement and joined willfully, with the intent to further the unlawful purpose, and in order to accomplish some objective and purpose of the agreement, Sawah knowingly committed at least one of the following overt acts:

- a. Attended al Qaeda Basic terrorist weapons training camp known as al Farouq.
- b. Attended specialized explosives training from al Qaeda explosive expert Muhsin Musa Matwalli Atwah (a/k/a Abd Abdel Rahman al Muhajir), including the following al Qaeda explosives techniques: how to build improvised explosive devices (IEDs) and remote detonation systems, how to use common chemicals to increase the explosive power of IEDs, and how to destroy bridges, buildings, and rail systems with explosives.
- c. Attended advanced explosives training from al Qaeda explosive expert Abu Tarek al Tunisi, in which the accused learned how to make explosive timers for IEDs, including the use of Casio wrist watches as remote detonators.
- d. Served in al Qaeda fighting positions near cities of Bagram and Kabul.
- e. Between approximately June 2001 and September 2001, Sawah accepted assignment to Tarnak Farms where he served as an explosives trainer for members of al Qaeda. He taught individuals how to use military equipment and manufacture explosives including but not limited to hand grenades, anti-personnel mines, and improvised explosive devices, all to be used as terror weapons to attack military personnel, civilians and civilian infrastructure.
- f. Between approximately July and October 2001, Sawah traveled to a variety of locations in Afghanistan and conducted explosives training courses teaching the

fundamentals of how to use explosives to members of al Qaeda, the Taliban, and others.

g. Between August 2001 and October 2001, while serving al Qaeda as an explosives trainer in Afghanistan, Sawah authored an approximately four-hundred (400) page handwritten manuscript that contained bomb making techniques and then gave said explosives manual to al Qaeda co-conspirators with the intent of making his knowledge of explosive devices readily available for other al Qaeda members.

h. Between August 2001 and October 2001, at Tarnak Farms, at the direction of a member of al Qaeda's Shura Council, Sawah developed and successfully tested a remote controlled limpet mine for use against U.S. warships.

i. In November 2001, fought with al Qaeda forces against United States and Coalition forces in the "Tora Bora" region of Afghanistan until wounded and captured by coalition forces.

CHARGE II: Violation of 10 U. S. Code § 950 v(b)(25) PROVIDING MATERIAL SUPPORT FOR TERRORISM

Specification: From in or about October 2000 to in or about December 2001, at various locations in Afghanistan, in the context of, or associated with an armed conflict, Tarek al Sawah, a person subject to the jurisdiction of the military commissions as an unlawful alien enemy combatant, did intentionally provide material support and resources, that included but are not limited to: providing personnel including himself, expertise and training to al Qaeda, an international terrorist organization then engaged in hostilities against the United States, including violent attacks on the U. S. Embassies at or near Nairobi, Kenya and Dar es Salaam, Tanzania, on or about August 7, 1998; on the USS Cole at or near Aden, Yemen, on or about October 12, 2000, and at various locations in the United States on or about September 11, 2001, knowing that al Qaeda engaged in or engages in Terrorism, by:

a. Attended al Qaeda Basic terrorist weapons training camp known as al Farouq.

b. Attended specialized explosives training from al Qaeda explosive expert Muhsin Musa Matwalli Atwah (a/k/a Abd Abdel Rahman al Muhajir), including the following al Qaeda explosives techniques: how to build improvised explosive devices (IEDs) and remote detonation systems, how to use common chemicals to increase the explosive power of IEDs, and how to destroy bridges, buildings, and rail systems with explosives.

c. Attended advanced explosives training from al Qaeda explosive expert Abu Tarek al Tunisi, in which the accused learned how to make explosive timers for IEDs, including the use of Casio wrist watches as remote detonators.

