



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *3/26/08*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ABDUL HAQ WASIQ, ISN 004 (AFGHANISTAN).

o Subject ARB was held on 16 May 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

- (b)(1),(b)(5)
- (b)(1),(b)(5)
- (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	(b)(1),(b)(5),(b)(7)(A)

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5) (Detain)

[Signature]
 7-7-08

Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 004

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-38.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5),(b)(7)(A)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information.

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

ISN 004

Enclosure (7)

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(b)(1),(b)(5)



b. (S//NF) Intelligence Value. (b)(1),(b)(5)

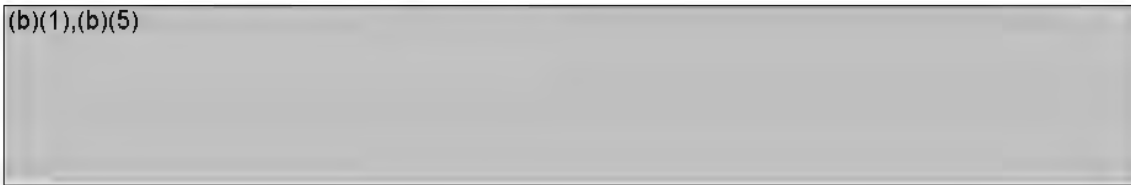
(b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



(b)(1),(b)(5)

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

09 May 2008

To: WASIQ, ABDUL-HAQ

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF WASIQ, ABDUL-HAQ

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. **The following primary factors favor continued detention:**
 - a) **Commitment:**
 - 1) The detainee stated he was first given a job working in a guest house in Kabul, Afghanistan and after two or three months, was put in charge of the guest house. The detainee stated he worked in the guest house about a year. After that, Ahmadullah got the detainee a job as Deputy Minister of Intelligence after the previous Deputy Minister had become ill and was removed from the position.
 - 2) The detainee stated his duty as Deputy of Taliban Intelligence was to prevent unlawful acts such as robbery, corruption, and fraud from occurring in Kabul, Afghanistan.
 - 3) The detainee was identified as the second most senior member of a thirteen or fourteen man Taliban security team in Kabul, Afghanistan. The main duties of the security team were to locate and arrest thieves, robbers, and all individuals breaking Islamic law. All members of the team carried a pistol or Kalashnikov rifle.
 - 4) The detainee was identified as the Deputy Director of Civilian Intelligence, and all intelligence offices in Kabul reported to the detainee. The detainee was in charge when Qari Ahmadullah, the head of Civilian Intelligence in Afghanistan, was not in town. Civilian Intelligence was a quasi-police organization affiliated with Taliban internal affairs.

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DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF WASIQ, ABDUL-HAQ

- 5) The detainee was identified as both an al Qaida intelligence member and the Deputy Minister of Intelligence. The detainee placed friends in positions within the Taliban Intelligence Service in Kabul, Afghanistan. The detainee reported to Mullah Qari Ahmedullah and Ahmedullah reported to Mullah Omar.
- b) **Connections/Associations:**
- 1) The detainee stated he then returned home and worked on the family farm around the time the Taliban had taken over Kabul, Afghanistan. The detainee remembered Qari Ahmadullah, a member of his tribe, telling people to talk to him, if they wanted a job in the Taliban government. The detainee feared conscription so he asked Ahmadullah for help finding a job.
 - 2) The detainee stated he and Qari Ahmadullah are from the same tribe, and Ahmadullah told people to talk to him if they wanted a job in the Taliban government.
 - 3) The detainee stated he reported to Qari Amadullah, the Chief of Intelligence, who in turn reported directly to Mullah Omar.
 - 4) The detainee stated his boss's boss was Said Mohammed Haqqani. The detainee stated he often had to meet with Haqqani when Qari Amidullah (his immediate boss) would leave to care for the Province of Takhar, where Amidullah was governor. The detainee stated Haqqani's boss was Mohammed Hassin, who was leader of the council reporting directly to Mullah Omar.
 - 5) The detainee stated discussions with Haqqani included the typical problems of expenses, logistics and gas consumption, and unpaid wages. The detainee was also responsible for the Logistics Department and purchased ovens, fire wood, plastic for windows, and blankets for the Taliban.
 - 6) The detainee was identified as arranging for an al Qaida member to teach the administrators in Kabul, Afghanistan about intelligence.
 - 7) The detainee was identified as appointing an individual in Hezb-e-Islami Gulbuddin as an Intelligence Officer during the Taliban's reign. The individual was known to report on Coalition Force operations in an effort to facilitate the escape of Taliban groups.
 - a. The Hezb-e-Islami Gulbuddin was a major Mujahedin group in the war against the Soviets. Hezb-e-Islami Gulbuddin has long established ties with Usama bin Laden, and the group's founder offered to shelter Usama bin Laden after he fled Sudan in 1996. The group staged small attacks in its attempt to force United States troops to

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF WASIQ, ABDUL-HAQ

withdraw from Afghanistan, to overthrow the Afghan Transitional Administration, and establish a fundamentalist state.

c) Other Relevant Data:

- 1) The detainee stated that in his teens or early twenties he moved to Pakistan to avoid conscription. The detainee attended a madrasa in Quetta, Pakistan until the madrasa closed and everyone was evicted. The detainee then went to a small mosque to continue his education.
- 2) The detainee stated he wanted to be a mullah and worked at mosques all over Quetta, Pakistan for about three years.
- 3) The detainee stated he used a radio to communicate with the Taliban Chief of Intelligence, Qari Ahmadullah. The detainee stated the Taliban assumed they were being monitored and never referred to each other by name as they could recognize each other by voice.
- 4) The detainee stated he feels betrayed by the United States, as he claimed, his mission was to locate Mullah Muhammed Omar for the Americans to kill or capture. The detainee stated if the Americans had not arrested him, they might have captured Mullah Omar and the detainee's supervisor, Qari Amadullah, head of Taliban Intelligence.
- 5) The detainee stated he headed back to his home village when the Americans started bombing. The detainee stated he was called on a satellite phone formerly owned by Qari Ahmedullah, by a man the detainee knew as a Mujahedin during the war with the Soviet Union. The detainee stated he met the man in person, and the man said the Americans wanted help locating Mullah Omar. The detainee stated he contacted the Americans, who asked him if he wanted to help, to which the detainee answered yes. The detainee stated he went to meet the Americans in Ghazni and was arrested.

