

**Summary of Administrative Review Board Proceedings for ISN 261**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

*The Designated Military Officer (DMO) was sworn.*

*The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were 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 Notification of the Decision of the Administrative Review Board, 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 21 September 2006. After reviewing 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 wanted to attend the ARB. The detainee was very cooperative, attentive and polite throughout the interview. Copies of both the English and Arabic translated Unclassified Summary were provided to the detainee, who accepted the Arabic version.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, the CITF Redaction Memorandum, 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 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: (3) The following factors favor continued detention: (3.a) Commitment. (3.a.1) The detainee stated that in October 2001 he traveled to Afghanistan to inspect seven mosques in Kabul. The detainee stated that he was asked to go to Afghanistan by his local imam in Deman, Saudi Arabia.

Detainee: Yes.

Designated Military Officer: (3.a.2) The detainee stated that an acquaintance provided him 3,000 United States Dollars and instructed him to meet an individual in Iran. The detainee first traveled to Bahrain where he obtained a Bahrain passport and subsequently traveled to Mashad, Iran.

Detainee (through translator): The person in the second point is the same as the one in the first one.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.3) Once in Mashad, Iran, the detainee purchased a room at the Atlas Hotel. The next morning, the detainee met the individual referred to him by his imam in Saudi Arabia. They both traveled by taxi into Afghanistan.

Detainee (through translator): Unfortunately yes.

Designated Military Officer: (3.a.4) The detainee and his companion stayed in Kabul, Afghanistan, for approximately three weeks before traveling to another house owned by his companion in Jalalabad, Afghanistan. The detainee stayed in Jalalabad for approximately one month but could not provide additional information regarding his time there.

Detainee (through translator): This is true and I already explained everything during the interrogations.

Presiding Officer: Thank you.

ISN 261  
Enclosure (5)  
Page 2 of 12

Designated Military Officer: (3.a.5) After leaving Jalalabad, Afghanistan, the detainee walked to the Pakistan border where he was arrested and detained by the Pakistan authorities. The detainee did not have his passport in possession when he was taken into custody. The detainee stated that his companion had taken his passport while they were in Jalalabad.

Detainee (through translator): My friend took my passport in Kabul not in Jalalabad.

Board Member: Why did you give your passport to your friend?

Detainee (through translator): It was the military complication in Afghanistan. My friend told me that the authorities would take all my money and belongings because I was an Arab. So when I was leaving Kabul to Jalalabad, I gave my friend my passport. I gave him everything: my money, my passport, and my belongings because there were checkpoints between Jalalabad and Kabul. Also, my friend dressed me to look like an Afghan.

Board Member: This was because you were afraid that you would be robbed?

Detainee (through translator): Not to be robbed, but to be killed. I did not want to appear as an Arab.

Board Member: Thank you.

Board Member: Your local imam asked you to go to Afghanistan to inspect these mosques. Why did he choose you to go? Do you have a special expertise in construction?

Detainee (through translator): When I came back from America I did not have much money and I had a lot of loans. So I asked my local imam to help me. He asked me to go to these mosques in Afghanistan, inspect them, and he would take care of my bills back home.

Board Member: What were you inspecting them for?

Detainee (through translator): Take pictures to make sure that these mosques existed in Afghanistan.

Board Member: You were to return these pictures to your imam so that you could show him?

Detainee (through translator): Pictures and videotapes to take back to my imam.

Board Member: Did your imam tell you that it might be dangerous in Afghanistan?

Detainee: Yes.

Board Member: And you were willing to take the risk because of money?

Detainee (through translator): I was facing prison anyway because the person that I borrowed a lot of money from was after me. I was facing prison so I did not care about going to Afghanistan. My imam did not really specify that Afghanistan was in such great danger because that was before the Americans attacked Afghanistan. He told me to go there for a short period of time, inspect the mosques, and come back right away. I was going in the countryside, so I believed if there were attacks in Afghanistan, they would be on the military bases not on the civilian provinces outside the big cities.

Board Member: Did you have an idea on how long you were going to be traveling and how much time it would take for you to be gone before you return?

Detainee (through translator): I believe three days to one week.

Board Member: I guess I am confused. Back to my original question, I am trying to understand your special expertise because your statements earlier state that your imam knew your traveling companion that you met in Pakistan. If he knew him, I do not understand why he would send you all the way from your home as opposed to sending your friend down from Pakistan, for it would be much cheaper, much quicker. Do you have a special expertise?

Detainee (through translator): I am going to summarize. First of all he was not my friend. I did not know him very well. I knew the imam in Saudi Arabia. Between the imam in Saudi Arabia and the imam in Afghanistan there was some type of contact. The imam in Afghanistan received financial help to build mosques in Afghanistan. This is a very normal thing there. Every year in Ramadan many people from Afghanistan, Pakistan, and Bangladesh would come over to Saudi Arabia and ask for monetary help to build mosques. The imam in Afghanistan happened to do the same thing. My local imam in Saudi Arabia wanted me to check on these projects going on in Afghanistan so that he could send money to the imam in Afghanistan.

Board Member: You said that you thought your trip would last a week, but you also said that you really had to go because you felt that you were going to be in trouble if you had stayed because you had a debt and that someone was after you in Saudi Arabia. So if it was only going to take a week, what was going to change when you return a week later? Wouldn't you still have problems?

Detainee (through translator): I did not quite understand your question, but I will answer exactly what I understand. I owed my brother-in-law 10,000 riyals. I had to accomplish this project for the imam in Saudi Arabia to give me 3,000 dollars to pay off this debt.

ISN 261  
Enclosure (5)  
Page 4 of 12

Board Member: The answer to my question is that you were going to pay off your debt. Thank you.

Detainee: Of course.

Board Member: Was it in October when you traveled to Afghanistan?

Detainee (through translator): I am not sure about the month.

Board Member: That's fine.

Designated Military Officer: (3.b) Training. The detainee attended the al Siddeek camp. The al Siddeek camp was located near Khowst, Afghanistan. The detainee received training on the Kalashnikov rifle and physical exercise.

Detainee: Yes.

Detainee (through translator): I already told you that information. There is nothing essentially to hide.

Detainee: I had some reasons to go to Afghanistan at that time.

Detainee (through translator): I was 16 years old when this happened. The government in Saudi Arabia had the tendency to send people to Afghanistan to train and fight in combat, or to just go to Afghanistan. The government was supporting this type of travel. I received money from the government in Saudi Arabia for my travel expenses. It was about 75% of the airline ticket. This happened when I was 16 years old and I do not see the relationship between this and posing a threat to the United States. Many people at that time went to Afghanistan for the same purpose and with the blessing of the Saudi Arabia government and the blessing of the United States government. At that time I had done nothing to harm my reputation or the reputation my country. Also, at that time, I thought that was an official trip since my government and my father supported it.

Board Member: This was the only training you attended in your life or did you have other training?

Detainee: No. This was the only one.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The detainee stated that a sheikh from Dammam, Saudi Arabia, offered to pay his rent and provide him with 7,000 to 10,000 Saudi Riyals if he would agree to journey to Bosnia to fight. The detainee traveled to Bosnia in 1995.

Detainee (through translator): Before I spoke I took an oath to tell the truth and only the truth, right? I have spoken to the interrogators and never told them that I was going to

ISN 261  
Enclosure (5)  
Page 5 of 12

fight. This is not true. It is true that I took money and that I went to Bosnia, but the reason behind my departure was not to fight.

Board Member: What was your reason?

Detainee (through translator): To look for a wife.

Board Member: How long were you gone?

Detainee: Two months.

Board Member: Somebody paid for you to go and find a wife?

Detainee (through translator): This is very normal in Saudi Arabia because marriages there are very costly.

Board Member: How old were you in 1995?

Detainee (through translator): I do not remember. I am now 33 years old. You can do the math.

Designated Military Officer: (3.c.2) An al Qaida operative stated that the sheikh may have supported the Wafa Al-Igatha Al-Islamia, aka Wafa Organization, during the Chechnyan conflict. The al Qaida operative also stated that the sheikh was a supporter of the Mujahedin.

Detainee (through translator): Before I continue I would like to say that the fact that I could not provide you with my age in 1995 was not a disrespectful answer to you or to the board members. I have no recollection of any specific dates.

Board Member: Thank you. I did the math.

Detainee (through translator): What is my connection to this? I do not know. I heard about the Oklahoma bombing and that the person involved was a leader of a White group and that person received capital punishment. If that person came here and testified before you that someone is a terrorist, would you take that person's words for it? My point is that this person from al Qaida who made the statement about the sheikh has nothing to do with me. I do not know that person. I do not know of any sheikh that was a supporter of the Mujahedin or any organization. Another point is that I had not heard of al Qaida until I got here in Cuba.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.3) The detainee traveled to Mecca, Saudi Arabia, to meet an individual who was a direct descendant of the prophet Mohammed.

ISN 261  
Enclosure (5)  
Page 6 of 12

Detainee (through translator): True.

Designated Military Officer: (3.c.4) The detainee was invited to Chechnya to fight by this individual, but the detainee stated that he had no money for the trip. The individual gave him 3,000 to 4,000 Saudi Riyals in addition to travel expenses.

Detainee (through translator): He asked me to travel with him, but he never asked me to fight with him. He paid for my travel expenses.

Designated Military Officer: (3.c.5) The detainee stayed at an Arab safe house that was a staging area for Arabs traveling to Chechnya to fight.

Detainee (through translator): This person is from the Emirates and I stayed with him.

Board Member: If you did not go to Chechnya to fight, why did you go? Were you looking for a wife again?

Detainee (through translator): There are no beautiful women in Chechnya.

Board Member: Any reason why you went?

Detainee (through translator): This man had asked me to go with him and we stayed at Azerbaijan. It was like a vacation for me. I could not refuse so I went as a tourist because I wanted to see a Soviet city.

Board Member: Thank you.

Board Member: What did you do while you were there and how long was your stay?

Detainee (through translator): Between Chechnya and Azerbaijan there are about two different countries. I stayed in Azerbaijan about one-and-a-half months. I went to all the tourist places, museums, and parks. I have pictures.

Board Member: Thank you.

Designated Military Officer: (3.c.6) The detainee traveled to Bahrain and went to the United States Embassy and received a five-year tourism visa. The detainee's father gave him 19,000 Saudi Riyals for his trip to the United States and he flew from Bahrain to Istanbul, Turkey, and then to the United States. The detainee was picked up at the airport and taken to an Islamic Center.

Detainee (through translator): True.

Designated Military Officer: (3.c.7) The detainee went to another Islamic Center and was there for approximately two months before returning to Saudi Arabia to visit his sick father. After eight months in Saudi Arabia, the detainee returned to the United States and made other trips in the United States.

Detainee: True.

Board Member: What was your purpose for your travel to the United States?

Detainee (through translator): I was looking for citizenship.

Board Member: Why did you wish to become a citizen of the United States?

Detainee (through translator): So that I could live like a king.

Board Member: Do you still wish to become a citizen of the United States?

Detainee (through translator): If you released me I would go live in the desert. I am not dreaming about becoming a citizen of the United States after Cuba.

Presiding Officer: I understand.

Designated Military Officer: (3.c.8) The detainee said that he traveled to the eastern United States after speaking with an acquaintance and was introduced to a Muslim community and gave a lecture on the importance of keeping the tradition of prayer.

Detainee (through translator): Yes.

Designated Military Officer: (3.c.9) The detainee says he gave a speech during a Friday service in 2001 at a mosque that upset the elder religious leaders.

Detainee (through translator): The speech did not upset any of the leaders. Maybe they got upset after they found out that I was a terrorist and went to Cuba.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.10) The detainee stated that he was shocked to learn that his acquaintance was involved with al Qaida and jihadist activity. The detainee also said that it seemed illogical that his acquaintance and Jamaat Tabligh could be so involved because neither violence nor the use of weapons was ever advocated.

Detainee: True.

Designated Military Officer: (3.c.11) The detainee was identified as being a cook in Tora Bora, Afghanistan.

ISN 261  
Enclosure (5)  
Page 8 of 12



Detainee (through translator): I wanted to become a cook, perhaps at McDonalds, not in Tora Bora. I believe that Tora Bora was not the right place to become a cook.

Designated Military Officer: (3.c.12) According to a source, the detainee spent time in Saudi prisons. The detainee was imprisoned for being a member of Al Motoaien, also known as al Mujahedin, and for participating in the USS COLE bombing.

Detainee (through translator): This is not true. I went to prison in Saudi Arabia. I had never heard of this group before. You can contact the Saudi Arabia government and ask about the reason for my detention there and my relationship to this alleged organization. I have no relationship with this organization and I do not believe it exists. The Saudi Arabia government is a great ally of the government of the United States. You can ask them to provide records of my detention in the Saudi prison. I am very certain of what I said to you and that I have no relationship with this organization.

Designated Military Officer: (3.c.13) Al Motoaien is a network in Saudi Arabia involved in document forgery, weapons and poisons smuggling.

Detainee (through translator): I would like to clarify about the situation of the USS COLE. I have no relationship to this matter. I have never been interrogated on this matter. I am not sure how this got into my file. Since I have no connection to this organization I cannot know whether it exists. This has nothing to do with me. According to my expertise, Saudi Arabia does not have this type of organization. Perhaps it exists in North Africa, but not in Saudi Arabia.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.14) The detainee decided to return to Saudi Arabia. The detainee flew to Bahrain and was arrested by Saudi Intelligence officials under suspicion stemming from the Khobar Towers bombing and his foreign travel. The Saudi government held him for approximately three months, but his passport was revoked for one-and-a-half-years.

Detainee (through translator): During the bombing of the Khobar Towers, half of the population was detained and I was one of them. I was kept for questioning because there was no direct allegation against me. During the bombing of the Khobar Towers, I was in Kuwait, not in Saudi Arabia.

Presiding Officer: If you were detained for questioning why did they revoke your passport?

Detainee (through translator): It was a dictatorship. That's why I wanted to get U.S. citizenship.

ISN 261  
Enclosure (5)  
Page 9 of 12

Designated Military Officer: (3.c.15) The detainee stated that he spent time in prison in Jeddah, Saudi Arabia. The detainee was eventually released and returned to Dammam, Saudi Arabia, but his passport was revoked for five years.

Detainee (through translator): I was detained for one-and-a-half months. The rule in Saudi Arabia is that when someone is captured, even for one day, his passport would be revoked for five years.

Designated Military Officer: (3.c.16) The detainee's name was found on a computer media listing of mujahedin, which was seized during raids against al Qaida associated safe houses. The list identifies each individual's trust account and the contents of the detainee's trust are listed as a passport and identification card.

Detainee (through translator): I have no connection to al Qaida. I have never been to an al Qaida house. I have never left my passport or identification card in any al Qaida houses. I told you this Afghan had taken my belongings, passport, and money in Kabul. I went with him in Jalalabad and did not ask him for my passport or my money. He told me that he would take care of them and return them to me when we get to the border. It took us three days to get to border. When we arrived there, he told me that he had forgotten my passport and money in the house. So he asked me to go back with him three more days to his house to pick up my belongings and travel back another three days on the road. I did not accept that. The situation was already very difficult and I was not going to risk being killed because of my passport. When I got to the borders I asked for the embassy of my country right away. I did not know whether this Afghan who had my passport sold it or gave it to an Arab to take it back to my country. I am not sure what happened. This is true that my passport and identification card were found in an al Qaida house, but I had no connection to it. It might be that this Afghan had done that and he would be responsible for that.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The detainee denied ever participating in any armed conflict while in Afghanistan.