- d. Served in the al Qaeda fighting positions near the cities of Bagram and Kabul.
- e. Between approximately June 2001 and September 2001, Sawah was assigned to Tarnak Farms where he served as an explosives trainer for members of al Qaeda. He taught individuals how to use military equipment and manufacture explosives including but not limited to: hand grenades, anti-personnel mines, and improvised explosive devices, as terror weapons to attack military personnel, civilians and civilian infrastructure.
- f. Between approximately July and October 2001, Sawah traveled to a variety of locations in Afghanistan and conducted explosives training courses teaching the principles of explosives to members of al Qaeda, the Taliban or others.
- g. While serving al Qaeda as an explosives trainer in Afghanistan, Sawah authored an approximately four-hundred (400) page handwritten manuscript that contained bomb making techniques and then gave said explosives manual to al Qaeda co-conspirators with the intent of making his explosives knowledge readily available for other al Qaeda members.
- h. Between August 2001 and October 2001, at Tarnak, at the direction of a member of al Qaeda's Shura Council, Sawah developed and successfully tested a remote controlled limpet mine for use against U.S. warships.
- i. Fought with al Qaeda forces against United States and coalition forces in the "Tora Bora" region of Afghanistan until wounded and captured by coalition forces.

تكملة إستمارة اللجان العسكرية رقم 458 في قضية طارق محمود السواح

التهمة 1: إنتهاك بند 10 من قانون الولايات المتحدة قسم (28)(b)950v.
المؤامرة

المواصفات: من, في أو حوالي أكتوبر/ تشرين الأول 2000 إلى, في أو حوالي نوفمبر/ تشرين الثاني 2001 في أفغانستان, طارق السواح (في ما سيأتي ذكره من هذه الوثيقة "سواح") شخص يخضع لمحاكمة اللجان العسكرية كعدو مقاتل أجنبي غير شرعي, تأمر وإتفق عمداً وبإدراك مع عدة أعضاء وشركاء منظمة القاعدة, المعروفين والغير معروفين منهم بضمنهم أسامة بن لادن وعبد الرحمن المهاجر وأبوطارق التونسي وأبو محمد المصري ومحمد ابن الليبي. وأن القاعدة تمارس عداوات ضد الولايات المتحدة بضمن ذلك الهجوم علي السفارات الأمريكية في كينيا وتنزانيا في سنة 1998 والهجوم علي المدمرة الأمريكية يو اس اس كول وهجمات الحادي عشر من سبتمبر / أيلول 2001 ضد الولايات المتحدة وهجمات أخرى لإرتكاب جريمة أو جرائم كبيرة قابلة للمحاكمة أمام اللجان العسكرية. وتلك الجرائم تشمل الهجوم على المدنيين والهجوم على أهداف مدنية والقتل إنتهاكاً لقانون الحرب وتخريب ممتلكات إنتهاكاً لقانون الحرب وتعريض سفن للخطر والإرهاب. سواح كان على علم بلا شرعية الإتفاق وإنظم طوعاً, وبنية تعزيز الغرض الغير شرعي وليحقق هدف وغرض ما للإتفاقية. سواح ارتكب على الأقل إحدى الأفعال السافرة التالية على علم:

ا. تلقى تدريبات مبدئية على الأسلحة للقاعدة في معسكر يسمى الفاروق.

ب. تلقى تدريب خاص على المتفجرات من خبير القاعدة في المتفجرات محسن موسى مطوالي, المعروف أيضاً باسم عبد الرحمن المهاجر. التدريب شمل تقنيات القاعدة للمتفجرات التالية: كيفية تركيب العبوات الناسفة ونظام التفجير من بعد وكيفية إستعمال الكيماويات لزيادة القوة الإنفجارية للمتفجرات وكيفية تدمير الجسور والمباني وسكك الحديد بالمتفجرات.

ج. تلقى تدريب متقدم على المتفجرات من خبير القاعدة في المتفجرات أبوطارق التونسي, حيث تعلم المتهم كيفية تركيب مؤقتات العبوات الناسفة والتي تتضمن إستعمال ساعات يد الكاسيو وأجهزة التفجير من بعد.

د. عمل في منصب مقاتل للقاعدة قرب مدينتي باغرام وكابول.

ذ. بين حوالي يونيو / حزيران 2001 وسبتمبر / أيلول 2001, سواح قبل مهمة في مزارع تارناك كمدرّب متفجرات لأعضاء القاعدة. علم أشخاص كيفية إستعمال المعدات العسكرية وصناعة المتفجرات بما في ذلك وبدون تحديد, القنابل الرمائية اليدوية والألغام المضادة للأفراد والعبوات الناسفة, وذلك لغرض إستعمالهم كأسلحة إرهابية للهجوم على العسكريين والمدنيين والمنشآت المدنية.