4. The following primary factors favor release or transfer:

- a) The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11th and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.
- b) The detainee stated he is willing to help the United States in any way possible.
- c) The detainee stated he joined the Taliban under duress as everyone was expected to volunteer after the Taliban captured Kabul, Afghanistan. The detainee denied working with anyone in al Qaida and did not have contact with any other radical Islamic groups. The detainee denied

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF WASIQ, ABDUL-HAQ

having had any involvement with the Hezb-e-Gulbuddin movement in Afghanistan. The detainee stated he considered al Qaida to be a group of outsiders since it is an Arabic group.

- d) The detainee stated he was unaware of al Qaida training in Kabul, Afghanistan because he did not work with al Qaida.
 - e) The detainee denied any affiliation with al Qaida or Arabs. The detainee insisted his job within the Taliban intelligence division was solely logistical by nature and had no control over intelligence operations.
 - f) The detainee stated he was not aware of any Arab guesthouses.
 - g) The detainee denied any knowledge of a meeting in which an al Qaida member provided training to divisional leaders of the Taliban Ministry of Intelligence.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SM*

FROM: Director, OARDEC (U) *KOE/2A/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 006 (AFGHANISTAN)

o (S//NF) Subject ARB was held on 6 Aug 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)
 [Redacted]

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	[Redacted]

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *9-15-08*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #142
 Source Marked: 25X1
 Source Dated: 11 Aug 08

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 006

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. These statements are documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 006
Enclosure (4)
Page 1 of 6

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-35.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) **Third Party / Home Country Statements**

(b)(5)


5. (U) **Consultations with the Administrative Review Board Legal Advisor**

(b)(5)

6. (U) **Additional Information**

(b)(1),(b)(5)

(b)(1),(b)(5)



7. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.** (b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(5), (b)(7)(A)

(b)(1), (b)(5)

(b)(1), (b)(5)

b. (S//NF) Intelligence Value. (b)(1), (b)(5)

(b)(1), (b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 006
Enclosure (4)
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(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, U.S. Navy
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

(b)(5)

28 July 2008

To: NORI, MULLAH NORULLAH

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF NORI, MULLAH NORULLAH

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he decided to join the Taliban in 1999 in Kabul, Afghanistan. The detainee went to a security base in Kabul, which was known as a place to go if you wanted to join the Taliban. (DMO-12)
 - 2) The detainee stated that after one month, he left Kabul and went to Jalalabad, Afghanistan. The detainee stated he stayed with the governor of Jalalabad, Afghanistan for a period of months. (DMO-33)
 - 3) In February 2000, the detainee stated he arrived in Mazar-e-Sharif, Afghanistan, and informed the governor of Mazar-e-Sharif that he wanted to work with him. (DMO-12)
 - 4) The detainee stated his decision to go to Mazar-e-Sharif was based on the fact that he wanted to be a part of the Taliban government. (DMO-33)
 - 5) The detainee stated he began working for the Taliban government as one of eight assistants to the governor of Mazar-e-Sharif, Afghanistan. (DMO-13)
 - 6) The detainee stated he decided to join the Taliban with the hope of attaining a prosperous future for him and his family. (DMO-14)

ISN 006
DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NORI, MULLAH NORULLAH

- 7) The detainee stated he did not remember how much time he spent as a soldier, but he estimated his time with the Taliban spanned three years. (DMO-18)
- 8) The detainee stated he fought on the front lines at Mazar-e-Sharif, Afghanistan, as a Taliban fighter. As the front lines fell, the detainee stated he moved with a majority of the remaining fighters to another area of Afghanistan, to reestablish the front lines. (DMO-19)

b) Connections/Associations

- 1) The detainee stated he replaced the governor of the Balkh Province in Afghanistan as he was one of a very few tribal members who could read and write. The detainee stated he held this position for about 8 to 10 months. The detainee received the title of Mullah due to his education and political position. (DMO-19)
- 2) The detainee stated his job was to guard the governor of Mazar-e-Sharif and further stated that he was a soldier. The detainee also took notes and did housework for the governor. (DMO-16)
- 3) The detainee stated that when the governor left to go to another city in Afghanistan, the governor told the detainee to continue to run the government as normal. The detainee stated that he was not elected as the governor and he did not consider himself the governor. (DMO-33)
- 4) As of early November 2003, while he was the Taliban Zone Chief, the detainee provided assistance to a friend who was using profits from the sale of narcotics to provide material support to the Taliban and al Qaida. The detainee had given him money and provided him with a money exchange shop. (DMO-34)
- 5) Reportedly, the detainee was the Taliban leader in charge of a district in Afghanistan. (DMO-22)
- 6) Reportedly, the detainee was the Taliban commander of all of northern Afghanistan. (DMO-23)
- 7) The detainee stated that while traveling from one city to another in Afghanistan he met with an individual. The detainee and the individual agreed to negotiate their surrender. (DMO-13)
 - a. Reportedly, the individual was the Chief of Staff for the Taliban army. (DMO-20)

c) Training

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NORI, MULLAH NORULLAH

1) The detainee stated his job with the security police in Kabul, Afghanistan, required him to stand guard duty at buildings. The detainee stated he was armed with a Kalashnikov. The detainee denied ever receiving any training for this position. The detainee stated that by the age of 14, all young men in Afghanistan know how to shoot a Kalashnikov. The detainee stated that he never learned how to take the weapon apart, but he knew how to use it. (DMO-16)

d) Intent

1) Nothing Significant to Report (NSTR)

e) Other Relevant Data

1) Reportedly, the detainee had command of approximately 150 armed Taliban troops and one helicopter. (DMO-25)