Detainee (through translator): Surely.

Designated Military Officer: (4.b) The detainee says that he is not a radical fundamentalist Muslim and claimed he has never taken part in or encouraged anti-American activities.

Detainee (through translator): This is true that I did not encourage anti-American activities.

Designated Military Officer: This concludes the Unclassified Summary.

Detainee (through translator): The factors favoring my continued detention were about 10 pages, but the ones favoring my release are about two paragraphs.

ISN 261  
Enclosure (5)  
Page 10 of 12

Presiding Officer: You will have an opportunity to provide a statement later in this hearing.

***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.***

***The Detainee made the following statement:***

Detainee (through translator): I would like for you to look into my case with a compassionate perspective. I have committed and I have admitted to my mistake. I put myself in the wrong situation at the wrong time. I spent five years in detention for that. My father died three months ago and I could not be there. My mother is very sick and I do not know anything about her. I do not know anything about my daughter either. The past is the past. We cannot replace the past. I have learned my lessons. Based on that experience, I will try to avoid the type of errors that I have made in the past. The time that I have spent here is a very difficult time and is more than punishment to me. I have never committed anything against the United States. I never fought the United States or its allies. I have never posed a threat to the United States. I will never pose a threat to the United States. I am hoping that you will look into my situation in every angle. I cannot ask you to provide me with classified information to discuss with you. I would like to clarify that I have never been a terrorist and that I will never be a terrorist. It is not my fault if I had acquaintances that turned to be terrorists. I didn't know about their intentions. Had I known they were terrorists or that they would turn into terrorists, I would not have ever spoken to them. I hope you look into my situation with a compassionate eye. My family needs me. My mother, my daughter, and my country need me. I would like to begin a new life.

Presiding Officer: Does that conclude your statement?

Detainee (through translator): Yes.

Presiding Officer: Thank you.

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

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

***The Administrative Review Board Members had no further questions for the Detainee.***

Board Member: I would like to thank you for showing up and answering the questions.

ISN 261  
Enclosure (5)  
Page 11 of 12

Detainee (through translator): I would like to thank you and the United States government for giving me an opportunity to defend myself.

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

Presiding Officer: You should be notified of whether you will be detained further, transferred, or released upon completion of the review of these proceedings and the decision by the Designated Civilian Official in Washington, DC.

Detainee (through translator): When exactly?

Presiding Officer: I do not have that information.

Presiding Officer: If the Designated Civilian Official determines that you should no longer be detained by the United States, you will be released or transferred to your home country as soon as arrangements can be made.

Detainee (through translator): I hope it happens.

Presiding Officer: If the Designated Civilian Official determines that you should be continued to be detained, you may be eligible for another Administrative Review Board in one year.

Detainee (through translator): I do not wish that.

***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.



ISN 261  
Enclosure (5)  
Page 12 of 12

Summary of Administrative Review Board Proceedings for ISN 274

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

*The Designated Military Officer (DMO) was sworn.*

*The Translator, Board Member, Assisting Military Officer (AMO) and Members of the Administrative Review Board were sworn.*

*The Presiding Officer asked the Detainee if he would like 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.*

Assisting Military Officer: The detainee's ARB interview was conducted on 28 February 2006 and lasted for 60 minutes. After reviewing the ARB's purpose and procedures, I asked if he would like to attend his ARB hearing, present a written or oral statement, or have the AMO speak on his behalf. The detainee stated he would physically attend the ARB. I then read him the Unclassified Summary of Evidence. He then asked me to write down his responses to each of the allegations contained in the Unclassified Summary of Evidence for presentation at the ARB. The detainee was very cooperative and cordial throughout the course of the interview. Finished copies of both the English and Arabic translated Unclassified Summary of Evidence were offered to the detainee at the conclusion of his follow-up interview of 01 March 2006.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memo, DMO-2 and the CITF placeholder, DMO-3 to the Administrative Review Board.*

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

ISN 274  
Enclosure (4)  
Page 1 of 14

**UNCLASSIFIED//~~FOUO~~**

*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 allowing time for the detainee to provide a response after each statement.*

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The detainee spent an undetermined amount of time as a reserve in the front line in Afghanistan where they dug trenches and waited. The detainee then fled on foot to Pakistan after he received injuries. The detainee received medical treatment and was arrested.

Detainee (through translator): I was never at the front line, never dug trenches or anything else for that matter. I was simply visiting Afghanistan. I never received medical treatment, but I was injured and received medical treatment in Pakistan. I was then arrested in the hospital.

Presiding Officer: What did you go to see and whom were you visiting?

Detainee (through translator): I went to visit a friend of mine, his name is Abu Talha. He was in Pakistan and I went to visit him.

Presiding Officer: Here it says, "I simply went to visit Afghanistan." Is that a mistake?

Detainee (through translator): Yes, he was my friend. I met him in Pakistan and he took me to Afghanistan for a visit.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.2) The detainee stated he was on the front line in Afghanistan and fired his Kalashnikov rifle during the day for practice. He stated he was hit by shrapnel during a bombing raid while fighting on the front line against the Northern Alliance and taken to a hospital in Jalalabad for treatment during Ramadan. The detainee said he fired his weapon as he was retreating from the airport in Bagram.

Detainee (through translator): First of all, I never carried or had a weapon. I was totally a visitor, not a fighter. I did not get injured on the front line. I was walking along a street in Pakistan when it (explosion) happened. I couldn't fire a weapon if I didn't have one.

Board Member: Where exactly were you in Pakistan when this explosion occurred?

Detainee (through translator): I was in a region called Kuhat.

Board Member: What kind of explosion was it?

ISN 274  
Enclosure (4)  
Page 2 of 14

**UNCLASSIFIED//~~FOUO~~**

00002209

2209

**UNCLASSIFIED//~~FOUO~~**

Detainee (through translator): I have no idea.

Board Member: Was it on the ground?

Detainee (through translator): Something fell from above.

Board Member: How many people were with you when the explosion occurred?

Detainee (through translator): The whole street was full of people.

Board Member: Was your friend with you?

Detainee (through translator): No.

Presiding Officer: Are you referring to Abu Talha?

Detainee (through translator): No, he was not with me. I lost him on the street.

Presiding Officer: Did he start out with you that day and you just lost him?

Detainee (through translator): I lost him days before this occurrence.

Board Member: Were the others with you fighting on the front lines or sightseeing like you?

Detainee (through translator): They were ordinary people on the street that were trying to flee the bombing.

Board Member: Were any of the others injured or captured with you?

Detainee (through translator): A lot of them. Several of them.

Board Member: Injured or captured?

Detainee (through translator): They were injured and they were sent to the hospital.

Presiding Officer: Once at the hospital, were some of them detained like you?

Detainee (through translator): I don't know. I was the only Arab one amongst them. When they recognized that I was an Arab they just secluded me in the hospital.

Presiding Officer: There were no other Arabs with you in that secluded area?

Detainee (through translator): No.

Board Member: Is there anyone that was a witness to that occurrence that can verify your story?

ISN 274  
Enclosure (4)  
Page 3 of 14

**UNCLASSIFIED//~~FOUO~~**

00002110 2210

# UNCLASSIFIED//~~FOUO~~

Detainee (through translator): The doctors in the hospital.

Board Member: Have you received letters or correspondence from anyone who can help clear up the discrepancies in this story?

Detainee (through translator): This is one of the questions I would like to ask you at the end of this board. I never received any letters. I write and write, but I never receive any letters back. This is one of the concerns that I have.

Presiding Officer: So what you are saying is that you write letters but you don't know if they are getting out and you haven't received any?

Detainee (through translator): I have been here for the last four years. I have only received four letters. The last one was two and a half years ago.

Presiding Officer: What is your capture date?

Detainee (through translator): If I recall, it was the beginning of Ramadan.

Presiding Officer: So four or five letters and that was two and a half years ago?

Detainee (through translator): Yes. Since I have been captured here for four years, I only received four letters and that was two and a half years ago.

Presiding Officer: Nothing since then?

Detainee (through translator): Nothing.

Presiding Officer: Okay. We can inquire about that. In those last years you have sent mail out, correct?

Detainee (through translator): Many.

Presiding Officer: Okay, we will inquire about that and get an answer back to you.

Designated Military Officer: (3.a.3) The detainee stated that if he read any sort of religious decree, which stated that an attack on the United States was needed for the sake of Islam, he would follow it. He also stated that it is the duty of true Muslims to defend Islam against infidels, and that everyone must either become a Muslim, pay a fee for not converting, or be put to death.

Detainee (through translator): These are not my words.

Board Member: Do you consider the guard force or this Board as infidels?

Detainee (through translator): Everyone has their own religion.

ISN 274  
Enclosure (4)  
Page 4 of 14

UNCLASSIFIED//~~FOUO~~

00002211 2211



**UNCLASSIFIED//~~FOUO~~**

Presiding Officer: You never made these comments to anyone here or in Pakistan?

Detainee (through translator): No. I never said it.

Presiding Officer: Okay. We will leave it at that because he is disagreeing that these are his words. He is saying that he never said it.

Designated Military Officer: (3.a.4) The detainee stated that he would buy weapons to fight anyone who would have alliances to the United States. When asked about the attacks on 11 September 2001, he replied that sometimes, terrorist people have to die.

Detainee (through translator): These are also not my words.

Presiding Officer: I will ask you again. You never made these comments to anyone, whether here or in Pakistan where you were captured?

Detainee (through translator): I never said it.

Board Member: Have you seen pictures of the attack on September 11<sup>th</sup>?

Detainee (through translator): Yes, I did.

Board Member: How did you feel about what you saw?

Detainee (through translator): Just sorrow and catastrophe towards those innocent people.

Board Member: What is your reaction or your feelings toward the Muslims that carried out these attacks?

Detainee (through translator): I don't know what to say about them.

Board Member: Do you think the United States deserved it?

Detainee (through translator): This is all politics. I have no idea. I have no business in politics.

Designated Military Officer: (3.b) Training (3.b.1) The detainee worked as a civilian armed guard.

Detainee (through translator): It is true, but when I was in Saudi Arabia.

Board Member: What facility did you guard in Saudi Arabia?

Detainee (through translator): Interior Ministry.

Board Member: What city?

ISN 274  
Enclosure (4)  
Page 5 of 14

**UNCLASSIFIED//~~FOUO~~**

00002212<sup>2212</sup>

Detainee (through translator): Riyadh.

Designated Military Officer: (3.b.2) The detainee attended a month of basic training with the Navy. After this month of training, the detainee became ill and spent two months in a naval hospital before being discharged.

Detainee (through translator): That is true, in the Saudi Navy.

Presiding Officer: What illness kept you in the hospital for two months?

Detainee (through translator): Problems with my stomach.

Presiding Officer: What type of basic training did you have with the Navy for that month?

Detainee (through translator): Much training, like weapons, swimming and physical training.

Presiding Officer: What type of weapons?

Detainee (through translator): I did not finish the whole course for the weapons training. I just started on the small weapons and the light rifles.

Presiding Officer: Is that just practical training or did you get to fire them?

Detainee (through translator): It was practical training.

Board Member: Where was your training in Saudi?

Detainee (through translator): In the East Region.

Designated Military Officer: (3.b.3) The detainee stayed at a villa for five days, where he fired the Kalashnikov AK-47 rifle.

Detainee (through translator): It is true, when I was in Saudi Arabian Navy. The answer is not true, I never fired a rifle. Where is this particular villa located?

Presiding Officer: You did say that you fired these weapons when you were in the Saudi Navy, correct?

Detainee (through translator): Yes, during training.

Presiding Officer: So are you saying that you didn't fire in this particular villa?

Detainee (through translator): First of all, we didn't have villas there. Where did you get this from? Second, the location of the training there are no villas. That was the only place I fired my weapon during training.

Presiding Officer: I understand that you fired a weapon in the Saudi Navy. As for the villa you stayed for five days where they claimed you fired an AK-47, I was hoping you would tell us where that villa was and be truthful with us.

Detainee (through translator): This is also one of the points I would like to talk to you about at the end of the Board because there are a lot of things that have been said in my file that I never stated it or never said it.

Presiding Officer: Okay.

Designated Military Officer: (3.b.4) The detainee also received training on weapons assembly and disassembly, the firing of a pistol and the German-made G-3 rifle.

Detainee (through translator): Yes, but I fired these weapons both as part of my training in Saudi Arabia as a security guard and in the Saudi Navy.

Designated Military Officer: (3.c) Connections/Associations (3.c.1) The detainee's name was on a document listing 324 Arabic names, aliases, and nationalities recovered from safe house raids associated with suspected al Qaida.

Detainee (through translator): It is not true.

Presiding Officer: Since you say it is not true, have you seen the document we are referring to? Have you seen the document that listed the 324 names?

Detainee (through translator): Nobody has shown me anything. I have no idea.

Designated Military Officer: (3.c.2) The detainee's name was on a list that was found on a computer in an al Qaida safe house. The list includes the detainee's passport and safety deposit box number.

Detainee (through translator): All of this is not true.

Presiding Officer: Okay, since you are saying that all of this is not true, have you seen the document?

*(Detainee gestured NO by nodding his head.)*

Board Member: Do you know where your passport is now?

Detainee (through translator): I lost it.

Board Member: Where did you lose it?

Detainee (through translator): I gave it to the Pakistani authorities. They also took my money.

Board Member: When you were in the hospital?

Detainee (through translator): Yes.

Presiding Officer: Passport and money?

Detainee (through translator): Yes. My passport and money were taken by the authorities when I was in the hospital.

Designated Military Officer: (3.d.1) During his first of two trips to Pakistan, between 1421 and 1422 in the Hijri calendar (between 2000 and 2001 Gregorian) the detainee admitted that the purpose of this trip was to purchase hashish at low prices for his own consumption and for resale in Saudi Arabia.

Detainee (through translator): Well, not all of this is true. I went, really, to Pakistan as a vacation, but I never dealt with hashish for business purposes. If this is true, my neck will be gone.

Board Member: Is it true that you went there to purchase hashish for any purpose?

Detainee (through translator): Mainly, it was for sightseeing and for pleasure.

Board Member: When you say, "If this is true, my neck would be gone," do you mean purchasing hashish for any purpose or just for business purposes?

Detainee (through translator): For business purposes.

Board Member: Have you used hashish in the past?

Detainee (through translator): You are putting me on the spot (laughing).

Presiding Officer: We don't prosecute you here for that. You don't have to answer if you don't want to.

Detainee (through translator): I prefer not to answer.

Presiding Officer: That is fine, we all make mistakes.

Designated Military Officer: (3.e) The detainee deserted from the Navy, he was not discharged as noted in his file.

Detainee (through translator): The Saudi government did not desert me; but after I left the hospital, I submitted my resignation to them and the government agreed to it.

Presiding Officer: Could you just explain about the resignation part and the government agreeing to it? I understand that you were discharged, but what was the resignation part? I am just a little confused.

ISN 274  
Enclosure (4)  
Page 8 of 14

Detainee (through translator): What is mentioned here is false information.

Presiding Officer: I believe you were probably discharged. I am not sure about your resignation. Is that something that goes on in the Saudi Navy?

Detainee (through translator): Yes, it is.

Designated Military Officer: (4) The following primary factors favor release or transfer:  
(4.a) The detainee claims to have gone to Afghanistan for the sole purpose of sightseeing, and was told that the best place to sightsee was on the front line. The detainee claims he didn't know who was fighting or the cause for which they were fighting. He also claims he never picked up a weapon during the two months he spent on the front line. Additionally, the detainee claims to have gone to Lashkar-e-Tayyiba for the purpose of charity.