ر. بين حوالي يوليو / تموز وأكتوبر / تشرين الأول 2001, سواح سافر لعدة مواقع في أفغانستان وألقى دروس تدريب على المتفجرات حيث درّس

أعضاء القاعدة والطلّابان وأخرون مبادئ إستعمال المتفجرات.

ز. بين أغسطس / آب 2001 وأكتوبر / تشرين الأول 2001 حيث كان يعمل كمدرّب متفجرات للقاعدة في أفغانستان، سواح ألف وثيقة من تقريباً (400) صفحة مكتوبة يدوياً شملت تقنيات كيفية صناعة القنابل، وأعطت تلك الوثيقة للمتأمّر المشترك بنية تسهيل توفير خبراته في أجهزة التفجير لأعضاء القاعدة.

س. بين أغسطس / آب 2001 وأكتوبر / تشرين الأول 2001، في مزارع تارناك، ووفقاً لتعليمات عضو مجلس شورى القاعدة، سواح طور وجرب بنجاح، لغم ملتصق متحكم من بعد، وذلك لغرض إستعماله ضد السفن الحربية الأمريكية.

ص. في نوفمبر / تشرين الثاني 2001، قاتل مع قوات القاعدة ضد القوات الأمريكية والتحالف في منطقة "تورا بورا" في أفغانستان إلى أن جرح وتم القبض عليه من قبل قوات التحالف.

التهمة 2: إنتهاك بند 10 من قانون الولايات المتحدة قسم (25)(b)950v، توفير الدعم المادي للإرهاب

المواصفات: من، في أو حوالي أكتوبر / تشرين الأول 2001 إلى، في أو حوالي ديسمبر / كانون الأول 2001 في عدة مواقع في أفغانستان وفي سياق أو إشتراك في نزاع مسلح، طارق السواح، وهو شخص يخضع لقضاء اللجان العسكرية كعدو مقاتل أجنبي غير شرعي، عمداً قدّم دعم مادي وإمكانيات بما في ذلك وبدون تحديد: توفير أفراد بما منهم نفسه، وخبرات تدريب للقاعدة، وهي منظمة إرهابية عالمية منشغلة في عداوات ضد الولايات المتحدة في ذلك الوقت، تضمنت الهجوم العنيف على السفارات الأمريكية في أو حول نيروبي، كينيا ودار السلام، تنزانيا في أو حوالي 7 أغسطس / آب 1998 وعلى المدمرة الأمريكية يو أس أس كول في أو حول عدن، اليمن في أو حوالي أكتوبر / تشرين الأول 2000 وفي عدة مواقع في الولايات المتحدة في أو حول سبتمبر / أيلول 2001، وعلى معرفة أن القاعدة تشتغل أو منشغلة في الإرهاب بحكم:

أ. تلقى تدريبات مبدئية على الأسلحة للقاعدة في معسكر يسمى الفاروق.

ب. تلقى تدريب خاص على المتفجرات من خبير القاعدة في المتفجرات محسن موسى مطوالي، المعروف أيضاً بإسم عبد الرحمن المهاجر. التدريب شمل تقنيات القاعدة للمتفجرات التالية: كيفية تركيب العبوات الناسفة ونظام التفجير من بعد وكيفية إستعمال الكيماويات لزيادة القوة الانفجارية للمتفجرات وكيفية تدمير الجسور والمباني وسكك الحديد بالمتفجرات.

ج. تلقى تدريب متقدم على المتفجرات من خبير القاعدة في المتفجرات أبوطارق التونسي، حيث تعلم المتهم كيفية تركيب مؤقتات العبوات الناسفة والتي تتضمن إستعمال ساعات يد الكاسيو وأجهزة التفجير من بعد.

د. عمل في منصب مقاتل للقاعدة قرب مدينتي باغرام وكابول.

ذ. بين حوالي يونيو / حزيران 2001 وسبتمبر / أيلول 2001, سواح عيّن في مزارع تارناك حيث عمل كمدرّب متفجرات لأعضاء القاعدة. علم أشخاص كيفية استعمال المعدات العسكرية وصناعة المتفجرات بما في ذلك وبدون تحديد: القنابل الرمائية اليدوية والألغام المضادة للأفراد والعبوات الناسفة, وذلك لغرض استعمالهم كأسلحة إرهابية للهجوم علي العسكريين والمدنيين والمنشآت المدنية.