4. Factors Favoring Release or Transfer:

- a) The detainee stated he did not and does not consider himself an enemy of the United States. The detainee has never believed the United States is an enemy of Afghanistan. The detainee stated he never fought or shot a gun at anyone and no one ever shot at him. The detainee stated he has had no enemies in Afghanistan. (DMO-18)
- b) The detainee stated he only heard of Usama bin Laden on the radio and has never seen Usama bin Laden. The detainee stated he did not know much about Usama bin Laden, only that he has caused a lot of pain to the Afghan people. (DMO-33)
- c) The detainee stated that he is not against the United States in any way. If he were allowed to return home, the detainee would attempt to obtain a position in the new government with the hopes of being able to provide for his family. The detainee would hold nothing against the United States and would not give support to anyone who was against the United States. (DMO-14)
- d) The detainee stated he simply served as a clerk to the governor, and then later was left in charge when the governor left. The detainee stated that at the end he was the acting governor. (DMO-18)
- e) The detainee continually denied any affiliation with the Taliban and stated that he never worked for them. (DMO-32)

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NORI, MULLAH NORULLAH

- f) The detainee denied any involvement in fighting with Taliban forces to re-establish Taliban front lines. (DMO-32)
- g) The detainee stated that he planned on farming with his brothers once he returned to Afghanistan. (DMO-28)

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
 Office for the Administrative Review
 of the Detention of Enemy Combatants (OARDEC)
 at U.S. Naval Base Guantanamo Bay, Cuba
 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
 ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *Self*

FROM: Director, OARDEC (U) *18 8/26/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 007 (AFGHANISTAN)

o (S//NF) Subject ARB was held on 29 Jul 08, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

- (b)(1),(b)(5)
- [Redacted]
- [Redacted]
- [Redacted]

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION That the DCO approve the ARB recommendation to (b)(1),(b)(5)

(b)(1),(b)(5) *Detain* *9-15-08*
 Or Transfer _____ Release _____

- o (U) Attachments:
- Tab A OARDEC SJA Legal Sufficiency Review
 - Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 007

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. These comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.


g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-34.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



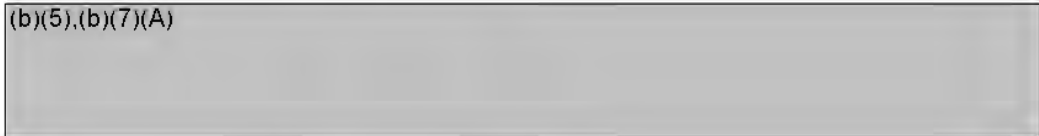
(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.** (b)(1),(b)(5)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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(b)(1) (b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

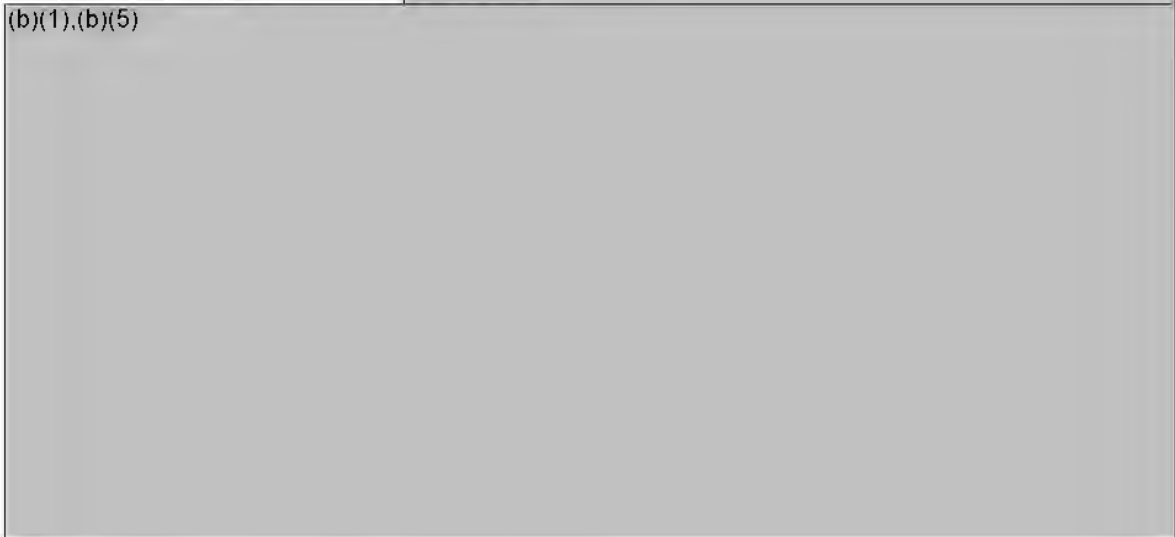
ISN 007
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(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

8. (U) **Board Members' Voting Results**

(b)(5)

[Redacted]

(b)(3):10 USC §130b.(b)(6)

[Redacted]

CAPTAIN, U.S. Navy
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

17 July 2008

To: FAZL, MOHAMMAD A

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF FAZL, MOHAMMAD A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated that he studied in the Rabinyan Madrasa in Quetta, Pakistan. After studying six years in Pakistan, the detainee joined the Taliban movement at the request of the director of the Madrasa.
- 2) The detainee stated he was made commander of the Taliban organization in the Takhar Province of Afghanistan by the Minister of Defense.
- 3) The detainee stated he was responsible for deployment of approximately 3000 military troops to specific front line locations in the Takhar Province of Afghanistan. The detainee stated he worked directly for the Taliban Defense Minister and an individual responsible for foreign troop deployment.
- 4) The detainee stated that he fought with the Taliban to take control of Kabul and remained there to defend the city and stabilize the defensive lines between the Taliban and Northern Alliance Forces.
- 5) Reportedly, the detainee visited all the commanders on the front line and received status reports. One of the Taliban Army Commanders he visited told the detainee everything was in order and that he would support his orders to launch an attack against the Northern Alliance.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF FAZL, MOHAMMAD A

b) Connections/Associations

- 1) Reportedly, the Taliban supreme leader considered the detainee his top soldier. In the war against the Northern Alliance, the detainee was responsible for widespread atrocities against noncombatants.
- 2) Reportedly, the 22nd division was composed of 1,100 foreign fighters. The 22nd division received all their funding and logistical support from the Taliban Ministry of Defense. The 22nd division received its orders from the detainee and the Taliban Minister of Defense.
- 3) The detainee stated he was a Taliban Forces Commander and Chief of Staff. The detainee further stated he oversaw several subordinate commanders. The detainee and subordinate commanders received funds from the Defense Ministry in Kabul to locally purchase supplies.