Detainee (through translator): All of this is true except for the best place for scenery is not the front lines.

Board Member: What kind of charity work did you plan to do for Lashkar-e-Tayyiba?

Detainee (through translator): Help the people in the orphanages and the people that lost their families during the battles in Kashmir.

Board Member: What specifically would you do for them?

Detainee (through translator): Just arrange some kind of monthly allowance for them. A monthly rate.

Board Member: When you joined the Lashkar-e-Tayyiba did you know that it was an anti-American organization?

Detainee (through translator): No, I did not.

Board Member: Why did you not stay with the organization to continue missionary work and improve your dedication to Islam?

Detainee (through translator): I don't know.

Board Member: Is that the time you met your friend that took you to Afghanistan?

Detainee (through translator): Exactly, yes.

Board Member: Why did you decide to go to Afghanistan rather than stay?

Detainee (through translator): My friend was persistent. He put me on the spot and asked me to visit his family. He was a good friend of my family and he would visit us in Saudi Arabia.

ISN 274  
Enclosure (4)  
Page 9 of 14

Designated Military Officer: (4.b) The detainee denies being a member of al Qaida.

Detainee (through translator): I strongly deny this.

Presiding Officer: Why do you strongly deny being a member?

Detainee (through translator): Basically, I never heard of al Qaida until I got here.

Presiding Officer: That helps me. So you never heard of al Qaida until you got here? That surprises me because al Qaida is all over the news, even in Saudi Arabia.

Detainee (through translator): The way I conducted my life did not allow me to hear anything about al Qaida.

Board Member: Why would you go and visit (a fight) if you did not know who was fighting?

Detainee (through translator): Bad luck. It was a bad day.

Designated Military Officer: (4.c) The detainee stated that he has nothing against the United States, and that he would not participate in a fatwa, even if issued by the Saudi government. He also would not participate if a non-government organization issued a fatwa because he does not feel negatively about the United States.

Detainee (through translator): That is totally true.

Board Member: What would you do if you were released?

Detainee (through translator): Lots of things: Get married, buy a new car, and get a farm. I would do many, many things.

Board Member: What would you teach your children about the United States?

Detainee (through translator): I won't let them know anything about the United States. They will be living on a farm. People that live on a farm don't know anything about civilization. I won't expose them to a TV.

Board Member: How would you feel if the United States continued to increase its presence in the Middle East?

Detainee (through translator): This is all politics; I have nothing to do with politics.

Designated Military Officer: (4.d) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001 and denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee (through translator): It is true. I had no idea of it.

Board Member: Are you related to or have any close friends with any of the other detainees being held here?

*(Detainee gestured NO by nodding his head.)*

Board Member: We have reports that you have threatened the guard force and their families. Why is this?

*(Detainee gestured NO by nodding his head.)*

Presiding Officer: So you have no comment? Or are you just saying "No," you haven't done that?

Detainee (through translator): I did not do such a thing.

Board Member: We have a report that states you said, "Something big will happen when Usama bin Laden dies." What will happen and how do you know?

Detainee (through translator): I will be released from here.

Board Member: You also stated on one occasion, "Me and my Arabic brothers will be back." What did you mean by that?

Detainee (through translator): We'll be back or we'll get out?

Board Member: I have, "We'll be back."

Detainee (through translator): These are not my words. To come back where? We are not in place to come back to. Where, to Cuba?

Board Member: That was my question, what did you mean by that?

Detainee (through translator): These are not my words. I never meant anything.

Presiding Officer: We are not trying to trip you up or anything. You might have said that at one time and regret saying it. I think the kind of answer we are looking for is, "Yeah, I said it," but that is not the way that I feel now. I don't know. I don't want to put words in your mouth.

Detainee (through translator): If I said anything I would tell you I said it.

***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 (through translator):*

The information that you have in your possession is wrong. Many things written here are so wrong. I plea that you go back to your files and review it and try to tell the truth. All that is written is wrong. Personally, I don't see any reason for me to be detained here for the last four years. There is no legitimate reason, so please review your files and information. Most of it is wrong. I wish this will happen soon and you will let me go. I don't want to go back into depression the way I did before, about three months ago. I don't want to die here.

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

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

Presiding Officer: Thank you. Did the Assistant Military Officer's information provide us with the information you wanted us to hear?

Detainee (through translator): Yes.

*Administrative Review Board Member's additional questions:*

Board Member: Where did your friend's family live, the one that took you to Afghanistan?

Detainee (through translator): In Kandahar City.

Board Member: You stated that he was a friend of your family. How long was he a friend of your family in Saudi Arabia?

Detainee (through translator): He used to work in Saudi Arabia. He was a baker.

Board Member: Before you left Afghanistan, was your friend still there or did he come to Pakistan when you were injured?

Detainee (through translator): I would say that he stayed in Afghanistan.

Board Member: With his family?

Detainee (through translator): I don't know. He might have gone back during the bombing. I don't know. I wish that he would be with his family, but I don't know what happened.



Board Member: Have you tried to contact him?

Detainee (through translator): I did not receive any news from my parents, so why should I contact someone outside my family?

Translator: This is a cultural thing. He means you try to ask for help from family first, if you don't get anything from family then you don't expect anything from friends.

Board Member: Would you be able to describe where in Kandahar your friend's family lived?

Detainee (through translator): On a farm.

Board Member: Kandahar is a big place.

Detainee (through translator): I don't know Kandahar. I just know he lived on a farm.

Presiding Officer: You just know that he lived on a farm.

*(Detainee gestured YES by nodding his head.)*

Board Member: And that is where you visited when you were in Afghanistan?

Detainee (through translator): Yes. (Pause) The reason I stayed in the hospital for two months was because of stomach problems. I still have these problems. I would like for the Board to assist me with convincing the people in the hospital to give me some kind of olive oil because it will heal my stomach. They have it here [and] I would like to have some.

Presiding Officer: Well, because you brought it up it will be in the transcript. However, as far as me being able to tell them how to be medical personnel, they will not take my advice. It will be on the record and I request that you ask to see the medical personnel and bring that up to them. I will send something to the lead medical personnel mentioning that, but I can't give you an honest answer on where it will go from there.

Detainee (through translator): That's okay. Just forget the request.

Presiding Officer: I will send the e-mail request to the head medical personnel. I just can't make any promises.

***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.***

ISN 274  
Enclosure (4)  
Page 13 of 14

**UNCLASSIFIED//~~FOUO~~**

AUTHENTICATION

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



ISN 274  
Enclosure (4)  
Page 14 of 14

**UNCLASSIFIED//~~FOUO~~**

000022 21

2221

Summary of Administrative Review Board Proceedings for ISN 329

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

*The Designated Military Officer (DMO) was sworn.*

*The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were 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 Notification of the Decision of the Administrative Review Board 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 in 16 June 2006. After reviewing 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 attend the ARB just to make a mockery of the board. The detainee was argumentative and skeptical throughout the interview. Copies of both the English and Arabic translated Unclassified Summary of Evidence was provided to the detainee upon his request.

At 1130 on 19 June 2006, a pre-ARB interview was conducted with the detainee. The detainee stated that he was not allowed access to the Unclassified Summary of Evidence and did not have adequate time to prepare for his ARB. The detainee stated he felt uncomfortable attending the ARB without making written notes or being able to review

ISN 329  
Enclosure (5)  
Page 1 of 7

the unclassified summary of evidence, and did not want to attend. The detainee was polite and attentive during this interview.

The AMO verified through proper channels that it was a fact the detainee was not allowed access to the unclassified summary of evidence due to a new policy change. Permission was obtained from the appropriate personnel for the detainee to keep and view the unclassified summary of evidence in his cell in preparation for the ARB. On 19 June 2006, the Unclassified Summary of Evidence was delivered to the detainee, who had permission to keep the documents in his cell.

At 1400 on 20 June 2006, a follow-up interview was conducted with the detainee. The detainee stated he had in fact received a copy of his unclassified summary of evidence and had time to review it. The detainee said he would attend his ARB, and in addition, would provide oral responses to the unclassified summary of evidence. The detainee was polite, attentive, and appeared interested in the process.

***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 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: (3.a.1) A foreign intelligence organization has provided information that indicates that the detainee was a member of a terrorist cell disbanded by foreign authorities.

Assisting Military Officer: The detainee stated that during the CSRT and the first ARB he told them this statement was not correct. The detainee stated he was not a part of a cell or organization in Syria or any other place.

Detainee: *(through translator)* I do not have anything.

Designated Military Officer: (3.a.2) Originally from Syria, the detainee arrived in Afghanistan in 2000 after spending several months in Iran.

Assisting Military Officer: The detainee stated he spent two months in Iran before going to Afghanistan.

ISN 329  
Enclosure (5)  
Page 2 of 7

Detainee: *(through translator)* Yes, that is true.

Designated Military Officer: (3.a.3) The detainee stayed in a house reserved for Syrians, which was located in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he stayed in a house in Kabul with seven Syrians.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.b.1) The detainee attended training from a sheik while residing at the Syrian guesthouse in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he did not get any military training in Afghanistan or Iran. The detainee said the sheik was not a military sheik, but a religious sheik. The detainee stated he attended Arabic religious sessions only, and that was just for 15 to 30 minutes, and on occasions. The Sheik was teaching, interrupting and hadith of the Koran.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.b.2) The sheik, an Egyptian, was an Amir in Egyptian Jihad Organization and was also the chief Mufti of al Qaida.

Assisting Military Officer: The detainee stated the sheik spoke standard Arabic language. The detainee said that he did not know the sheik was from Egypt or what. The detainee said the sheik was an older man who he only observed from a great distance. The detainee said he did not know if the sheik was al Qaida, he only heard that here.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.b.3) A foreign intelligence organization has provided information that indicates that the detainee joined an al Qaida training camp upon arriving in Afghanistan.

Assisting Military Officer: The detainee stated in all interviews I have told them this is not correct; I went to the Syrian house and did not leave until I left Afghanistan. The detainee said he did not receive any military training what so ever, not in Afghanistan or Syria.

Detainee: *(through translator)* Not in Syrian Army or Syrian military.

Designated Military Officer: (3.c.1) The detainee lived with three other detainees at the Syrian house in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he stayed in a house in Kabul, Afghanistan with seven Syrians.

Detainee: *(through translator)* Yes, owner of that house was also Syrian.

Designated Military Officer: (3.c.2) The Syrian house was located in the al Qaida enclave area of Wazir Akhbar Khan in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he did not hear the area was an al Qaida enclave until he was here. The detainee said during the CSRT and the first ARB this was a Taliban area, now it is an al Qaida area. If this statement is true then the Red Cross is al Qaida too because they were working in that area too.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.c.3) The Syrian group guesthouse was associated with al Qaida and was used for money and document forgery operations.

Assisting Military Officer: The detainee stated one person who was a refugee owned the house. The detainee said it was not true about forgery operations, this is the first time I have heard about this unit. There was no money or documents, even the interrogators did not mention this. Now I have heard it from you.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.c.4) A Yemeni detainee also stayed at the Syrian house on several occasions.

Assisting Military Officer: The detainee stated I did not see anyone else, only Syrians. I never saw a Yemeni.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.c.5) The detainee's name or alias appears on a document recovered from safe house raids on suspected al Qaida.

Assisting Military Officer: The detainee stated the name found on the computers, Abu Omar Mohammad is wrong. I told the interrogators during previous sessions they had the wrong name; my Konya is Abu Omar Al Hamwie, not Abu Omar Mohammad.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.d) The detainee was captured on 3 January 2002, on the Pakistan border.

Assisting Military Officer: The detainee stated he can not remember he date but it was in the Pakistan border.

Detainee: *(through translator)* Yes.

Designated Military Officer: (4) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001 and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Assisting Military Officer: He did not provide me a response to that one. He may want to answer it now.

Detainee: *(through translator)* About those issues, the attacks I only heard these things from the interrogators here. I never heard of September 11<sup>th</sup> attacks before. Only from interrogators they talk about it and they show me movies about it.

***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 the following questions for the Detainee.***

Assisting Military Officer: Would you please explain to the board why you are no longer a threat to the United States or its allies?

Detainee: *(through translator)* Before previously, I was never a threat to the United States or any other, so why would I be a threat now? Even in Syria, I never carried a weapon or fought or even fought with the Syrian military, I never done that. So I was not a threat in the beginning, so why would I be a threat now?

Assisting Military Officer: Explain your goals for your future if you were released or transferred?

Detainee: *(through translator)* Of course I will go back to my job working, to live my normal life.

Assisting Military Officer: Would you explain your behavior to the board while you are detained here?

Detainee: *(through translator)* I am usually quiet and well behaved, but sometimes because of the pressure I will overreact, but most of the time I am quiet and well behaved. Because of the illness I have I get upset, but I have never over talked and I never have any problems and the interrogators know this. I do not even like mixing up with a lot of people; interacting with a lot of people, I do not like that.

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

***Administrative Review Board Member's questions:***

Board Member: Could you explain to the board why you decided to go to Afghanistan?

Detainee: *(through translator)* Honestly, in the beginning I did not go to Afghanistan, I went to work in Iran. Then from Iran I went to Saudi Arabia. I was not able to obtain work permission or a visa. I did not have enough money to live there, so I was forced or I decided to go to Afghanistan. I did not find a good job in Iran. I was not left with any money. I did not have any more money to spend there, so I was forced to leave Iran to go somewhere else. I was not able to go back to Syria because I did not have any more money to go back. The only reason I stayed in Afghanistan, I was waiting to make some money so I can leave the country, so I was able to leave the country. All those incidents happened and I decided to leave and I was arrested at the borders.

Board Member: If you were to be released where exactly would you go to live to find work?

Detainee: *(through translator)* If the situation in Syria as well and I would not be tortured in prison, I would want to go back to my city in Syria, Hamah.

Board Member: Could you please explain. I need more clarification you left Iran because you could not find a job and that is why you went Afghanistan?

Detainee: *(through translator)* I worked there but the salary and the people, how the people treated me, I could not take it anymore. The salary was not much at all. The culture and way of life was not like mine. The language, a lot of culture clash, a lot of difficulties.

Board Member: What did you do for a job in Iran?

Detainee: *(through translator)* A butcher, in Syria and in Iran I was a butcher.

Board Member: If you wanted to go to Saudi, why did you go to Iran first?

Detainee: *(through translator)* Because someone in Saudi Arabia has to sponsor you. You need a residency; you need a lot of things before you go there. It is very difficult to go directly from Syria to Saudi Arabia and my money was not enough, it did not help me to go there; the money I had with me at the time.

ISN 329  
Enclosure (5)  
Page 6 of 7



Board Member: Was there a particular reason why you left Syria in 2000? Was it just at that point in your life that you decided to leave?

Detainee: *(through translator)* Opportunity at my age, I was 19 years old. I was able to get a passport and I was allowed to leave.

Board Member: Is 19 the first time you can get a passport?

Detainee: *(through translator)* At 18 years old it is very difficult because that is the military age time. It might take once before you can get it because of the military, because of the army.

Board Member: It states here that you were picked up in Pakistan or near Pakistan. Why were you there?

Detainee: *(through translator)* Because of the war in Afghanistan I wanted to leave; I left towards Pakistan. There was a tax and war there so I wanted to leave. Because I am Arab, they find me in Afghanistan they will kill me. So I went to Pakistan so I can leave and I was arrested at the border.