ر. بين حوالي يوليو / تموز وأكتوبر / تشرين الأول 2001, سواح سافر لعدة مواقع في أفغانستان وألقى دروس تدريب علي المتفجرات حيث درس أعضاء القاعدة والطلّابن وأخرون مبادئ المتفجرات.

ز. عندما كان يعمل كمدرّب متفجرات للقاعدة في أفغانستان, سواح ألف وثيقة من تقريباً (400) صفحة مكتوبة يدوياً شملت تقنيات كيفية صناعة القنابل, وأعطى تلك الوثيقة للمتاّمر المشترك بنية تسهيل توفير خبراته في أجهزة التفجير لأعضاء القاعدة.

س. بين أغسطس / آب 2001 وأكتوبر/ تشرين الأول 2001, في مزارع تارناك, ووفقاً لتعليمات عضو مجلس شورى القاعدة, سواح طوّر وجرب بنجاح, لغم ملتصق متحكم من بعد, وذلك لغرض استعماله ضد السفن الحربية الأمريكية.

ص. قاتل مع قوات القاعدة ضد القوات الأمريكية والتحالف في منطقة "تورا بورا" في أفغانستان ألى أن جرح وتم القبض عليه من قبل قوات التحالف.

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Combatant Status Review Board

25 August 2004

TO: Personal Representative

FROM: OIC/CSRT

Subject: Summary of Evidence for Combatant Status Review Tribunal – Detainee Al Sawah, Tariq Mahmoud Ahmed

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicates that he is a member of Al-Qaida and engaged in hostilities against the United States or its coalition partners.
 - a. Detainee is a member of Al Qaida.
 1. Detainee admits being a member of al-Qaida.
 2. Detainee traveled to Afghanistan and joined al-Qaida to fight against the United States and the Northern Alliance.
 3. Detainee admits that he attended explosives training at Al Farouq training camp and went on to be a trainer on IED components at Tarnak farms.
 4. Detainee has met Usamah bin Laden.
 - b. Detainee engaged in hostilities against the United States.
 1. Detainee fled Jalalabad, AF, on 18 November 2001, after the area fell to allied forces. Detainee traveled with fighters armed with Kalsinakovs, RPGs, ammunition, and hand grenades.
 2. Detainee was injured by shrapnel, captured, and turned over to Northern Alliance forces.

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EXHIBIT R-1

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4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

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Summarized Unsworn Detainee Statement

Pres: Do you have any questions about the process?

Det: How can I bring evidence or witnesses if I have no way of getting them?

Pres: You have the opportunity today and we will provide it to you in this Tribunal session, to make a statement.

Det: I have other evidence, passports, and pictures, available in Washington.

Pres: Documents probably won't be needed at this Tribunal session. You have had an opportunity in previous interviews to identify any witnesses you would like, and you have identified no witnesses.

Det: I was not asked if I had factual or material evidence.

Pres: An opportunity should have been given to bring that to the attention of the Personal Representative.

PR: I read the Notice to Detainees, which had been provided, and we went over it paragraph by paragraph, and this included that he would have the opportunity to present witnesses or documentary evidence.

Det: I probably misunderstood.

Pres: What evidence do you think would be relevant that might be available?

Det: I don't have any. All of my paperwork is available in Washington. It's nothing more than passports and some personal pictures. You can use these documents as evidence.

Pres: If we feel that we need those, we will make them available to the tribunal as we deliberate on your enemy combatant status.

Pres: Do you think any of that paperwork would have any relevance on your enemy combatant status?

Det: It depends on what questions you ask me.

Pres: We will take that into consideration and if we feel that it will, we will ask for that information.

Det: I have no more questions at this time.

Recorder handed exhibits R-1 and R-2 to Tribunal President.

Det: What is written in R-2 and R-1?

Pres: That information has been made available to you through your Personal Representative.

As the Recorder stated the nature of the evidence in the Unclassified Summary, exhibit R-1, the Detainee stated that the translation was different. The document he saw stated something different. Detainee asks if the document says he was a trainer or was being trained.