c) Training

1. (U) Reportedly, the detainee is the commander of all Taliban Troops from several provinces in Afghanistan. Reportedly, detainee was directly subordinate to the Taliban Minister of Defense.
2. The detainee stated he spent one and a half years in Kandahar, Afghanistan working in various positions within the Taliban Ministry of Defense before moving to Kabul, Afghanistan.

d) Other Relevant Data

- 1) The detainee stated he was in Balkh province delivering weapons and food to troops in preparation to engage opposition forces when he was ordered by the Taliban Minister of Defense to surrender to the Northern Alliance Commander.
- 2) The detainee stated he surrendered to the Northern Alliance believing that he and his 3,000-5,000 Taliban troops would be allowed to go home after turning over their weapons.
- 3) On 28 November 2001, the detainee surrendered to Northern Alliance Commander.
- 4) In early December 2001, the Northern Alliance Commander transported the detainee, and several other Taliban Commanders to a jail in Sheberghan, Afghanistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF FAZL, MOHAMMAD A

- 5) The Iranian Government representative accused the detainee of having been directly involved in the deaths of Iranian delegates. These deaths allegedly occurred when the Taliban overran Mazar-e-Sharif, Afghanistan in Aug 1998.
- 6) The detainee reportedly proposed a plan to send an assassination team to try and kill the Northern Alliance Commander. The detainee reportedly recruited 15 persons and gave each instructions to assassinate him if the opportunity presented itself.
- 7) Reportedly, the detainee has continued to spread anti-Afghan government and anti-United States messages among detainees at JTF-GTMO. The detainee was reported as one of several detainees at JTF-GTMO who would likely pose a threat to the Afghan government if released.

4. Factors Favoring Release or Transfer:

- a) The detainee stated his soldiers did not train or attend any training camps. The detainee further stated that he was unaware of any military training camps in Afghanistan.
- b) The detainee denied any involvement in the deaths caused in an alleged massacre during an assault on Mazar-e-Sharif, Afghanistan. The detainee stated he was in a Kabul hospital, recovering from shrapnel wound to his right foot during the assault on Mazar-e-Sharif.
- c) The detainee stated that there were no orders to assassinate the Northern Alliance Commander, but if he were killed it would be due to the war; it was almost impossible to get close enough to the Northern Alliance Commander to assassinate him.
- d) The detainee denied having any prior knowledge of the attacks in the United States prior to their execution on September 11, 2001 and also denied knowledge of any rumors or plans of future attacks on the US or its interests.
- e) The detainee stated he never met Usama bin Laden or any of the al Qaida leadership or members.
- f) The detainee stated that the attacks on the United States were not part of the jihad he was fighting, and if he were released, he would not want to go back to Afghanistan. Instead, the detainee would want to go to Saudi Arabia to raise his family. He did not want to be part of any more fighting.
- g) The detainee denied he served in any senior position, to include Chief of Staff, with the Taliban. The detainee stated he was a commander of 50-100 Taliban troops. After his

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UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF FAZL, MOHAMMAD A

surrender, the detainee stated he was in charge of approximately 2500-3000 Taliban soldiers.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

SECRET//NOFORN
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *Ex*

FROM: Director, OARDEC (U) *18 10/16/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 027 (YEMEN)

o (S//NF) Subject ARB was held on 19 Sep 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) Detain / *18 10-08*
 Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 027

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings and had nothing to present to the board.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. The detainee, however, stopped the linguist from reading the translated Unclassified Summary of Evidence and stated he did not want it read. A copy of both the English and the Arabic translated Unclassified Summary of Evidence were handed to the detainee in accordance with Joint Detention Group Standard Operating Procedures. The ARB confirmed from the AMO that the detainee understood the process.

(b)(1), (b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-54.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



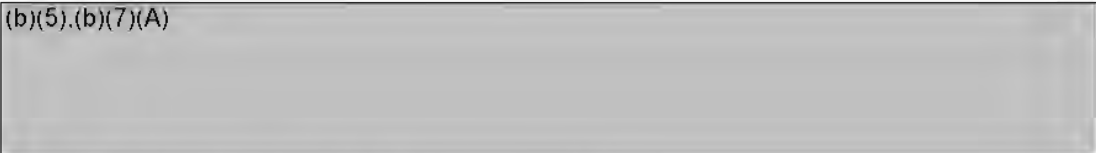
(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



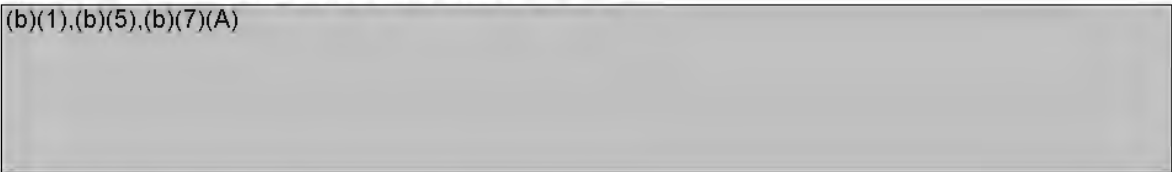
(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



(6) (U) **U.S. Southern Command (USSOUTHCOM)**

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(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