***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.



ISN 329  
Enclosure (5)  
Page 7 of 7

Numbers not used

2229-2245

Summary of Administrative Review Board Proceedings for ISN 433

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

*The Designated Military Officer (DMO) was sworn.*

*The Board Reporter, Translator, Assisting Military Officer (AMO), and Board Members were sworn.*

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

*The Detainee took the Muslim Oath.*

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

*The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board 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: Ma'am, the Detainee's ARB interview was conducted on 11 September 2006. After reviewing 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 wanted to attend the ARB. The Detainee was very cooperative, attentive, and polite throughout the interview. Copies of both the English and Arabic translated Unclassified Summary were provided to the Detainee, who accepted the documents. The Detainee appeared at his interview wearing a tan uniform. When asked if he wanted to attend his ARB, 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 claimed that some of the letters he wanted to present as evidence had been taken from him. The Detainee requested the AMO to retrieve these letters because they came from people who really know him. On

ISN 433  
Enclosure (5)  
Page 1 of 22

19 September 2006, a follow-up interview was conducted with the Detainee. It was explained to the detainee that there was some difficulty associated with obtaining the documents he requested. The Detainee was asked, if the documents were not available, would he consider attending his ARB without the documents. The Detainee stated, "Yes", he would still attend.

***The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to 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 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 of Evidence after it is 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 following primary factors favor continued detention: (3.a.1) The Detainee said he fled to Iran after committing a crime in Iraq. The Detainee stayed in Iran for approximately 14 months. The Detainee met an Iraqi smuggler that helped him and his family to a border town near Quetta, Pakistan. Then over a period of three months, the Detainee lived in Karachi, Quetta, and Islamabad, Pakistan. While in Pakistan, the Detainee contacted the United Nations for the purpose of requesting political asylum in Pakistan.

Detainee (*through translator*): This is false information. I would like to say, in general, that most of these allegations/accusations are false. If you have any questions you want to ask me, I can explain that thoroughly.

Presiding Officer: Well, we will still proceed through these particular statements and, if you have specific things that you want to say on specific statements, this is your opportunity.

Detainee (*through translator*): Based on these accusations, I never said that I committed a crime. Saddam Hussein is the one that committed the crimes. It is not the Iraqi population. If the interrogators consider the people that fought Saddam criminals, then that means we are all criminals. One more thing, to this point where I went to Iran, I have a document from my family that the lawyer has written, from the court of the new government in Iraq, stating why I left Iraq. The interrogators took that document from me. I requested to get it back so I can show it to you, but nobody would give it back to me. I also asked the AMO if he could request it and get it and he was not successful to get it.

ISN 433  
Enclosure (5)  
Page 2 of 22

Presiding Officer: There were a number of letters, which we did request from JTF, which we do believe to be the ones that you mean. The Board has received a number of these letters, but we are not at liberty to share them with you unfortunately because we got them from JTF and not from you.

Detainee (*through translator*): You requested last year and I got them. These letters belong to me. Why is it that, for some reason, you cannot share that with me?

Presiding Officer: I am not in charge of JTF policy, however, in order that this Board may proceed, to the best of your recollection, as these issues come up, please explain to the Board what is in the letters, who they are from, and we will compare them with those letters that we have received and try and put them together.

Detainee (*through translator*): That's good. Based on this that I stayed in Iran, I do have evidence of people that know that I stayed in Iran. And regarding Pakistan, I was no different than any other Iraqi that was looking for elsewhere to live. We asked for help. I did not ask for political asylum. This says political asylum but, actually, we did not ask for political asylum.

Presiding Officer: Okay. Certainly, we note the correction. Next, please.

Designated Military Officer: (3.a.2) A source said that the Detainee decided to create a fighting unit comprised predominantly of Iraqis and ethnic Arabs from within Afghanistan. The Detainee intended to sell the unit's services to the highest bidding warlord. The Detainee would promise them food, clothing, housing, transportation, and documentation if they would join his unit. If they refused, the Detainee turned them over to the Taliban as spies and subsequent imprisonment and torture.

Detainee (*through translator*): To be honest of you, the person that accused me of these things, this information has absolutely no truth to it. This person that accused me of doing so also wrote several statements stating that he lied during interrogation regarding this information. And regarding promising about food, and clothing, and housing, and all that, it has absolutely no truth to it. They probably just made up those things based on the things that that person accused me of. I was just like anybody else with my family living in the middle of the town over there. In fact, the Taliban offered me that house. Actually, the Taliban gave that house to someone else, but that someone else got arrested, so I ended up staying in that house and living in that house for the remainder of that time.

Member: I have a question. I understand you got to Pakistan; you were fleeing Iraq. I understand you were looking for assistance in Pakistan, but we missed a little bit here. You are now in Afghanistan. Can we find out how you can put that together for us? What caused you to go to Afghanistan versus staying in Pakistan? I mean, were there job

ISN 433  
Enclosure (5)  
Page 3 of 22

opportunities? And all the way up to how you got involved with the Taliban and finding residence. Did you have a job with them?

Detainee (*through translator*): I thought that you have that information because I explained this whole thing last year.

Member: We are a different panel. We review this independently of what the other panel did last year. This is a fresh look.

Detainee (*through translator*): I went to Pakistan and I asked for help, not as political asylum, but just humanitarian help. They gave me a document that had a picture of myself and my family. That document was to protect me from the Pakistani government that I was just going to live there and trying to get some help. I saw this document and I believe the interrogators have that document. I asked for it and they would not give it to me. I stayed in Pakistan. After that, the United Nation did not help me money-wise or things of that regard. Myself and my wife and kids went three days without having any food to eat or anything, not even a piece of bread. And then I asked for some help from a relative that worked in New York for a charity institution. He sent me some help, approximately 350 dollars. What I received was in Pakistani money. In comparison, it was about 20,000 Pakistani money, which comes to be around 350 dollars. Some Iraqis told me that they could take me back to Iran if I wanted to. Principally, I wanted to go back because it was very difficult living in Pakistan. They told me that the way back from Pakistan to Iran is a very difficult way, but that they could take me through Afghanistan back to Iran. It was such a difficult road. My wife was pregnant at the time and she lost the baby because it was a very difficult road to go back. I was convinced with that idea, so we decided to go through Afghanistan. Also, when we got to Kabul, they left me and my family stranded out there. I went to get evidence for my family, but I could not get the evidence because the person that was going to bring the evidence ended up going to Europe, so I could not get a hold of the evidence. I went to the police station in Kabul and asked for some help. They gave me some help because they told me I was considered a migrant. That was what made me stay in Afghanistan. I ended up staying in Afghanistan. But even though I stayed in Afghanistan, I always felt I was in danger because I was an Iraqi Shiite. All this was during the year 1998. I wrote letters to my family through the Red Cross from Kabul, Afghanistan. I told them I was in danger here in this country. I sent letters to my family asking them for the address and contacts of my cousin that lived in Sweden. His name was Abd Fasil al Sahalani. I explained in the letter that I sent him that I wanted to get out of Afghanistan. It took about six months to get a letter from my cousin, with the information in that letter. I called him and asked for his help. Also, my cousin left Iraq, fleeing Saddam Hussein's government. He told me to be a little bit patient because he had his family as well in Sweden. I made two copies of the letter that I had and I gave it to the last Board that I attended. It was the original letter that he wrote himself. I brought that letter that my cousin wrote personally and made copies of it in 1998. That copy should be with the interrogators. I have verification of the letter that I wrote my cousin. He wrote back that that was true. My

ISN 433  
Enclosure (5)  
Page 4 of 22

cousin is back in Iraq now and he is a member of the parliament in Iraq. He sent a letter stating, "The Detainee has contacted me when I was in Sweden. The Detainee tried to get my help to get out of Afghanistan."

Member: Okay. You answered my question. What I was trying to do was trying to figure out how you got there. My question now is how long did you stay and what type of work did you perform? Was your family still with you and did you support your family? How did you support your family?

Detainee (*through translator*): I did not do anything. There is a phone number that I believe you have of a person. Maybe you do not have it, but maybe the interrogators have it. I am sure they have a phone number for a person named Alzu Dani. This person is Shiite and he has nothing to do with the Taliban. I had asked for his help and he helped myself and my family. There is someone else by the name of Imam Mahmud that lived in Karachi. I also asked for his help. He is a very religious person and everybody knew this person and that I asked for help from him.

Member: Can you tell me how long you stayed in Afghanistan? Did you actually do anything for work or was it all charity that you received?

Detainee (*through translator*): Are you asking me about Pakistan or Afghanistan?

Member: Afghanistan.

Detainee (*through translator*): I stayed approximately three and half years in Afghanistan.

Member: With your family?

Detainee (*through translator*): Yes, with my family.

Member: And what about work? Did you work at all?

Detainee (*through translator*): In Kabul, I used to go to some immigration office that they had there. They supplied me with all the food that I needed. I used to ask the Ministry of Immigration for help and they used to supply me with food. I even have those letters to prove that I had asked for food and everything that I had asked for.

Member: That is a "no", you did not hold down a job in the three and half years?

Detainee (*through translator*): In Kabul, I did not work but, when I moved to Mazar-e-Sharif, I contacted a company, but I was still getting help from the Ministry of Immigration. That company did not offer me a salary, but they did offer me a

commission. They gave me products to sell and, when I sell products, in return, they would give me some commission.

Member: Can you give us a date or period when you did this? And where did you sell these products and what type of products did you sell?

Detainee (*through translator*): A store for satellite phones so that you could call outside of the country. And because I did not speak the language, I had hired an Afghani person to run the store for me, but that person stole money from the store, so that was why I could not make any living out of it.

Member: So you were actually managing a store in Mazar-e-Sharif?

Detainee (*through translator*): Yes. It was my own store, but I was not there a lot. I was the manager and I was basically managing the store, but there was an Afghani person that was working there because I needed him to communicate with people and explain to them about the products. The people that came there used to call abroad and talk to their family, or friends, or whatever, and there was no reason for me to be there.

Member: Okay. So you lived in a Taliban-provided home in Kabul, you took charity, your family stayed with you, but you would travel to Mazar-e-Sharif occasionally to oversee the operation of the store?

Detainee (*through translator*): I did not go from Kabul to Mazar-e-Sharif. After I moved with my whole family to Mazar-e-Sharif, that was when I started doing this. I stayed in Kabul for about eight months.

Member: Okay. Did you also get assistance with residence in Mazar-e-Sharif from the government?

Detainee (*through translator*): It was the same person that used to work for the police department in Mazar-e-Sharif. After I moved to Mazar-e-Sharif, I did not have a place to live, so he offered me to live in his house with my family. Then he left and went to war. He got arrested and I ended up living in the house.

Member: How long did you live there?

Detainee (*through translator*): Just about two and a half years or probably a little less than two and a half years.

Member: Okay. Thank you. That is all.

Presiding Officer: Okay. Thank you. Next please.



Designated Military Officer: (3.a.3) A source said that the Detainee assembled a group of fighters that he had recruited from the village of Koshilibad, Afghanistan. The Detainee took his group of fighters to the front lines to fight against the Northern Alliance.

Detainee (*through translator*): The only difference between number 2 and number 3 is that they changed it to Koshilibad, Afghanistan. It is basically the same thing.

Member: So you are denying it like you did in 2 and basically saying that the source lied and gave false information?

Detainee (*through translator*): They are talking about the same people but they made two points instead of just the same point; that is what I would like to explain to you and make it clear to you that both points are the same. They just changed it to Koshilibad, Afghanistan, but it was the same town and same people on both paragraphs.

Designated Military Officer: Do you deny fighting against Northern Alliance?

Detainee (*through translator*): I never fought against the Northern Alliance.

Presiding Officer: Okay. Thank you.

Member: I just want to know if you are denying it.

Detainee (*through translator*): I personally was sitting with the commander of the Northern Alliance the same night after the Taliban fell. I personally transferred the people that were fighting with the Northern Alliance for the commander the night that the Taliban fell. I believe the Northern Alliance know me a lot better than this source that is talking about me because, after the Taliban went down, I was living with them.

Member: Okay. I just want to make one thing clear. I want you to know that we are a neutral Board. We are trying to get your word out to us because these are things that people are saying and I want to know what you have to say. So when we ask you questions, it is not like an interrogation. We are asking you to basically defend yourself and give us explanations that will dispute this.

Detainee (*through translator*): I just want to make it clear that I got all of those letters from the Northern Alliance and those letters are here. They prove that I was with them during that time.

Member: And we recovered a number of these items. We will review every one that we have.

Detainee (*through translator*): That is great. If you could point at a letter that I received from the people of Mazar-e-Sharif. When I got here, they sent a letter to the American Forces asking them if they could come out here and visit me. So how was I fighting against them?

Member: Well, we have no control over that, but you brought up an interesting point that I would like to explore. I am trying to make sure I understand what was going on in your life while you were in Afghanistan. Obviously, there are people that had said things that you do not agree with. So we kind of jumped there. I had you in Mazar-e-Sharif, and you were running a shop, and it sounds like things were starting to turn for you for the better, but now we jumped to the fact that you were actually transporting and helping the Northern Alliance.

Detainee (*through translator*): Yes. Well, that is the problem. It is one point connected to another point.

Member: Right. If you could connect that for me. How did you get involved with the forces of the Northern Alliance? Do you have names or a name of someone that we can research to find out and see if this is connected? Anything you can do or any information you can pass on that is going to help us.

Detainee (*through translator*): I was living in a place that used to be owned by the Taliban, but none of the people there were from Mazar-e-Sharif. The Mazar-e-Sharif people were with the Northern Alliance, but they could not announce that publicly because the Taliban used to own and governed that area in Mazar-e-Sharif. The commanders of small villages in Mazar-e-Sharif did send some letters as well while I was here in Guantanamo; young commanders, not big commanders from the Northern Alliance.

Member: Okay. I understand the Taliban governed the area and a lot of people were afraid of them but, at some point, you said you went and actually assisted the Northern Alliance.

Detainee (*through translator*): I used to live in Mazar-e-Sharif but, after the events that happened in Mazar-e-Sharif, and I saw those events on TV, right away, I took my family and we went to this town called Koshilibad, Afghanistan. I left the residence where I was living in that belonged to the Taliban, along with all the food and everything else in that house over there. I had a car that was more like a taxi or a rental car that I used to transfer people from the village to the city. When I went to Koshilibad, Afghanistan, I started helping the Northern Alliance by transferring some of their fighters from there to a city called Balkh.

Member: Okay. So this person, who is making this accusation, that said you were with a group of fighters in the Koshilibad, Afghanistan area, could this person be mistaken?

ISN 433  
Enclosure (5)  
Page 8 of 22

Maybe what he thought he saw was you with other people that were not Taliban at all. Maybe they were the Northern Alliance.

Detainee (*through translator*): It was public in the whole world that this person was a commander working for the Northern Alliance but was pretending to be with the Taliban. This person was a big commander. He was a well-known commander. He fled when the Taliban found out that he was working with the Northern Commander. The area was surrounded by the Taliban so some of the people in the village came to my house and stayed with me for about three days. There was a person by the name of Shaha Biden Alaqi. We found a place for them in a different town that was also controlled by the Taliban, but they did not know that these people left. These people ran away from the Taliban so all I did was transfer them from Mazar-e-Sharif to a town called Samangan.

Member: Okay. And these people were Northern Alliance?

Detainee (*through translator*): Yes. They were discovered by the Taliban. The Taliban was looking for these people.

Member: Okay. Got it. And were these people armed?