The Recorder re-read item.

The Personal Representative stated that item 3a in his copy of the Unclassified Summary, R-1 was slightly different than what the Recorder was reading.

Upon comparing the R-1 document in the possession of the Personal Representative and the R-1 document in the possession of the Recorder, the President noted that there was a bit of a difference in the documents and ordered a recess to further investigate.

The President stated the reason for recess. Exhibit R-1, the Unclassified Summary of Evidence, was an erroneous document, and the Unclassified Summary of Evidence that was made available to the Personal Representative, and subsequently to the Detainee is, in fact, the correct document and will be re-submitted. That version of the Unclassified Summary of Evidence will be submitted to this Tribunal as exhibit R-1. Once submitted, that will be the only exhibit R-1 considered when the Tribunal goes into deliberations.

Det: Will you repeat the allegations?

Pres: Yes, we will.

Summarized Sworn Detainee Statement

The Detainee will address each point in the Unclassified Summary, with the assistance of the interpreter, reading each point to him.

3.a. Detainee is a member of Al Qaida.

1. Detainee admits being a member of Al Qaida.

From the beginning, I never admitted to being an Al Qaida member. I was in Afghanistan and with Arabic fighters in Kabul.

2. *Detainee traveled to Afghanistan and joined Al Qaida to fight against the United States and the Northern Alliance.*

When I went to Afghanistan, it was not to fight; it was an emigration from Bosnia with my family. In Bosnia, we were told we had to leave the country. Because I was a printer in the Bosnian Army and I was in the military, I could not go back to Egypt. I couldn't go anywhere. Some chose to go to Afghanistan because it's a Muslim state. I left first to see the conditions there and then was trying to go back to get my family. Life was not good.

If you say that I left Bosnia to go to Afghanistan to fight America, it is not reasonable. There were already many American troops and United Nations troops in Bosnia. If I had the inclination to do that, there had already been 4 years of fighting. If I wanted to do that, I would do it in Bosnia. Why would I leave Bosnia to go to Afghanistan to fight Americans?

I left Bosnia before 9/11, before anything happened in America. I was already in Afghanistan.

You say I left Bosnia to Afghanistan to fight Americans. How can you know what is in my mind and in my heart or my intentions?

3. *Detainee admits that he attended explosives training at Al Farouq training camp and went on to be a trainer on IED components at Tarnak Farms.*

I already trained people there because I have (inaudible) civilians before. Massoud and Dostum were our enemies before. They are fighting Muslims. There are no rules in the United States to prevent it if you want to fight for religion. There are no rules to direct me not to defend people.

To make it clear, I wanted to fight Massoud and Dostum because they were fighting other Muslims.

I had left my country, Bosnia. I had Bosnian citizenship. When I went to Afghanistan, I was trying to find a home and live there and to bring my family from Bosnia. There, they spoke too much about aggressive doings of Massoud and Dostum and his brother Fahim. They killed a lot of Muslims in Afghanistan. It is my belief to defend weak people, anywhere. Massoud and Dostum killed people in this country. I had to go to fight. It is my belief.

If Massoud and Dostum are American allies, they were not an alliance before September 11th, were they? I think they were not American allies. Did you have an alliance with Massoud and Dostum before September 11th? No. The alliance was formed after September 11th.

4. *Detainee met Usama bin Ladin.*

I agree with that. I saw him at a meeting. There was a big meeting. I saw him face to face, but I never talked to him. He is hard to speak directly with because he is always surrounded with guards and protection around him. What is the point if I saw Usama bin Ladin? I saw many people there. It doesn't present a charge.

This meeting occurred at the end of July, 2001; before September 11th. There were about 250 people at that meeting. He (UBL) was surrounded by guards. I saw him (UBL) through the people. I was anxious to see him face to face, but I don't think that is anything against me.

3.b. *Detainee engaged in hostilities against the United States.*

At that time, there were no Americans in Afghanistan. There was no army and no civilians. The only fighting was between people who were escaping from (inaudible) the people of Afghanistan.