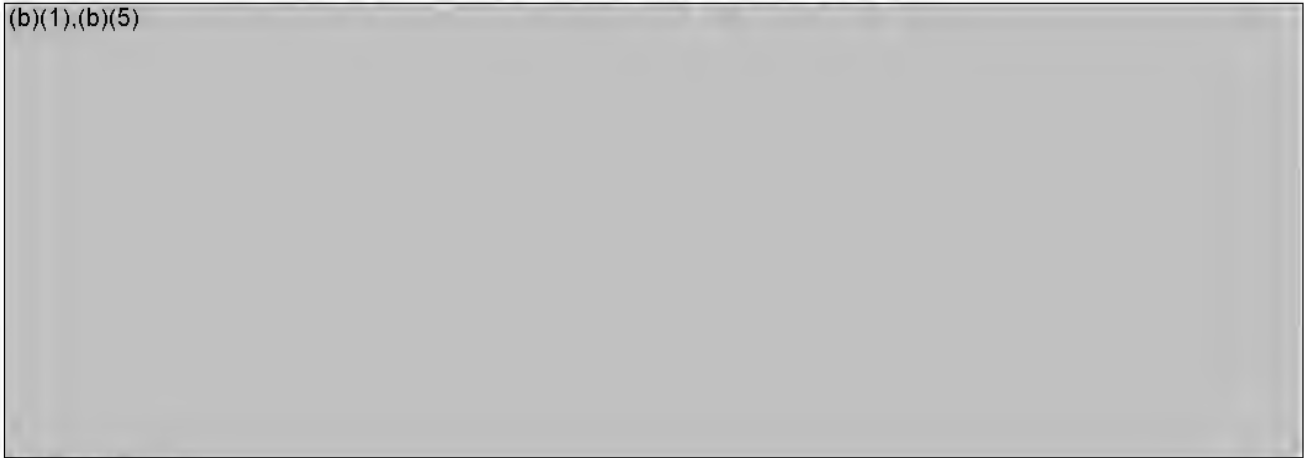
a. ~~(S//NF)~~ **Threat Level.** (b)(1),(b)(5)

(b)(1),(b)(5)

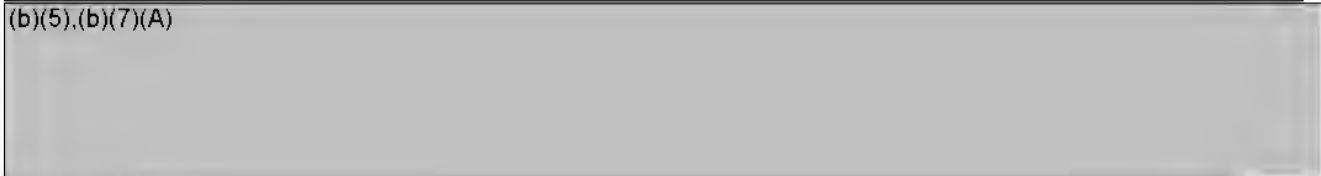
Derived From: Multiple Sources
Declassify On: 25X1-Human

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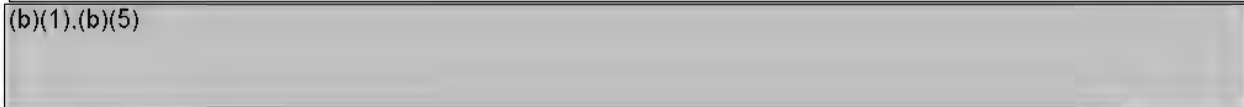
(b)(1),(b)(5)



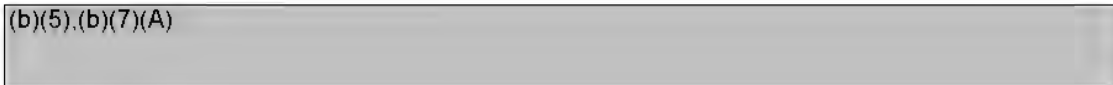
(b)(5),(b)(7)(A)




(b)(1),(b)(5)




(b)(5),(b)(7)(A)



(b)(1),(b)(5)



(b)(5),(b)(7)(A)



(b)(1),(b)(5)



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(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, U.S. Navy
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 027
Enclosure (6)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

16 September 2008

To: AL RAHIM, UTHMAN H

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL RAHIM, UTHMAN H

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he attended a religious school in Yemen. The detainee stated he decided to go to Afghanistan in order to teach the people there the right ways of Islam.
- 2) The detainee stated he located a Sheikh and asked if the fatwa calling for jihad was legitimate. The detainee stated the Sheikh confirmed the legitimacy of the fatwa and gave the detainee one thousand United States dollars as funding for his trip.
 - a. Reportedly, this Sheikh told others that it was a good thing for Muslims to go fight jihad. Further, the Sheikh reportedly stated that if a Muslim's health prevents him from jihad he must support it financially, and if not financially, then he must pray.
- 3) The detainee stated that the Sheikh had sent the detainee and another Yemeni to Afghanistan, under the pretense of teaching Arabic to the people of Afghanistan.
- 4) The detainee stated he was also encouraged to go to Afghanistan by another Sheikh, who gave the detainee one thousand United States dollars to travel.