Detainee (*through translator*): They did have weapons from the Northern Alliance but, when I transferred them, they did not have those weapons with them. When I transferred them, I came back in the car with somebody named Faheem.

Member: Okay. I am just trying to piece this together. You were helping the Northern Alliance to basically evade the Taliban, you were using your automobile, and the Northern Alliance fighters did not have any weapons; am I understanding this right?

Detainee (*through translator*): When I transferred them, they did not have any weapons. After they were transferred, they were given weapons by the Taliban. But in actuality, they were with the Northern Alliance. They worked for about a month or two with the Taliban in this new town called Samangan. The person that took these people, Shaha Biden, is the one that brought them back. This event took place months before September 11th. This town, Koshilibad, was the only town that did not fight against the Americans or the Northern Alliance because they were with the Northern Alliance from the beginning.

Member: Okay. Can you pinpoint a date for us a little better as to when this occurred?

Detainee (*through translator*): I do not know the exact date, but I can tell you that it was approximately towards the end of 2000 and the beginning of 2001.

Member: Okay. Thank you. That answered my question.

Presiding Officer: Thank you. Next, please.

Designated Military Officer: (3.b.1) A source said that the Detainee was a low ranking member of the Iraqi Interior Ministry Police from approximately 1982 to 1986. In 1986, the Detainee transferred to the Fourth Corps of the Iraqi Army and was a simple soldier who fought in the war against Iran.

Detainee (*through translator*): This thing is impossible because how does the source know where I was in 1982? And on top of that, in 1982, I was only 14 years old. A 14-year-old person cannot even be an employee in a company so how can a 14-year-old be in the military or the police in Iraq? I worked in Basra with the Basra Security in 1985. On February 22, 1987, they transferred us from Basra Security into the Army. I tried to flee the Army and they caught me and put me in jail.

Member: And this was in 1987?

Detainee (*through translator*): In 1988, they put me in jail because I tried to run away from the military. I went to court and they ended up putting me in jail. There were a lot of things that came out from the Ministry of the Interior in 1989 that all the police can either transfer to the military or resign from the police department, but they were not going to take them back into the police department. They had to either resign or stay in the military. After the war against Iran, they wanted to lower the number of the military. I resigned in June of 1989. I have a copy of my resignation from the new government of Iraq. I have it here. They have it somewhere here. You want to believe the source, but I have brought official documents and evidence that proves what I am talking about. If I fought against Iran, I will tell you I fought against Iran because I was defending my country if I did that, but I believe that, during interrogation, they added that point to those statements. I have never said that I fought against Iran. The people of Iraq were forced to go and fight against Iran; it was not by choice. That is not a crime.

Presiding Officer: Yes. Next, please.

Designated Military Officer: (3.b.2) The Detainee said that, from 1985 to 1991, he served in the Iraqi military's 702nd Brigade, a light infantry brigade, which utilized the Kalashnikov rifle and the Russian PK machine gun.

Detainee (*through translator*): This is the exact same subject that we just talked about. This is contradictory to what was said in the point before that I was in the police department in 1986. Here, it says I was in the Army in 1985.

Member: Okay. So we clarified this. You were never in a police department or never a member of a police department?

ISN 433  
Enclosure (5)  
Page 10 of 22

Detainee (*through translator*): I was in the Security Department of Basra, which belonged to the police department of Iraq.

Member: Okay. And what year was this?

Detainee (*through translator*): 1985 and 1986 only. On February 22, 1987, they moved them to the Army.

Member: Okay. Got it. We know when he got out of the Army. Just to clarify, what exactly did you do in the Army?

Detainee (*through translator*): Just a soldier.

Designated Military Officer: What rank did you hold? What is the Arabic word for your rank?

Detainee (*through translator*): Nalbailes.

Member: Nalbailes?

Detainee (*through translator*): Yes. It is lieutenant-sergeant.

Designated Military Officer: Thank you.

Presiding Officer: Okay. Next, please.

Designated Military Officer: (3.b.3) The Detainee admits to knowing how to interrogate in Arabic.

Detainee (*through translator*): That is not true, but I am an Arabic person. I do not have a different tongue. I only speak Arabic.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.1) A source said the Detainee was a member of the Amin Emergency Response Group while in Iraq. This group was responsible for tracking down people opposed to Saddam Hussein and then torturing or killing them.

Detainee (*through translator*): That is not true. That is false. Is that enough or would you like me to speak more about it?

Presiding Officer: It is up to you.

Detainee (*through translator*): I worked in the Ministry of the Interior and in security in Basra. This department that is talked about here, I have never heard of it, not even in Amin or outside of Amin.

Presiding Officer: Okay.

Detainee (*through translator*): The source says that these people that were against Saddam Hussein, they used to follow them or watch them. Saddam Hussein was in Bagdad; I worked in Basra. The people that this source is talking about, they are the people that burned movie theaters, or burned stores that sells liqueur or alcohol, or whatever, these are just bad people in the country. These people that go and kill members of the Red Cross, what do they have to do with that? They are saying that they are infidels or crusaders, but what do they have to do with that? It has nothing to do with them going out and killing members of Red Cross. The people that used to go and rob stores and take stuff from stores and all that, we used to watch these people. That is a normal thing. That is part of our job in the Amin department.

Presiding Officer: Next, please.

Designated Military Officer: (3.c.2) A source said that the Detainee was an important military commander with the Taliban in Mazar-e-Sharif and, because of his prominence, a bodyguard frequently accompanied the Detainee.

Detainee (*through translator*): They are talking about the same people that lived in that town from Mazar-e-Sharif. I believe the source is talking one of the commanders that came and visited me for those three days. I believe those are his bodyguards. Why cannot the source say that those are my friends or something? I am being accused that the people that stayed at my house were my personal bodyguards. So that is not true. These people were with the Northern Alliance but obviously living in a Taliban area. They only had nine weapons before, but the Northern Alliance offered them 30 or 40 weapons.

Presiding Officer: Okay. Next, please.

Designated Military Officer: (3.c.3) A source said that the Detainee worked as a recruiter for the Taliban and was an interrogator for the Taliban Police in Mazar-e-Sharif, Afghanistan. The Detainee's boss reported directly to Usama bin Laden and the next person under his boss in the chain of command was the Detainee.

Detainee (*through translator*): That is not true. They are talking about the same town that was talked about earlier. They are accusing me of being an interrogator. I would like to see one document or one paper that shows that I did interrogation or anything of that regard.

Member: I have a question. Obviously, there are people saying things about you. We already know because you told us that you did get involved, to some extent at least, taxiing some of these people back and forth. Explain to us and tell us in your own way exactly what you were doing and what your involvement was so that we can get a picture of this because these people are painting a picture that you are someone of great importance.

Detainee (*through translator*): Yes, I can explain that to you. I am going to tell you the truth and whatever you hear from my tongue will be nothing but the truth. I used to go to the police department about three times a day, morning, afternoon, and at night. I used to go to bring food for my family and kids. I used to take a plate with me. All my neighbors used to see me doing that. If they are accusing me because I was wearing one of those traditional dresses for the Taliban, everybody there wears the same thing.

Member: Okay. All right. So what I am hearing now is you went almost every day, three times a day, to the police station, which I am assuming is a Taliban-controlled police station.

Detainee (*through translator*): Yes. The higher people in the police department were from the Taliban.

Member: So maybe some of the people that are saying this misunderstood by virtue of going there? Maybe they thought he was more involved than what he really was?

Detainee (*through translator*): You do have some statements from the people that accused me of these things saying that they lied about what they said about me. Plus, I cannot go and explain my situation to every person that walk in the neighborhood saying that, "I am just getting food for my family."

Member: Now, why would you go to the police station to get food?

Detainee (*through translator*): Just charity help.

Member: You were giving food?

Detainee (*through translator*): No. I was getting food from the kitchen that was in police department.

Member: So you were receiving charity?

Detainee (*through translator*): Correct, as help to feed my family.

Member: Okay. That answered my question. Thank you.

Presiding Officer: Next, please.

Detainee (*through translator*): Sorry. I am sorry, but I would like to speak about this thing about reporting directly to Usama bin Laden. Regarding us, the Shiite, we do not consider bin Laden nothing but like bacteria; that is what we consider him as in the Shiite religion. This is a false accusation because, supposedly, my boss reported directly to Usama bin Laden; that is not true. It is false. It did not exist.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: (3.c.4) A source said that the Detainee worked with the Taliban Estakbarat and operated as a conduit between the Taliban Estakbarat in Mazar-e-Sharif and the former president of Iraq. The Detainee traveled via a secret vehicular route between Iraq and Mazar-e-Sharif, Afghanistan. The Detainee made a trip to get supplies from Iraq. Upon his return, the Detainee distributed the supplies to members of the Taliban.

Detainee (*through translator*): That is false as well. The source mentioned earlier that I had committed a crime in Iraq, so how am I going to go back to Saddam Hussein? I am accused of committing a crime in Iraq. How could I go back to Iraq and face Saddam Hussein? Regarding this story about secret way between Iraq and Mazar-e-Sharif, the source probably read the Harry Potter story. If this source knows the secret way, he should probably let the American Forces know about that secret way.

Presiding Officer: Okay. I take the point as false. Next, please.

Detainee (*through translator*): This source is very dangerous. You should put him in jail.

Presiding Officer: Thank you. Next, please.

Designated Military Officer: (3.c.5) A source said that the Detainee was the chief of the Taliban's interrogation office at Mazar, Afghanistan. The Detainee was responsible for overseeing and conducting interrogations. The Detainee had approximately 10 to 15 interrogators working for him. Afghans that were interrogated were mostly just questioned and sometimes beaten. Uzbeks were often beaten or tortured. Shiites were almost always tortured.

Detainee (*through translator*): That is false as well. The person who was in charge of interrogations for the Taliban was Mula Abdul Salaam. They kicked him out because he was taking bribes. Everybody knows that story that he was let go because he was taking bribes. The interrogators that used to work with the Taliban are the same ones that are working in the government over there right now. All of them are now working with the Northern Alliance. They are the same people that worked for the Taliban. Now, they are

ISN 433  
Enclosure (5)  
Page 14 of 22



working for the Northern Alliance. There were only two Uzbeks that were there, but I did not see them getting beaten or tortured. I believe they were thieves. The only dealings between them were just for commercial or business deals. It says that Shiites used to be tortured. That means it is to my benefit because I am a Shiite. Regarding the person that accused me, and probably putting me in jail, all the things that were said about me, I do have a written statement from him saying that it was not true and that it was a lie. This accusation with me being with the Taliban and all that, I have nothing to do with the Taliban.

Designated Military Officer: Madam President, may I recommend that the Board take a break or go into recess to attend to some administrative issues?

Presiding Officer: Very well. The Board will take a recess. DMO, note the date and time.

Designated Military Officer: Ma'am, the time is 1510 hours. The date is 26 September 2006.

***The Administrative Review Board recessed at 1510 hours, 26 September 2006.***

***The Administrative Review Board reconvened at 1515 hours, 26 September 2006.***

Presiding Officer: The Administrative Review Board is now reconvened. Designated Military Officer, please note the current time and date.

Designated Military Officer: Ma'am, the time is 1515 hours. The date is 27 September 2006.

Presiding Officer: Thank you. Next, please.

Designated Military Officer: (3.c.6) A source said that the Detainee was the Director of Intelligence for the Taliban at Mazar-e-Sharif, Afghanistan.

Detainee (*through translator*): That is false. The interrogator herself mentioned to me that, "We know that you are not the Chief of the Mohakh Barakh for the Taliban." The Chief of the Mohakh Barakh for the Taliban is here.

Member: Did you work for the intelligence?

Detainee (*through translator*): No.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: (3.c.7) A source said that, a few months prior to 11 September 2001, the Detainee sent an associate to Usama bin Laden's house in Khandahar, Afghanistan for money. At the meeting with Usama bin Laden, the associate received 11,000 United States Dollars. The Detainee used this money to dig wells in the Mazar, Afghanistan. The associate also received 100,000 United States Dollars from al Wafa for the Detainee to build a bridge, repair roads, and buy a car.

Detainee (*through translator*): That is not true. This is imaginative talk. This is all imagination because I never took any money or never did anything like that. If I had 50 Dollars with me, I would not have reached Cuba.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: (3.c.8) Al Wafa is under sanction by United States Executive Order 13224 to block property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism.

Detainee (*through translator*): I do know that. The one that accused me of this is here. He has a written statement saying what he said about me was not true. We had differences; that was why he wrote all these things about me. And on digging wells in the city, the interrogators had mentioned to me that I had nothing to do with that. She supposedly found out from the person, who was in charge of these things. He is here and he had already admitted to these things. They are accusing me of these things that somebody else had done.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: (3.d.1) The Detainee recalled that the Governor of Mazar-e-Sharif provided him with a permit to get his telephone turned on. The Detainee explained that satellite telephone service require a permit and a setup fee of 300 United States Dollars. The Detainee said he asked and received assistance from the Taliban because he had to feed his family.

Detainee (*through translator*): I would like to speak about his point. This point has some truth, but the sequence is not correct. So if I could speak to you about it. Regarding asking for help, I did ask for help in 1998, but the permit for the phone was in the year 2000. Regarding the 300 American dollars, every satellite phone stores over there do have to pay 300 Dollars monthly as taxes or whatever they call it over there. I could not pay this amount because my business was very slow and it was going down hills, so I could not afford paying it. I never paid for this until after I sold the store; that was when I paid this 300 Dollars. The money and receipts that I paid are all there in Mazar-e-Sharif. They were all documented and they are all there. Regarding the phone permit from the government of Mazar-e-Sharif, that is true, but he was the one who gave me the permit because I was considered a migrant from Iraq and I had a family. And if

ISN 433  
Enclosure (5)  
Page 16 of 22

we are talking about somebody who was in the Mohakh Barakh intelligence, that person does not need a permit to get a satellite phone. They are in the government. They do not need a satellite phone.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: (3.d.2) The Detainee said that, several times between 1988 and 1990, he was absent without leave during his military service. As a result, the Detainee was imprisoned at a military prison for a one year and nine months in Amara, Iraq and then discharged.

Detainee (*through translator*): We already discussed this point. I mentioned to you that I left in 1989. There are official documents that prove I left in 1989. I do not believe this is a crime.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: The following primary factors favor release or transfer: (4.a) The Detainee said that he never worked for the Taliban, but that members of the Taliban provided food and shelter for him and his family.

Detainee (*through translator*): That is true.

Presiding Officer: Next, please.

Designated Military Officer: (4.b) The Detainee said that he was not the Director of Intelligence for the Taliban and other Detainees are saying he is because they do not like him.

Detainee (*through translator*): Those people had admitted that they had lied. They lied regarding me.

Presiding Officer: Next, please.

Designated Military Officer: (4.c) The Detainee said he is a Shiite Muslim and that the Taliban disliked his religion, so why would they place him in charge.

Detainee (*through translator*): That is not true.

Translator: I am sorry. Let me clarify this with him because I think he misunderstood.

Detainee (*through translator*): This is not true because the Taliban did not know that I am a Shiite Muslim. I knew that I am a Shiite Muslim, but the Taliban did not know that. If they knew that, they would have most likely placed me in jail.

ISN 433  
Enclosure (5)  
Page 17 of 22

Member: Well, what did they think you were?

Detainee (*through translator*): Of course, they thought that I was Sunni. They did not know that I was Shiite.

Member: All right. Thank you.

Presiding Officer: Next, please.

Designated Military Officer: (4.d) The Detainee said that he was arrested at his home. The Detainee stated that a commander in the Northern Alliance asked him for a bribe to avoid turning him over to the American Forces.