Because the Americans offered \$5,000.00 to anyone who captured us, they were fighting us and they kept us alive to get the \$5,000.00. Fighting against the American Army, and Air Forces, and any kind of military operations...There was no one in Afghanistan to fight...no one. There was no fighting against Americans. If there were any American soldiers saying they were fighting in Afghanistan, bring them here to me and show the evidence.

The American people formed an alliance with Massoud and Dostum and these people are against Muslims. According to Geneva, and the United Nations rules, it's against the international war rules.

1. *Detainee fled Jalalabad, AF on 18 November 2001, after the area fell to allied forces. Detainee traveled with fighters armed with Kalashnikovs, RPGs, ammunition and hand grenades.*

Because of the bombing and American airplanes and many killed and wounded people, the military and army left and escaped their positions and left everything. I was fighting and preventing the advancing of Dostum and Fahim. Because of that, there were more wounded people and more bombing, we left to escape from there to Pakistan.

We left everything. We were moving through mountains and caves; there were hundreds of families, children, women and people were climbing through the mountains. What were we to do? Some people were escaping from other fronts, near Jalalabad and Kabul. There were too many people there.

FOUO//LES

With all the bombing and people dying, there was crazy killing and bombing. Some people were fine and others were already scattered everywhere.

We were running and escaping toward Pakistan. Also, there were no American soldiers to fight there. People were trying to capture us for money, the \$5,000.00.

There were no American forces there.

I was not armed. We left everything in Bagram. It is hard to carry weapons over mountains; it's a very long distance and takes about 3-5 days to walk through the mountains to Pakistan. It was not reasonable to carry weapons with us. The weapons were too heavy.

2. *Detainee was injured by shrapnel, captured, and turned over to Northern Alliance forces.*

I was hurt only because of the bombings of the American Air Force. I was in the mountains for many months. Someone took me to a house. This man helped me and another man in Jalalabad.

I was wounded already. Because I was wounded, does it mean I am an enemy of the United States? I don't think so. I had wounds on my hand, shrapnel in my back because the Americans bombed me. To me, America was trying to kill me.

Det: I have read the definition of Enemy Combatant in the Arabic translation, and it means that you are aggressive against the United States, right?

Pres: The Tribunal will determine if you are properly classified as an enemy combatant and the interpreter will read the definition to you.

Det: This definition is different from what we were told. I understand your statement.

Summarized Answers in Response to Questions by the Personal Representative

Q: Previously, it was indicated that there was an error and that was that Al Farouq had been listed as a location for training when it should have been Abu Ubaida.

A: There were two camps for training. I was training people at Abu Ubaida, not Al Farouq.

It said that I trained people in IEDs (Improvised Explosive Device); that is not right. I trained people in military explosives, mines and grenades. I told interrogators about it. They said that if I can help them, help them. I told the

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interrogators that I would help them to know everything because I have prior experience. I did it in the past; there is a difference.

Summarized Answers to Questions by Tribunal Members

Q: Thank you for being candid. You mentioned seeing Usama bin Ladin. Would Usama Bin Ladin recognize you?

A: No.

Q: He would not know you from anyone else in the world?

A: No.

Q: So, you were merely present at a place he came through and you were part of a group that went, oh, there he is over there. You saw him, but he doesn't know who you are. Is that correct?

A: He does not know me. That was the first and only time I saw him. It was said that I spoke with him, but that did not happen. He wouldn't recognize me; he does not know me.

Q: You mentioned that once you went to Afghanistan to find a place to move your family, you became aware of the violence or atrocities that were being done to the Afghanistan people by the troops in the North. You felt it an obligation to assist the Muslims. Were the people in the North also Muslims?

A: Yes.

Q: So, it was, as you referred to it, a republic or civil war, between people inside a country; people of the same religious beliefs, similar backgrounds, fighting for power?

A: Yes.

Q: And you believed that the innocent people of Afghanistan were being harmed by military force, is that correct?

A: Yes.

Q: So, once you went to Afghanistan and saw this, you desired to assist those innocent people?

A: Yes. I would like to add something. The Taliban people (inaudible) were being killed by Massoud and Dostum, even without fighting.

The Taliban and other people haven't experienced in fighting war. Massoud had a long time of fighting against the Russian Army. They were killing people who didn't have a chance to defend themselves. I think that is very bad.