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DMO Exhibit 01
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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL RAHIM, UTHMAN H

- 5) The detainee stated that in March 2001, he decided to leave for Afghanistan. The detainee traveled to Dubai, United Arab Emirates, to Karachi, Pakistan, to Quetta, Pakistan, and then to Kandahar, Afghanistan.
- 6) The detainee stated he stayed in Kandahar, Afghanistan for six days and then traveled from Kandahar to Kabul, Afghanistan.
- 7) The detainee stated he met up with a group of 31 other Arabs who were guided by three Afghan males. The detainee stated the group traveled by foot arriving in Parchinar, Pakistan after eight days. The detainee stated he no longer had his passport or any money by this time.
 - a. Reportedly, the al Qaida operative who designed an escape route for al Qaida Arabs to flee Afghanistan to Pakistan did not allow any Arabs to travel via this route carrying documentation, promising them he would send their documents later.
- 8) The detainee stated he was picked up by Pakistani police while crossing the border with 30 Arabs and taken to a prison in Peshawar, Pakistan.
- 9) Reportedly, the Pakistani warden of the prison informed the group that the best thing they could tell United States Forces when interrogated was that they were in Afghanistan to teach the Koran and for a Dawa (religious studies).
- 10) The detainee was reportedly identified as traveling with three individuals while fleeing Afghanistan. When they were asked what they were doing in Afghanistan, they each stated they were there to teach the Koran. It was later identified that these stories, including the detainee's, were false.
- 11) The detainee reportedly came from a section of Aden that has historically been closely aligned with Usama bin Laden. The detainee reportedly was known for carrying not only an AK-47, but also a black 9mm Makarov pistol, manufactured for the Russian Army.
- 12) The detainee was reportedly on the front lines in Kabul, Afghanistan, around 1999.
- 13) The detainee was reportedly in Tora Bora, Afghanistan, and had been Mujahedin for a long time. The detainee was reportedly at both a guest house and at Usama bin Laden's house in Kandahar, Afghanistan.
- 14) The detainee reportedly was at a guest house in Kabul, Afghanistan in early 2001.
- 15) The detainee reportedly may have been a lower Emir in the Kandahar guest house.

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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL RAHIM, UTHMAN H

b) Connections/Associations

- 1) The detainee was identified as being an al Qaida member believed to have been in Afghanistan.
- 2) The detainee's name was in a file containing a list of names and associated safety deposit boxes saved to a floppy disk recovered from raids of a suspected al Qaida safe house.
- 3) A senior al Qaida operative stated the detainee was a bodyguard in Kandahar, Afghanistan before the 11 September 2001 attacks. This senior al Qaida operative stated the last time he saw the detainee was during the bombing of Tora Bora, Afghanistan in late 2001.
- 4) The detainee reportedly was a guard for Usama bin Laden and was with Usama bin Laden in Tora Bora, Afghanistan. The detainee reportedly ate with Usama bin Laden and had a close relationship with him.
- 5) The detainee recognized photos of four U.S.S. Cole suspects. Two of the suspects stated that they also knew the detainee well.
- 6) The detainee stated he knew two people who were associated with the U.S.S. Cole bombing in Yemen. The detainee stated one individual was a local Imam in Aden, Yemen. The detainee stated the other individual was a personal friend of the detainee.

c) Training

- 1) Reportedly, the detainee was in Afghanistan for jihad and training.
- 2) The detainee was listed as a scheduled participant in a tactics class.
- 3) The detainee was identified as being al Qaida. The detainee was identified as being in Kabul, Afghanistan in 1999, at the al Farouq camp and later in Tora Bora, Afghanistan on the front lines fighting against the Northern Alliance.
 - a. Reportedly, the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq consists of two week periods of weapons training, a basic commando course, topography, and explosives.
- 4) The detainee reportedly attended advanced training at Tarnak Farms.

UNCLASSIFIED

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL RAHIM, UTHMAN H

- a. Tarnak Farms was the headquarters of the Taliban forces, headed by Mullah Omar and the al Qaida terrorist organization headed by Usama bin Laden.

d) Intent

- 1) The detainee stated that he went to Afghanistan where he could be part of the jihad and make some money.
- 2) The detainee stated it would be okay for Usama bin Laden to kill Jewish persons. There is no need to ask for forgiveness for killing a Jew. The Jewish people kill Muslims in Palestine so it's okay to kill Jews. The detainee could not say whether the United States should be punished for helping Israel. The detainee also stated that Israel should not exist and should be removed from Palestine.

e) Other Relevant Data

- 1) The detainee stated he was unable to provide the names of any students whom he taught in Khowst, Afghanistan. The detainee was also unable to provide the name of the village he taught at for nine months.
- 2) The detainee stated he taught at a small school in Kabul, Afghanistan, but does not know the address or location of the school.

4. Factors Favoring Release or Transfer:

- 1) The detainee stated he did not go to Afghanistan to fight, but to teach the Koran.
- 2) The detainee emphatically stated he was "not a soldier" and "only a teacher."
- 3) The detainee stated he has never received any kind of training except in the areas of religion and soccer. All of his training occurred in Yemen.
- 4) The detainee stated Sheikh al Wadi never called for a fatwa for jihad against the United States.
- 5) The detainee stated he never owned an automatic weapon he called an "Ali", and never had a weapon while in Afghanistan.
- 6) The detainee stated his passport was stolen.
- 7) The detainee stated he did not have membership in, nor was affiliated in any way with, the Taliban or al Qaida.

UNCLASSIFIED

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL RAHIM, UTHMAN H

- 8) The detainee stated he did not have any knowledge of the attacks in the United States prior to their execution on September 11th, and also stated he had no knowledge of any rumors or plans of future attacks on the United States or United States interests.
- 9) The detainee stated that he would not join or support any terrorist organizations and would most likely never leave Aden, Yemen. The detainee also stated that he would not pose any future threat to the United States or her allies.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *DA*

FROM: Director, OARDEC (U) *18 10/19/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 028 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 9 Oct 2008, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
12-30-08

Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 028

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation stating the detainee did not accept the documents from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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3. (U) Summary of Information Considered

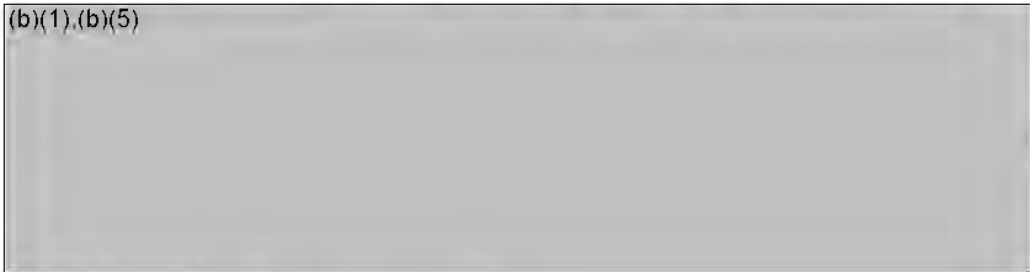
a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-40.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)