Detainee (*through translator*): Yes, that is true. I was arrested in my house in the village. Thank God I did not have any weapons. The young commanders from the Northern Alliance told the American Forces that I did not have anything, and that I got my family with me, and that I was a migrant from elsewhere. When they caught me and tried to arrest me, one of those young commanders did ask me for a bribe and I told him I did not have any money.

Member: I have a question. You told us that you were assisting the Northern Alliance. So why do you think the Northern Alliance arrested you?

Detainee (*through translator*): The Northern Alliance is like parties; they have groups. The group that I was involved in was one of the weakest groups of the Northern Alliance. There were all kinds of differences and issues amongst themselves with the Northern Alliance. The Northern Alliance had arrested the young commander of the town where I was living. They confiscated about 5,000 weapons from him. Everybody knew who the commandant was; his name was Amir Jon. He was put in jail for three days, but he was with the Northern Alliance, so they let him go after three days, but they did confiscate about 5,000 weapons from him. Right now, he is still working with the Northern Alliance. When I got here, there were differences amongst themselves.

Member: So Jowad, you are saying, even though he was Northern Alliance, he was arrested and his weapons were confiscated?

Detainee (*through translator*): Yes, that is true because there were differences. One group was working with Hamacha Masud and the other group was working with Duston. They had problems amongst themselves.

Presiding Officer: Okay. Thank you. Next, please.

Designated Military Officer: (4.e) The Detainee said that he helped the Northern Alliance against the Taliban.

Detainee (*through translator*): Yes. I did mention to you that I had helped them by transferring some of the Northern Alliance people that were working against the Taliban.

Presiding Officer: Yes. Next, please.

Designated Military Officer: (4.f) The Detainee said that he knew nothing about the planned attack on the United States before 11 September 2001.

Detainee (*through translator*): Of course. This news was too much for me. This is just not my level. This is a way higher level than me. So who am I to tell about these things? I am nobody.

Presiding Officer: Next, please.

Designated Military Officer: (4.g) The Detainee stated that he had never used a weapon against the United States or the Northern Alliance.

Detainee (*through translator*): Yes, that is true. In the year 2000, I had an official passport from the Northern Alliance that was issued by the Northern Alliance. I had an extension visa from the Embassy of Uzbek. It was not from the Taliban. I got so frustrated because I did not have any money to leave. I had the visa, but I did not have the money to leave.

Member: So when you were arrested by the Northern Alliance, I am sure you explained all these things to these people about you supporting and helping them. You say all these things to them. So after you explained all this, you are saying that they just held you because they wanted you to pay them money. And because you did not pay them money, that was when they turned you over to the American Forces?

Detainee (*through translator*): The person that asked me regarding the money was on December 20, 2001. I know that date because it was Thursday at night. His name was Akh Bakh Khan. Even the people from the village went and told him that I did not have any money, but he was not convinced with that. They caught me on January 3, 2002. The people that caught me told the American Forces that they did not have any problems with me and that I immigrated from somewhere else.

Member: All right. Thank you.

Presiding Officer: Okay. Thank you.

*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 exhibits EC-C1 through EC-C2 to the Administrative Review Board on behalf of the Detainee.*

*The Detainee was asked if he would like to make an oral statement to the Administrative Review Board.*

*The Detainee made the following statement:*

Detainee (through translator): I will be very honest with you. The people that lived in Mazar-e-Sharif used to send me letters. My relationship with them was a very good relationship. The people here that complained and accused me of these things, our differences had become a lot bigger. They had opened new files in November of 2003, in Mazar-e-Sharif, on those people that lied about these accusations. These Detainees had made it such a big deal, but the American Forces had gone and talked to several people that lived in the town that I lived in. Those people stopped sending me letters because they did not want to be in danger sending these letters to me and having a relationship with me because of these big accusations against me. I am not against the United States. I never thought I would, one day, be against the United States. Before I left Iraq, we had American Forces that were in Basra in the southern part of Iraq. They were there with us. They were almost part of our lives. I never had any problems with the Americans, but I was in a place where the Taliban used to live. To me, I was kind of fooled to be there. Basically, what I am trying to say is that, I had a rental car that I used to transfer people, whether they were Taliban or Northern Alliance. They probably would have looked at people that did have a taxi or something to be transferred. So it was just part of the business that I transferred people, whether they were Taliban or other factions. The people from the village had weapons and all that. They were from the Northern Alliance. Now, they have even more weapons. So I have nothing to do with them. President Bush had announced, after all these events took place, that, "Either you are with us or you are against us." I am happy that, after all these events, I have nothing to do with the Taliban or anything like that. I even left the food and supply that I used to get from them. I stopped getting food from them. I was forced to do these things because I was living there. I had no other way of getting it. I heard some of those people are the ones who are killing some our people because they are the enemy of Shiite. Even here, they tried to kill me. I thought someone wanted to kill me because I was walking and he walked with me. They were saying, "Halarh", to "kill him". There is an animosity amongst ourselves. This is an old thing; it is not a new thing. If I walked with the Taliban or I associated with the Taliban, it was nothing but to supply food for my family. I never had anything in my mind that was political or religious. I would like to ask you if I could please be left alone because my wife, my kids, and my mom and dad, who are old people,

ISN 433

Enclosure (5)

Page 20 of 22

are in need of me. To start with, we ran away from the regime of Saddam Hussein; that was the reason why we left Iraq. A lot of my relatives are in the new government of Iraq. They are part of the government in Iraq. I do not have anything more than that. That is all I can say. I cannot defend myself more than that.

Presiding Officer: Thank you. Jowad Jabar, does that conclude your statement?

Detainee (*through translator*): I am sorry but, if I have freedom, I will get you 1,000 evidence or people that lived in Mazar-e-Sharif to be here. There were one or two people that hated me. There were thousands of people that loved me.

Presiding Officer: Okay. Thank you.

***The Assisting Military Officer did not have further information to be presented on behalf of the Detainee.***

Detainee (*through translator*): I am sorry. If I could make one more comment. I forgot about it.

Presiding Officer: Okay.

Detainee (*through translator*): Regarding what they talked about that I was recruiting people, and some of them were Iraqis, there were three Iraqi people that went to the Red Cross in Mazar-e-Sharif. The Red Cross in Mazar-e-Sharif supplied them with clothes and other things and gave each person 30 Dollars. These accusations are that I recruited them, but they have their documents with the Red Cross stating that they were there and they lied. You probably have the statements from the person that said I used to recruit them in front of you. He is the one that said I used to recruit them. He wrote a statement that that was not true. After the Taliban fell, I had written documents from the Northern Alliance that nobody can touch me or nobody can mess with me or my family. Thank very much.

Presiding Officer: Okay. Thank you.

***The Assisting Military Officer had the following question for the Detainee:***

Assisting Military Officer: What are your goals or plans for the future if you are released or transferred?

Detainee (*through translator*): To be honest with you, I would like to go back and take care of my family. Also, my family has told me that I have a job there. My cousin is the Deputy Secretary of the Iraqi Democratic Party in Iraq and he can probably give me a job as a bodyguard with him. I would like to serve my country and also serve myself.

Assisting Military Officer: Why do you consider yourself no longer a threat to the U.S. or its allies?

ISN 433  
Enclosure (5)  
Page 21 of 22

Detainee (*through translator*): First of all, I want to say that I do not have anything against the United States because they were the ones that saved my life in 1992 in one of the American hospitals in our area. Also, my family told me that they have better lives, better jobs. Obviously, the Americans have saved their lives as well. That, itself, forced me to love the Americans. Why would I want to hate them?

Assisting Military Officer: That is all, ma'am.

Detainee (*through translator*): When I was in Afghanistan, I used to have paper saying that nobody can approach me and bother me because I could not speak the language. In Afghanistan, with 1 Dollar, you can buy a lot of those papers that says, "You cannot bother this person," or whatever; basically, like a protection type of thing. If you would please review all the evidence and statements that the interrogators have as proof of what I am saying.

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

*The Administrative Review Board members 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.



ISN 433  
Enclosure (5)  
Page 22 of 22



Summary of Administrative Review Board Proceedings for ISN 438

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

*The Designated Military Officer (DMO) was sworn.*

*The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were sworn.*

Presiding Officer: How would you like me to address you?

Detainee (through translator): Hani.

Presiding Officer: Thank you.

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

Detainee (through translator): If the matter necessitates that I take an oath, I will.

Presiding Officer: We do not require that you take the oath.

*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 Notification of the Decision of the Administrative Review Board, 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 17 July 2006. After reviewing 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

ISN 438  
Enclosure (4)  
Page 1 of 17

behalf, the detainee stated he would attend the ARB, and wished to respond to each statement of the Unclassified Summary of Evidence after it is presented. The detainee was attentive and polite throughout the interview. A copy of the English and Arabic translated Unclassified Summary of Evidence was offered to the detainee, who accepted the Arabic version.

***The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, the CITF Redaction Memorandum, DMO-3, and the Terrorist Organization Reference Guide, 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 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: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The detainee had been taught the doctrine of jihad in the mosque he attended, specifically that it was a Muslim's duty to wage jihad against anyone who killed Muslims. During the eighth month of Ramadan, in the Islamic year of 1421, the detainee decided to join the jihad.

Detainee (through translator): This doctrine was not through a mosque. It was through the Koran who advised me to wage jihad.

Presiding Officer: Through your own reading of the Koran?

Detainee (through translator): Yes.

Designated Military Officer: (3.a.2) The detainee thought about fighting the jihad in Chechnya as it was considered a greater jihad than Afghanistan. The detainee considered Chechnya a greater jihad as the fight was not against other Muslims as in Afghanistan. The detainee could not arrange travel to Chechnya and settled on Afghanistan for his jihad.

Detainee (through translator): This is true.

Designated Military Officer: (3.a.3) The detainee was not responding to any specific fatwa and had not been directed to go to Afghanistan by anyone. Rather, the detainee

ISN 438  
Enclosure (4)  
Page 2 of 17

came to his own decision that it was his duty as a Muslim to join the jihad in defense of other Muslims. He left Riyadh with his Saudi passport, his Saudi national identification card and 7,000 Saudi Riyals.

Detainee (through translator): This is true.

Board Member: Since the conflict in Afghanistan was Muslims fighting Muslims unlike Chechnya as we just spoke about and you said that you were following no declaration, no specific fatwa, and no direction from anyone to go, how did you decide which side, since it was Muslims against Muslims, to fight on?

Detainee (through translator): The Taliban was the actual government in Afghanistan. There was a unit that came out of the Taliban to fight against the Taliban. The actual Taliban is the unit I belonged to. The Taliban government is the right side to belong to because the other side has come out of the Taliban, which is wrong. I chose to fight with the Taliban.

Board Member: Thank you.

Presiding Officer: You chose to fight with the Taliban because it was the legitimate government of Afghanistan?

Detainee (through detainee): Yes.

Designated Military Officer: (3.a.4) The detainee was aware that the best way into Afghanistan was through Iran. So, he and his friend went to Riyadh which took them through Jordan and on to Damascus, Syria. The detainee paid for his own travel with savings from his job at the Ministry of Islamic Affairs.

Detainee (through translator): Yes.

Presiding Officer: How were you aware of this route to travel to Afghanistan through Iran?

Detainee (through translator): They share the same border. Iran is a Muslim country and there was no trouble speaking to Iranians about getting to Afghanistan.

Presiding Officer: Everything you say is true; however, there are six countries on the border of Afghanistan and some of them are also Muslim countries or have large number of Muslims in them.

Detainee (through translator): That's what happened.

Presiding Officer: Tell me about the exact route that you took to travel to Afghanistan.

ISN 438  
Enclosure (4)  
Page 3 of 17

Detainee (through translator): From Riyadh, I took a bus to Jordan. I did not stay in Jordan. I went to Syria, Damascus where I spent three to four days waiting for airfare to travel to Afghanistan. From Damascus I waited for a friend to fly to Iran. I stayed six to seven hours in Tehran before arriving in Mashhad. I remained in Mashhad 48 hours before arriving in Afghanistan.

Presiding Officer: The route you described was used very much in early 2001 for people traveling to Afghanistan for the purpose of waging jihad.

Detainee (through translator): What is the troubling point about this?

Presiding Officer: Did you see any other people going to jihad as you were on your way there?

Detainee (through translator): There was only one person with me.

Presiding Officer: Tell me about that person.

Detainee (through translator): He is a relative. We went together to Afghanistan, and then we separated in Kabul.

Presiding Officer: A cousin?

Detainee (through translator): Yes, a cousin.

Designated Military Officer: (3.a.5) After their travel was approved the detainee went from Damascus, Syria to Tehran, Iran.

Detainee (through translator): Yes.

Designated Military Officer: (3.a.6) The next day, the detainee and his friend went to Mashed, Iran. They stayed in Mashed for two days then took a taxi to the Afghan border. The town located at the border crossing was Taibat, Iran. The detainee showed the Iranian border guards his passport, which they copied and then allowed him to cross on foot into Afghanistan.

Detainee (through translator): True.

Designated Military Officer: (3.a.7) The detainee and his friend were asked why they had come to Afghanistan, and they said that they were there to join the jihad. They stayed at the guest house for approximately one week during Ramadan in the winter of 2000, waiting for a large enough group to gather to be sent to training. After approximately eight or nine Arabs had gathered at the guest house, the group was taken

to the al Farouq Base outside of Kandahar, Afghanistan.

Detainee (through translator): I was taken to a camp. I was not aware that it was al Farouq. Mujahedin was the main focus of the training.

Presiding Officer: You expected to go to a training base?

Detainee (through translator): Yes.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.8) At the conclusion of their training, the detainee and his friend were returned to the guest house in Kandahar, Afghanistan. The detainee purchased clothing at the market in Kandahar, Afghanistan and then went to Kabul, Afghanistan the next day to join the fighting.

Detainee (through translator): True.

Designated Military Officer: (3.a.9) The first two weeks in Kabul, the detainee was in the rear helping with the kitchen. He was then issued a Kalashnikov rifle and sent to the front lines where he fought for five to six months. After a month and a half as an infantryman, the detainee was given a basic refresher course on how to operate the rocket-propelled grenade and became a rocket-propelled grenade operator for his unit. During this time, he was assigned to the Marwan Artillery Center.

Detainee (through translator): True. All of it.

Designated Military Officer: (3.b) Training. (3.b.1) At age nineteen, the detainee enlisted in the Saudi Army. This was during the Gulf War with Iraq. He served as a marine amphibious tanker in the Saudi Army. According to the detainee, he was essentially a soldier who rode to the battlefield in the back of a tank. He trained at Rais al Gard and learned to use a 9 mm pistol and a Hechler & Koch G-3 assault rifle.

Detainee (through translator): Yes. True.

Designated Military Officer: (3.b.2) Basic training in the Saudi Army typically lasts nine months, but due to the Gulf War, the detainee's training period was reduced to 45 days. He was then deployed to an area approximately 45 kilometers southeast of Khafji, Saudi Arabia which was referred to as Rais Mi Shab. He served on the second line and did not see combat. While there, he trained with soldiers from the United States.

Detainee (through translator): True.

Presiding Officer: When you served with the United States soldiers in the Gulf War,

ISN 438  
Enclosure (4)  
Page 5 of 17

what did you think of them?

Detainee (through translator): I did not have any particular opinion.

Presiding Officer: What sort of training did you do with them?

Detainee (through translator): Physical training. A few of us received training on weapons, camouflage techniques, and land mine disarmament.