Q: Do you believe that the aggression by the groups in the North was as bad as the aggression you experienced when you were in Bosnia?

A: It was not. In Bosnia, it was genocide against Muslims. What happened in Bosnia was big genocide. It started a long time ago. In Bosnia, events took place very quickly; in Afghanistan, everything was going slowly.

One time in a jihad, Massoud killed about 10,000 Muslims in about an hour. It was bad. People can't fight him because he has very strong military experience in fighting. We should support these people to live.

Q: When you were in Bosnia, did you appreciate the United States involvement and the United Nations involvement to stop the genocide against the Muslims?

A: Of course.

Q: After September 11th, you had already been part of the Taliban military as a military trainer?

A: Not officially.

Q: As a contractor, perhaps?

A: Yes.

Q: Assisting them or training them on the areas where you have your knowledge. What occurred after September 11th? Were you still training them?

A: After September 11th, I tried to leave Afghanistan. I wasn't involved anymore.

Q: At what point did you leave your employment, as a contractor, with the Taliban? Physically? When did you say, I'm not going to work today, I'm leaving?

A: I'm not working.

Q: You were training, though. You were, perhaps, a contractor.

A: People had training on mines, hand grenades and everything. I trained them in August.

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Q: After August...

A: I went to the front...

Q: You went to the front and you were fighting. How long were you there?

A: I was there in September. I heard about September 11th when I was there on the front.

Q: When did you leave there?

A: I tried to go out.

Q: When?

A: After September 11th, directly.

Q: September 12th? The same day, a month later, two months later?

A: I can't remember, really. My story is very complicated because I was there in the front, and I left and tried to leave Afghanistan to go back to Bosnia. At that time, I went back to Kabul and I tried to go out. There was no way out. I went to the Bagram front.

Q: How did you receive your injuries in Afghanistan?

A: In Tora Bora.

Q: Had you been injured in Afghanistan prior to that?

A: No.

Q: As you left the front, you mentioned that you did not take any heavy weapons with you?

A: When we were escaping, no.

Q: Correct. They would have slowed you down in your travel?

A: Yes.

Q: Did you carry even a pistol for personal safety, or a small rifle?

A: We didn't have them. We only had Kalashnikovs.

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- Q: And those you left behind?
- A: Yes. The Kalashnikovs are very heavy.
- Q: Yes, we know...very heavy.
- A: It is very heavy and I couldn't carry it, with other things.
- Q: You are Egyptian, by heritage?
- A: Yes. I was born in Egypt.
- Q: How did you learn English so well?
- A: I have studied it in college. I have a Bachelors of Science in Geology.
- Q: You attained all of your education in Egypt?
- A: Yes.
- Q: Did you serve in the military in Egypt also?
- A: No, I had medical problems.
- Q: At some point, you went from Egypt to Bosnia to assist the Muslims in Bosnia?
- A: I was in Greece. I went to Greece in 1990. I lived there for 2 years, until 1992. In 1992 we heard about the massacres in Bosnia, I went to work as a human relief worker.
- Q: When you were in Bosnia, was that the first time you received military training?
- A: Yes.
- Q: Your total amount of training in the military would be from 1992 until 2001?
- A: 1993
- Q: All the way through until 2001?
- A: I had training in Bosnia in 1993.

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- Q: Was there any period of time between Bosnia and Afghanistan where you were somewhere else?
- A: No.
- Q: You mentioned earlier that you were at Tora Bora?
- A: Yes.
- Q: Was that when you were retreating and trying to get to Pakistan?
- A: Yes.
- Q: How long were you in Tora Bora?
- A: During Ramadan. We were moving, escaping, hiding...
- Q: Would you say a month...a week?
- A: About two months.
- Q: Did you hear anything about Usama bin Ladin being in Tora Bora when you were there?
- A: No.
- Q: How long have you been here, at the camp?
- A: 2 ½ years.
- Q: How would you characterize your treatment here?
- A: My treatment is very good.

Summarized Answers to Questions by Tribunal President

- Q: Do you have any other information that you would like us to know?
- A: People are taken from their homes, their countries. All of them are considered Enemy Combatants and I don't think it's right.
- Q: We appreciate your participation in the Tribunal today.

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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
Tribunal President

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