(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)




(4) (U) Criminal Investigation Task Force (CITF)

(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

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Declassify On: 25X1-Human

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(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S/NF) Threat Level (b)(1),(b)(5)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1).(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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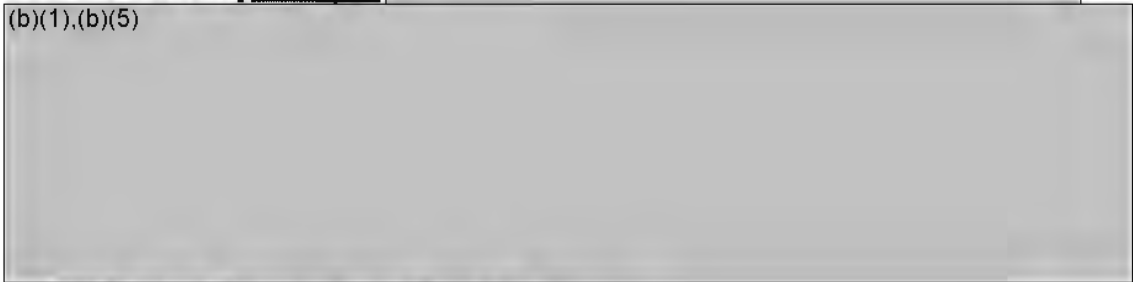
(b)(1),(b)(5)



b. **(S//NF) Intelligence Value**

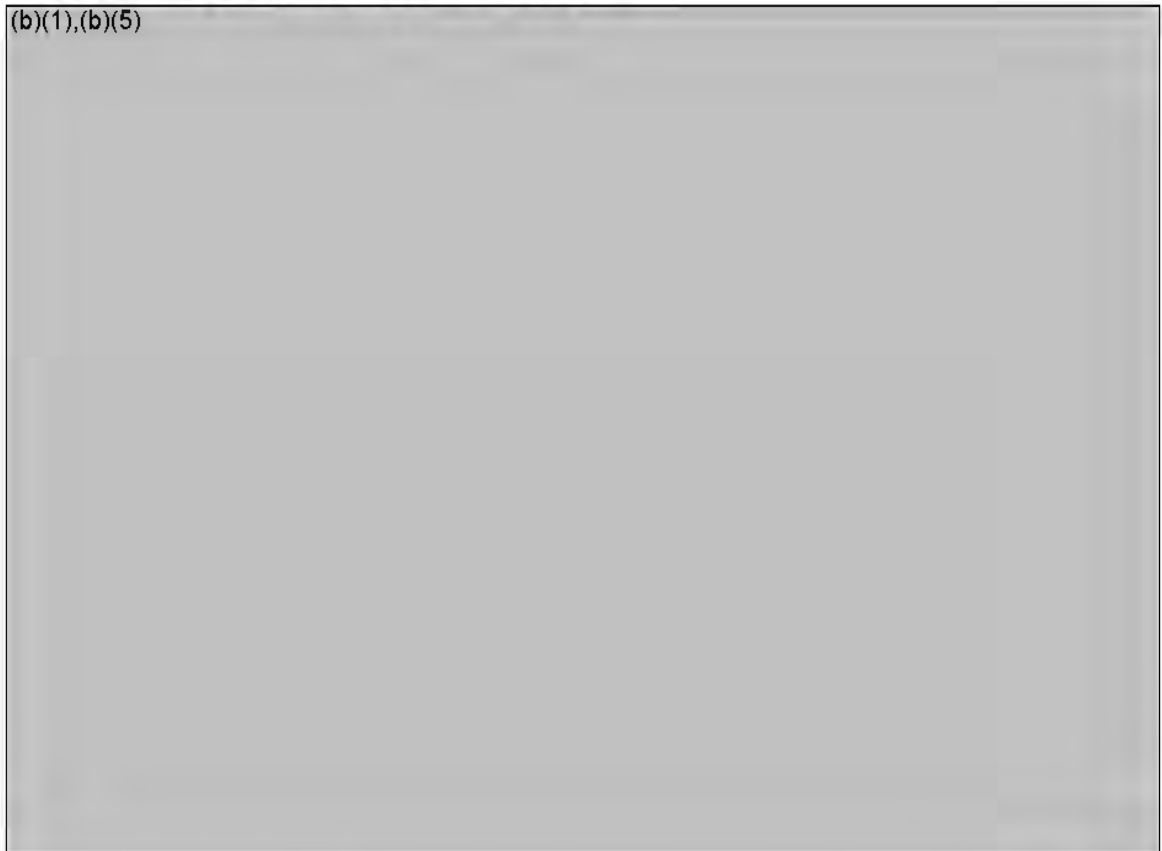
(b)(1),(b)(5)

(b)(1),(b)(5)



c. **(U) Detainee Treatment Act Consideration**

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

06 October 2008

To: AL ALAWI, MU'AZHAMZA A

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL ALAWI, MU'AZHAMZA A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated that he traveled to Afghanistan in June 2001 due to a fatwa issued by a Sheikh.
 - a. The Sheikh in the previous bullet was responsible for the jihadist movement in Yemen. The jihadist movement recognized Usama bin Laden as their leader.
- 2) The detainee stated he considered going to Afghanistan to fight with the Taliban against the Northern Alliance.
- 3) The detainee stated that he and his cousin decided to travel to Afghanistan to seek martyrdom fighting for their faith.
- 4) The detainee stated in a village just outside of the city of Khost, Pakistan, he met a Principal of a school and mosque. It was at this school that the detainee served as teacher for approximately thirty 12 and 13 year old students. The detainee stated he communicated to the Afghani children through the school's Principal who was fluent in Arabic.
- 5) The detainee stated he saved his money, from his teaching job, and sold his car to finance the trip. The detainee stated that he began his trip with 14,000 Saudi Riyals.