Presiding Officer: Did you ever talk to the soldiers?

Detainee (through translator): Yes.

Presiding Officer: About what sort of things?

Detainee (through translator): This happened about 15 years ago. I do not remember what we talked about.

Presiding Officer: Do you remember how you felt about the soldiers after talking to them?

Detainee (through translator): It was a normal feeling from one person engaging another.

Presiding Officer: No hostility?

Detainee (through translator): No.

Presiding Officer: Now that you have seen more of United States soldiers here, what do you think?

Detainee (through translator): Anywhere in the world, there are bad people and there are good people. You respect people who treat you with respect and ignore the ones who do not.

Presiding Officer: I understand. Thank you.

Designated Military Officer: (3.b.3) The detainee went to Jubail, Saudi Arabia where he became a military police officer. However, he stayed in Jubail, Saudi Arabia for only a short time, after which he left the army. The detainee was approximately 21 or 22 when he left the Saudi Army.

Detainee (through translator): Yes, but I was an officer.

Presiding Officer: Thank you.

ISN 438  
Enclosure (4)  
Page 6 of 17

Designated Military Officer: (3.b.4) All students that take the basic training class at al Farouq get the same type of training no matter what class they are in. The training consists of weapons training, basic commando, topography and explosives. Each subject is taught in a two week time period. Following the basic training, students go back to their safe house in Kandahar where they are given the following choices of advanced training: guerrilla warfare, conventional warfare, and advanced explosives.

Detainee (through translator): What does basic commando mean?

Presiding Officer: It is an introduction to become a soldier in a small unit to perform a mission inside enemy territory.

Detainee (through translator): I have never heard of basic commando.

Presiding Officer: In that case, for the record, we will strike the term commando from our deliberation.

Detainee (through translator): I did not receive training on explosives.

Presiding Officer: At that time or never?

Detainee (through translator): Never.

Presiding Officer: We will take that into consideration.

Board Member: Can we get a yes or no answer on students being given the following choices of advanced training: guerilla warfare, conventional warfare, and advanced explosives?

Detainee (through translator): Yes.

Board Member: Which one did you choose?

Detainee (through translator): I did not choose any. I just took the basic training class.

Designated Military Officer: (3.b.5) A Yemeni ran the al Farouq camp. The detainee was trained to use a Kalashnikov rifle, a PK machine gun, a 9 mm pistol and a rocket-propelled grenade. The detainee also learned how to read maps, how to dig trenches and camouflaging techniques, as well as how to find and disarm land mines. The training also consisted of physical training. The detainee trained specifically to fight the Northern Alliance. There was no mention of fighting the United States during his time at al Farouq.

Detainee (through translator): True.

Board Member: Thank you.

Board Member: You say that back when you trained with soldiers from the United States in the Gulf War, you received physical training, weapons, camouflage techniques, and disarm land mines trainings. At al Farouq, you received physical training, camouflage techniques, how to disarm land mines and dig trenches. Did you receive the same type of training with the U.S forces back in the Gulf War that you received at al Farouq?

Detainee (through translator): During the Gulf War, I did not use the Kalashnikov. With the American soldiers, I trained on camouflage techniques, physical training, and how to dig trenches. In al Farouq, I trained on the Kalashnikov.

Board Member: Thank you.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) After the detainee completed his training, the individuals he received training with were divided into different groups as they were being sent to the front lines. The smaller groups were usually divided into groups by their nationality such as Arab, Pakistani, or Afghani. The detainee was placed into a small group of all Arabs. The small groups of fighters fell under a larger command which was headed by an Afghan or Yemeni.

Detainee (through translator): True.

Presiding Officer: Do you know if this Afghani or Yemeni was a member of the Taliban?

Detainee (through translator): Yes, of course he was a member of the Taliban.

Presiding Officer: He would not have had to be from the Taliban. He could have been from al Qaida or other groups as well.

Detainee (through translator): I do not think so because front line fighters are members of the Taliban.

Board Member: This larger command that was headed by an Afghani or Yemeni that your small group fell under, do you remember them having a name or destination?

Detainee (through translator): No.

Board Member: Thank you.

Designated Military Officer: (3.c.2) A senior al Qaida operative said that he recognized

ISN 438  
Enclosure (4)  
Page 8 of 17



the detainee and knew him by another name. The al Qaida operative indicated that the detainee was a member of Abu Layth al Libi's group in Kabul, Afghanistan and told the detainee to find a Pakistani so that he could help the detainee to fix his Pakistani visa.

Detainee (through translator): This is not true.

Presiding Officer: What part of it is not true?

Detainee (through translator): I have never been a member of Layth al Libi's group. This is the first time I have heard of it.

Presiding Officer: You never heard of it when you were in Afghanistan?

Detainee (through translator): No, never.

Presiding Officer: We will not use this statement when we consider our decision.

Designated Military Officer: (3.c.3) The detainee was in charge of the Libyan Islamic Fighting Group also known as Groupe Islamique Combattant Libyan Logistics in Karachi, Pakistan.

Detainee (through translator): I have no association with this group. I heard of it for the first time in the interrogation room.

Presiding Officer: You never heard of them when you were in Afghanistan?

Detainee (through translator): I have heard of this group in the news and the newspapers, but I have no association with this group.

Presiding Officer: The Board will not consider item 3.c.3 in the deliberation. In the interest of time, since the next item is also linked to the Libyan Islamic Fighting Group, and if we are going to strike 3.c.3, we will do the same for 3.c.4.

***The Designated Military Officer did not read item 3.c.4.***

Designated Military Officer: (3.d) Other Relevant Data. (3.d.1) The United States bombing campaign began in the Konduz region during the last few days the detainee was there. His particular location, however, was not bombed. The detainee denied fighting against Americans, including specifically denying shooting at American planes. The detainee's unit withdrew from the front lines shortly after the American bombing in the region began. During the withdrawal, an Uzbek who was fighting on behalf of the Taliban shot the detainee. The detainee advised that this friendly fire incident occurred at night during a disorienting firefight with Northern Alliance soldiers.

ISN 438  
Enclosure (4)  
Page 9 of 17

Detainee (through translator): True.

Presiding Officer: It's a proverb for us that there is no such thing as friendly fires. I think maybe that would be true for you too.

Detainee (through translator): It is hard to take it that way.

Presiding Officer: If they shoot you, it is unfriendly even if it is your people.

Detainee (through translator): Yes.

Board Member: How did you know it was an Uzbek soldier who shot you?

Detainee (through translator): A few people had been shot and we were told it was an Uzbek soldier.

Designated Military Officer: (3.d.2) Eventually, the detainee's unit was ordered to withdraw from Konduz, Afghanistan and to report to Mazar-e-Sharif, Afghanistan where they were to surrender their weapons to General Dostum. They were told that if they surrendered their weapons to General Dostum, they would be allowed to continue to Kandahar, Afghanistan and then leave Afghanistan to return to their countries. However, when they arrived at Mazar-e-Sharif, Afghanistan, the detainee and the others were arrested and imprisoned.

Detainee (through translator): What does report to Mazar-e-Sharif mean?

Presiding Officer: It means that you were directed to go there.

Detainee (through translator): Yes.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2006 and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee (through translator): True.

Presiding Officer: For the record, I want to note that paragraph 4.a has a typo for the year. It should be 11 September 2001, not 11 September 2006.

Designated Military Officer: (4.b) The detainee was queried regarding any knowledge or planning of internal uprisings at the Guantanamo Detention Facility with negative results.

Detainee (through translator): True.

ISN 438  
Enclosure (4)  
Page 10 of 17

Designated Military Officer: (4.c) The detainee denied any affiliation with al Qaida and denied knowing anyone who was affiliated with al Qaida. The detainee stated that he is simply Mujahedin, which he described as a follower of the beliefs as written in the Koran. Mujahedin are guardians over other Muslims.

Detainee (through translator): True.

Board Member: Back when you were in training at al Farouq, just to be clear, you never heard anybody mentioned or never knew anyone who was also trained at al Farouq, stayed in the guest house, or in the front lines with you that was connected with al Qaida or was a member of al Qaida?

Detainee (through translator): No.

Board Member: Thank you.

Presiding Officer: We asked that question because al Farouq training camp was run by al Qaida.

Detainee (through translator): I did not know that al Farouq was run by al Qaida until I got here; the interrogators told me.

Presiding Officer: Thank you.

Designated Military Officer: (4.d) The detainee advised that if he were released from prison he would return to Riyadh to get married.

Detainee (through translator): I want to go back to a normal life, not to just get married.

Presiding Officer: I understand.

Designated Military Officer: (4.e) The detainee denied that he received any weapons training during this three-year period in Riyadh and denied involvement in terrorists organizations.

Detainee (through translator): What three-year period?

Presiding Officer: This is presumably the period before you decided to go on jihad.

Detainee: [nods assent]

Designated Military Officer: (4.f) The detainee heard about the attacks in the United States approximately five to seven days later. The detainee did not approve of the attacks

ISN 438  
Enclosure (4)  
Page 11 of 17

in the United States because of the killing of women, children and the elderly. The Koran forbids such killings.

Detainee (through translator): True, but it was five days later, through the news.

Designated Military Officer: (4.g) The detainee did not consider the United States an enemy, although he acknowledged that he believes the United States policy regarding the conflict between Israel and Palestine is wrong.

Detainee (through translator): True.

***Presiding Officer: We will take a brief recess to escort the observers out.***

***The Board recessed at 1511 hours and reconvened at 1518.***

Presiding Officer: Before we resume, I want to make sure that you had enough water and that you are ready to talk again.

Detainee (through translator): Yes.

Presiding Officer: The Board Members will ask you more questions after which you will have a chance to make a statement.

Presiding Officer: You decided to join a lesser jihad, would you agree it was a lesser jihad?

Detainee (through translator): It is not a lesser jihad, it is a jihad. However, the reward is not as important.

Presiding Officer: When I think of jihad, I think of a greater jihad which is an internal struggle, the struggle to control and to submit.

Detainee (through translator): I do not understand.

Presiding Officer: The struggle that is inside me is more significant than whatever physical struggle I fight because I must submit; I must acknowledge that God is the Almighty.

Detainee (through translator): In terms of doing good or bad?

Presiding Officer: Yes.

Detainee (through translator): Yes, this is the greater jihad.

Presiding Officer: That's what I have read in the Hadith. You decided to join jihad in Ramadan in 1421, is that correct?

Detainee (through translator): Yes, but I do not remember the exact date; it was either 1421 or 1422.

Presiding Officer: I understand. Even if you do not remember the year, do you remember where you were at that Ramadan when you decided to join the jihad?

Detainee (through translator): In Riyadh.

Presiding Officer: Who was with you in that Ramadan, were you with your family?

Detainee (through translator): Yes.

Presiding Officer: When was the last time you saw your family?

Detainee (through translator): That was the last time I saw my family.

Presiding Officer: Did you discuss the decision to go on jihad with your family?

Detainee (through translator): Yes.

Presiding Officer: What did they say?

Detainee (through translator): They did not favor the idea. There is no father who would sacrifice his son.

Presiding Officer: Your father was against it?

Detainee (through translator): Yes.

Presiding Officer: How about the uncle who was the father of the cousin that was with you?

Detainee (through translator): My uncle shared the same opinion as my father.

Presiding Officer: Did you tell them you were actually going or did you just go?

Detainee (through translator): They did not like the idea.

Presiding Officer: So you went against your father's wishes. It seems to me that was disrespectful to your family. How did you decide to do it anyway?

Detainee (through translator): It was not a matter of disrespect. My father was speaking out of emotion as a father. He was not being rational.

Presiding Officer: Have you heard from your family while you are here?

Detainee (through translator): Yes, through letters.

Presiding Officer: If you had a son now who was between 19 and 21 years old and who wanted to go on jihad, what would you tell him?

Detainee (through translator): That would be difficult, but if it is to protect Muslims, that would be the right choice.

Presiding Officer: Do you believe there is a struggle today anywhere in the world where you would allow your son to go on jihad?

Detainee (through translator): I have no idea about what is going on outside the world. If there was a necessity to protect women and innocents, that would be his choice.

Presiding Officer: Let's look at some news inside Camp Delta. Did you know any of the detainees who committed suicide?

Detainee (through translator): I knew one of them. He lived in a cell next to mine.

Presiding Officer: What was his name?

Detainee (through translator): Ali.

Presiding Officer: Were you next to Ali's cell the night that he killed himself?

Detainee (through translator): I was at Camp V while he was at Camp I.

Presiding Officer: What did you think of that?

Detainee (through translator): I do not know the reasons behind the suicides.

Presiding Officer: I am sorry; I cannot take that answer seriously.

Detainee (through translator): Why?

Presiding Officer: Because everybody in the Camp has an idea about the suicides.

Detainee (through translator): I heard about the reasons behind the suicides from the interrogators, but I do not know the real reasons they had to commit suicide.

Presiding Officer: How do you feel about that?

Detainee (through translator): I have bad feelings about it. I was very sad about the situation.

Presiding Officer: I think I know something about how you feel because I have had a very close family member who committed suicide also. I know how hard that is and I am sorry for the loss of your friend.

Detainee (through translator): My feelings about the situation are quite difficult.

Presiding Officer: Do you think the Koran permits suicide?

Detainee (through translator): No.

Presiding Officer: I saw in the notes that you do not like the medical treatment here.

Detainee (through translator): A lot of mistakes were made.

Presiding Officer: Like what?

Detainee (through translator): The doctors are usually very late. I usually wait a long time before I see the doctor.

Presiding Officer: So do I. In the Camp, there is one medical person for every five detainees. In the town where I lived, there is one doctor for every 28 people.

Detainee (through translator): There are five hundred detainees here. If America is so powerful and has all types of technologies, it should be able to medically cover five hundred people.

Presiding Officer: Is there any treatment that you need right now that is not being attended?

Detainee (through translator): I have given up. It is almost impossible to receive treatment.

Presiding Officer: Do your wounds bother you?

Detainee (through translator): What wounds?

Presiding Officer: You were shot by that Uzbek soldier.

Detainee (through translator): I do not have any wounds, but I have problems with my teeth.

Presiding Officer: I advise you to tell the medical people that you need to see a dentist.

Detainee (through translator): I told them several times. They said that my name is on the list.

Presiding Officer: If your name is on the list, they will eventually get to you.

Detainee (through translator): I hope so.

Presiding Officer: You say that that the United States policy with regards to Israel and Palestine is wrong. The fact that you can pick out something that United States does wrong suggests that there are things you think that the United States have done or are doing right; I would be interested to know about that.

Detainee (through translator): When the Serbs attacked the Muslims in Yugoslavia, America intervened. America has not done anything about what's happening between Israel and the Palestine where people die everyday.

Presiding Officer: That is a very bad situation; you are right. Is there anything else you can think of besides stopping the Serbs from killing the Muslims in Yugoslavia that the United States have done right?

Detainee (through translator): Removing Saddam from power in Iraq was a positive thing.

Presiding Officer: So, you did not like Saddam?

Detainee (through translator): No. He was not a fair leader.

***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 stated that he had no additional comments.***

***The Detainee made the following statement:***

Detainee (through translator): I do not have a statement to make, but I would like to know why I am still detained here. I have never had any problems with anyone. I have not committed any crime.

ISN 438  
Enclosure (4)  
Page 16 of 17



Presiding Officer: The decision to detain you came from last year's Administrative Review Board; it is something that I do not know about. As you know, there are people who are being sent out of the camp. I will explain the process for making your decision later in these proceedings. What else would you like to say?

Detainee (through translator): I do not have anything to say.

Presiding Officer: I want to thank you for coming here. I think it is very important for detainees to come to these hearings. I hope you tell people that you were treated with respect here. I think we have treated you with respect, do you agree?

Detainee (through translator): Yes.

Presiding Officer: I hope you tell people how you were treated, and I hope you encourage them to come to these boards.

***The Assisting Military Officer had the following questions:***

Assisting Military Officer: If released, what would be your plans for the future?

Detainee (through translator): My hope is to be released, have a normal life, and have a family.

Assisting Military Officer: Thank you.

***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.



ISN 438  
Enclosure (4)  
Page 17 of 17

UNCLASSIFIED//~~FOUO~~

Summary of Administrative Review Board Proceedings for ISN 441

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

Presiding Officer: Is it okay if I refer to you as Abdul?

Detainee (through translator): Abdul Ahmed.

*The Designated Military Officer (DMO) was sworn.*

*The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were sworn.*

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

Detainee (through translator): I don't need to take the oath but I will speak the truth under God.

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

*The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board, 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 27 November 2006. After reviewing 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 wanted to attend the ARB. The Detainee was attentive and polite throughout the interview. Copies of both the English and Arabic translated Unclassified Summary and detainee writing templates were provided to the detainee upon his request. Additional Comments: The detainee appeared at his interview wearing a tan uniform. The detainee asked questions about the ARB process which were answered by the AMO.

ISN 441  
Enclosure (4)  
Page 1 of 9

UNCLASSIFIED//~~FOUO~~

00002285 2285

UNCLASSIFIED//~~FOUO~~

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1; the FBI Redaction Memorandum, DMO-2; the CITF Redaction Memorandum, DMO-3; and the Terrorist Organization Reference Guide 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.*

Detainee (through translator): Is this the unclassified portion? I have my statement with me.

*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 (3.a.1): The detainee purchased and viewed a jihad recruitment video.

Detainee (through translator): I would like you to read the whole thing. I will make comments at the end.

Presiding Officer: There is an opportunity for a final statement or comments later in the Board. We will allow your statement at that time.

Detainee (through translator): Yes.

Presiding Officer: You are certainly allowed to offer a response. We will still translate bullet by bullet and you are allowed to respond at any time.

Detainee (through translator): I would like to respond at the end.

Designated Military Officer (3.a.2): The detainee attended speeches about jihad in Yemen.

Designated Military Officer (3.a.3): The detainee stated that another individual normally provided money for tickets from Yemen to Afghanistan, but the detainee chose to travel at his own expense.

Designated Military Officer (3.a.4): The detainee stated he flew from Sanaa, Yemen to Dubai, United Arab Emirates to Karachi, Pakistan. The detainee then traveled by bus from Karachi, Pakistan to Kandahar, Afghanistan.

ISN 441  
Enclosure (4)  
Page 2 of 9

UNCLASSIFIED//~~FOUO~~

00002286  
2286

**UNCLASSIFIED//~~FOUO~~**

Designated Military Officer (3.a.5): After arrival in Kandahar, Afghanistan, the detainee stayed one week at the al Nibras Guest House.

Designated Military Officer (3.a.6): The detainee stated he traveled to the al Farouq Training Camp by bus.

Designated Military Officer (3.a.7): After attending al Farouq Training Camp, the detainee stated he traveled to Kandahar, Afghanistan, where he stayed in a guest house for three weeks.

Designated Military Officer (3.a.8): The detainee traveled to the Arab House in Kabul, Afghanistan and waited there for two to three months.

Designated Military Officer (3.a.9): The detainee stated he was injured during a United States bombing raid on the northern lines in Afghanistan.

Designated Military Officer (3.a.10): The detainee spent two weeks in a hospital in Konduz, Afghanistan. The detainee then followed an order for all Arabs to proceed to Mazar-e-Sharif, Afghanistan.

Designated Military Officer (3.a.11): A source identified the detainee as someone from the front lines in Afghanistan and in Konduz, Afghanistan. The source said that the detainee claimed to have training videos with him that he had produced about mines and minefields, a video camera, a bag full of money from all countries and many passports from dead Arab fighters.

Designated Military Officer (3.a.12): The detainee stated he would be honored to be an al Qaida member.

Designated Military Officer (3.b.1): The detainee stated he attended a 57-day training course at al Farouq Training Camp. Training included marksmanship and assembly and disassembly of numerous weapons.

Designated Military Officer (3.b.2): While at al Farouq Training Camp, the detainee stated he received training on the AK-47, pistols, M16, Uzi, G-3, Kalaco rifle, RPG and land mine theory.

Designated Military Officer (3.b.3): The detainee did well at al Farouq Training Camp and was given specialized training. The training included how to dress and act in an airport, a special way of talking, as well as how to resist interrogation and torture.

Designated Military Officer (3.b.4): The detainee stated he was aware of 80 individuals who were pulled out of al Farouq for special operations. The detainee also stated the nineteen 11 September 2001 hijackers trained at al Farouq.

ISN 441  
Enclosure (4)  
Page 3 of 9

**UNCLASSIFIED//~~FOUO~~**

00002287  
2287

UNCLASSIFIED//~~FOUO~~

Designated Military Officer (3.c.1): The detainee heard about al Qaida training courses available in intelligence collection, mountain warfare, artillery, topography, land navigation, Stinger and SA-7 anti-aircraft missiles, military leadership, urban warfare, building and planting explosive devices, forgery and poisons.

Designated Military Officer (3.c.2): During the detainee's stay at al Nibras Guest House, Usama bin Laden visited twice with senior al Qaida operatives, including Abu Hafsa.

Designated Military Officer (3.c.3): The detainee stated Usama bin Laden was a great man and that he knew the detainee and sat with him.

Designated Military Officer (3.c.4): Usama bin Laden visited al Farouq twice in late July, early August 2001.

Designated Military Officer (3.c.5): The detainee claimed Usama bin Laden told him al Qaida would set up a headquarters in Yemen after al Qaida was forced out of Afghanistan.

Designated Military Officer (3.c.6): The detainee stated he attended a meeting prior to 11 September 2001; the attendees discussed an upcoming operation that was going to take place and whether the Americans would invade Afghanistan after the attack. Al Qaida decided if America did not respond, al Qaida would launch another operation until Americans did respond.

Designated Military Officer (3.c.7): The detainee explained that every al Qaida operational team has a manager who makes decisions without having to consult Usama bin Laden.

Designated Military Officer (3.c.8): The detainee stated he sat with Usama bin Laden more than ten times and that the detainee has information regarding future attacks planned against the United States.

Designated Military Officer (3.c.9): The detainee stated he may have been on a mission for Usama bin Laden when he was caught or arrested, but he refused to be specific.

Designated Military Officer (3.c.10): The detainee was selected at al Farouq to be taken to see the fighting at the front lines. There, the detainee had the opportunity to sit down with al Qaida leaders and talk to them.

Designated Military Officer (3.c.11): The detainee's name appeared on a list of al Qaida Mujahedin trust accounts seized during raids of al Qaida associated safe houses.

Designated Military Officer (3.c.12): The detainee's name appeared on a list of killed or wounded al Qaida martyrs recovered during the capture of a senior al Qaida operative.

ISN 441  
Enclosure (4)  
Page 4 of 9

UNCLASSIFIED//~~FOUO~~

00002288

**UNCLASSIFIED//~~FOUO~~**

Designated Military Officer (3.d.1): The detainee stated he was captured at Mazar-e-Shariff, Afghanistan, spent 52 days in prison and was present during the uprising.

Designated Military Officer (3.d.2): The detainee stated he knew Usama bin Laden was preparing a big strike and several smaller attacks on the United States. The detainee stated his sources of information were good and believed the attacks would happen.

Designated Military Officer (3.d.3): The detainee stated he planned deception with personnel in the cell blocks with the goal of learning interviewing styles and approaches.

Designated Military Officer (3.d.4): The detainee stated his mission was to collect information on our techniques and to waste our resources investigating his lies.

Designated Military Officer (3.d.5): The detainee claimed he was a terrorist and that he would never give the United States information that would help them fight Muslims and terrorists.

Designated Military Officer (3.d.6): The detainee remained imprisoned at Mazar-e-Sharif, Afghanistan until shortly after it fell to Northern Alliance Forces.

Designated Military Officer (3.d.7): The detainee attempted to escape from the prison at Mazar-e-Sharif, Afghanistan with fifteen others. The detainee stated some of the others were killed; he was shot, wounded and recaptured.

Designated Military Officer (4.a): The detainee believes Usama bin Laden is a heretic who goes against the teachings of the Koran.

Designated Military Officer (4.b): The detainee does not agree with al Qaida because they target the innocent, which the Koran forbids.

Designated Military Officer (4.c): The detainee was against some of the policies of al Qaida, including suicide missions and killing innocent people.

Designated Military Officer (4.d): The detainee stated he did not go to train to fight the United States Forces. The detainee went to fulfill his religious duty to protect himself and his honor, and did not consider his training to be offensive in nature.

Designated Military Officer (4.e): The detainee claimed he was against the 11 September 2001 attacks and did not consider them jihad. The detainee believes jihad is man fighting man, not man fighting against innocent people.

Designated Military Officer (4.f): The detainee denied having any knowledge regarding the World Trade Center attacks, the bombing of the USS COLE, the embassy bombings or any other terrorist attacks.

ISN 441  
Enclosure (4)  
Page 5 of 9

**UNCLASSIFIED//~~FOUO~~**

00002289

2289

UNCLASSIFIED//~~FOUO~~

Designated Military Officer (4.g): The detainee claimed he was not a part of al Qaida or the Taliban.

Designated Military Officer (4.h): During an interview with the detainee in early 2003, the detainee stated the stories regarding his experiences with Usama bin Laden and al Qaida were fabricated.

*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 Presiding Officer had the Assisting Military Officer read the translated comments from the Enemy Combatant Election Form, Exhibit EC-C.*

Assistant Military Officer: Yes, the Detainee would like to make an oral statement.

Detainee (*through translator*): (The translator indicated that the detainee recited a verse from the Koran prior to beginning his statement) To the Board, I didn't come here to defend myself. I have no need for that because, I didn't commit any crime. I have the right to come. Regarding what the United States has said, I do pose a threat to the United States and its allies. I admit to you it is my honor to be an enemy of the United States. I'm a Muslim jihadist and I'm defending my religion and my family. I did not come out for the money, fame, killing or blood shed. As God witnesses the worse thing is blood shed. We came out to worship God and nothing but God, all religion and the justice of Islam. We came out because of your infidelity and also your crusade. It is again the Muslim tradition and its inception and all the religious places and it resources. Just to be sure and evident to my decision to my mighty God, I will continue in the way of jihad. Against the infidel, the United States and its allies until all the property of the Muslims will come back to them. God praises the Muslim people and all the people of Islam. I will never return or come back from jihad. I will now explain my jihad. According to September 11, 2001, I praise the attacks and other attacks. These are simple attacks against you for your criminal acts and your military invasion to the Islamic countries and a letter to you and the whole world. Muslims do not care about you. Those attacks were great attacks and opening the door for jihad in this world and Muslim relevance. My relation to the prince of Mujahedin praise Usama bin Laden. God praises him. I'm not one of his men and not one of his individuals. I am one of his sons. I will kill myself for him and will also give my family and all of my money to him. I praise Mular Omar. Relating to my relationship with Taliban, it is a Muslim country. My duty toward them is like any duty of a Muslim person to defend the Taliban and its stay. The truth is under convincing, regarding your designation of me as a terrorist. It is right that I don't want to

ISN 441  
Enclosure (4)  
Page 6 of 9

UNCLASSIFIED//~~FOUO~~

00002200

2290

UNCLASSIFIED//~~FOUO~~

be classified. Changing the names does not change anything. You can say terrorist or Mujahedin but the truth stays the same. If say that every terrorist is a person that believes in God and worships God, I left my house to defend my family, country, and religion. I hope to God that I'm not the first and only terrorist. If you follow the history books, you are still the crusaders. You are vicious missions against Muslims and the Islam religion and blood shed, killing, invasion, and controlling countries. The United States is putting all the religions down with your criminal acts never seen in the history books. Whatever you are convinced with, you preach with democracy and human rights. This is all fabricated things you talk about. You hide underneath it with vicious killing and criminal acts. This does not convince anybody and doesn't change any of your truth. United States is nothing but a criminal gang. You are taking over the world and including Muslims. Your leadership is lead and all the Jews that are with you. This is nothing but a way to show your greediness to the world especially to Middle East. With the help of God, we will stand Mujahedin and terrorists against Americans. This is so God will praise Muslims and his people. Our jihad against you will stay. It is not based on individuals or certain people. It doesn't stop with these people. It is the duty of every Muslim that comes from a religious background. The United States cannot stop the jihad no matter what you do. The history that will come will be the dividing factor between us and you when we meet on the door step of a big conflict. I tell you do what you do and do what you say. There is only God. I don't care about you and whoever your allies. I'm assured from God I will win that war. I beg God to help us.

**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.**

Board Member: When did you travel from Yemen to Afghanistan and what year?

Detainee (*through translator*): On Saturday, June 9, 2001, at eight o'clock in the morning. I went for jihad/for God.

Board Member: Who called you to jihad?

Detainee (*through translator*): It was an order from God/prophet.

Board Member: From whom?

Detainee (*through translator*): The Muslims.

Board Member: So a religious leader did not direct you to go to Afghanistan?

Detainee (*through translator*): My religion ordered me to do it nobody else ordered me.

Presiding Officer: Can you tell me if you are an al Qaida member?

ISN 441  
Enclosure (4)  
Page 7 of 9

UNCLASSIFIED//~~FOUO~~

00002291  
2291



UNCLASSIFIED//~~FOUO~~

Detainee (*through translator*): No, I wish I was al Qaida.

Presiding Officer: Can offer an explanation of why your name appeared on multiple listings of al Qaida members?

Detainee (*through translator*): It was because I trained at al Qaida camps.

Board Member: Were you a leader since you were asked to go to Yemen to establish an al Qaida cell?

Detainee (*through translator*): I was not a leader but hope to God I will become one.

Board Member: Were you part of the 80 selected for special operations training at al Farouq?

Detainee (*through translator*): I don't know anything about this training.

Board Member: Were you ever in the presence of Osama bin Laden?

Detainee (*through translator*): Yes, I was present with him many times.

Board Member: You must have been an important person to have been in Osama bin Laden's presence, is that correct?

Detainee (*through translator*): Explain.

Board Member: To be in Osama Bin Laden's presence, you must have been an important person. Not everyone got to be in his presence.

Detainee (*through translator*): There no difference between the first and second question. It is the same thing whether I'm member of al Qaida or have relation with Osama bin Laden. My relation to him is religion. The only thing that gathered us together is the jihad.

Presiding Officer: Do you have anything else to add to the proceedings?

Detainee (*through translator*): I don't have anything but I will say to you I will stay as jihad no matter what you do or action you take. We don't care whether we are wounded or killed as long as our goal is going to be accomplished. A person that wants to reach his goal needs to sacrifice. We will sacrifice whatever we own, families, and our life for our religion.

***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.***

ISN 441  
Enclosure (4)  
Page 8 of 9

UNCLASSIFIED//~~FOUO~~

00002292

2292

UNCLASSIFIED//~~FOUO~~

*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.



ISN 441  
Enclosure (4)  
Page 9 of 9

UNCLASSIFIED//~~FOUO~~

00002293  
2293