ISN 028
DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL ALAWI, MU'AZHAMZA A

- 6) The detainee stated he traveled from Saudi Arabia to al Hudaydah, Yemen to make travel arrangements. The detainee stated that in Hudaydah, Yemen, he met with someone who helped him get a passport and visa.
- 7) The detainee claimed that he went to Yemen to make arrangements and flew from Yemen to Pakistan, where the detainee stayed for three days in a Taliban guest house.
- 8) The detainee stated that he left the guest house and was taken across the border by Taliban fighters and taken into Afghanistan where he stayed at another Taliban guest house. The detainee stated he stayed at this guest house for one and a half months and then traveled with four or five other Arabs, north to Kabul, Afghanistan, to another Taliban guest house. The detainee stated they stayed for one night and then drove north in a Taliban vehicle for several hours until they got to the Khalid Center, near Bagram, Afghanistan.
- 9) The detainee was reportedly fighting for the overall military leader in the Tora Bora mountains.
- 10) The detainee was reportedly a Mujahedin for a long time and the detainee acted as Imam at a Kandahar, Afghanistan, guest house. The detainee reportedly held this position because he had memorized the Koran and knew it better than anyone else at the guest house.

b) Connections/Associations

- 1) The detainee stated that he contacted his uncle, who thereafter contacted an individual to assist the detainee with his travels to Afghanistan.
 - a. The individual that assisted with the detainee's travels to Afghanistan was the head of the Islah Party and was a major shareholder in Sabaa Bank. The Sabaa bank was the main bank for channeling funds to Islamic Terrorists.
- 2) The detainee was reportedly a member of Usama bin Laden's security detail and the detainee was in Afghanistan for jihad and training.
- 3) The detainee was reportedly a bodyguard for Usama bin Laden, and was reportedly seen with Usama bin Laden approximately one month before Ramadan.
- 4) An al Qaida operative stated that he met the detainee in 1998, in a small training camp in Khowst, Afghanistan, and also stated that the detainee was one of Usama bin Laden's bodyguards.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL ALAWI, MU'AZHAMZA A

- 5) The detainee was reportedly a driver for Usama bin Laden who would occasionally be sent to Pakistan on special missions.
- 6) The detainee was reportedly seen standing watch at the entry gate to the Usama bin Laden compound at the Kandahar, Afghanistan airport.

c) Training

- 1) The detainee stated he learned to use the AK-47 when he was 8 or 9 and claims to be a good marksman.
- 2) The detainee stated that he was to the Khalid Center in Afghanistan. There the detainee stated that he received several hours training in the operation and firing of rocket-propelled grenades. The detainee stated he fired one rocket-propelled grenade during the training, and that he declined training on the Kalashnikov rifle, as he was already familiar from previous experience in Yemen.
- 3) The detainee reportedly attended basic training at the al Farouq training camp.
 - a. Reportedly, the al Farouq Training Camp was funded by al Qaida and therefore was more advanced than the other camps in Afghanistan. The training at al Farouq consists of two week periods of weapons training, basic commando course, topography, and explosives.
- 4) An al Qaida operative stated that the detainee had participated in the hand-to-hand combat training at Mes Aynak.
 - a. Reportedly, the basic trainees at the Aynak Training Camp, South of Kabul, Afghanistan, received weapons training on Kalashnikov rifles, PK Machine guns, Rocket Propelled Grenades, and Hand grenades. The trainees were taught how to perform maintenance on each weapon.
- 5) Reportedly, the detainee attended basic training at the Khalden Training Camp.
 - a. Reportedly, new jihadists arrived at the Khalden training camp every week. The four courses taught at the Khalden camp included basic weapons training for two weeks, artillery training for approximately one week, topography training for one to two weeks, and military tactics training for approximately four weeks.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL ALAWI, MU'AZHAMZA A

d) Intent

- 1) The detainee stated that he was issued a Kalashnikov rifle, four magazines and two grenades at the Khalid Center and then transported to Omar Saif Center. At Omar Saif Center, the detainee was assigned to a middle line position. The detainee stated that he stayed there five to six months.
 - a. Reportedly, the Americans bombed the front lines in an air raid and killed many people in the group, or area known as Omar Saif.
- 2) The detainee stated he went to a center and assisted in loading horses into trucks for transportation to Tajikistan. The detainee stated he then traveled to Taloqan, Afghanistan, where he met the horses and accompanied them to the front lines near Khvajeh Ghar, Afghanistan, where he remained for two to three months.
 - a. Reportedly, the center referenced in the above bullet was located in Kabul, Afghanistan, and was used to support Taliban fighters. It was also reported that the center provided Taliban fighters returning from the front lines a place to rest and relax by housing them in barracks.
- 3) Reportedly, the detainee was seen as a truck driver on the front lines north of Kabul fighting the Northern Alliance.
- 4) Reportedly, the detainee was seen with Usama bin Laden approximately one month before Ramadan in 2001 in the Ktal region of Afghanistan.

e) Other Relevant Data

- 1) Reportedly, three individuals accompanied Usama bin Laden when he left Tora Bora, Afghanistan, and thirty others departed the area after Usama bin Laden had left. The detainee was among these thirty individuals and was subsequently arrested.
4. The following primary factors favor release or transfer:
- a) The detainee stated he had no affiliation with al Qaida and indicated he never saw or was in the presence of Usama bin Laden or any other high ranking al Qaida personnel.
 - b) The detainee stated he had no previous knowledge of the attacks in the United States prior to their execution on September 11th and also denied knowledge of any rumors or plans of future attacks on the United States or United States' Interests.
 - c) The detainee stated he did not serve as a body guard for Usama bin Laden.

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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL ALAWI, MU'AZHAMZA A**

- d) The detainee stated he was never a member of the Taliban, nor did he fight against the Northern Alliance's forces.
- e) The detainee stated he opposes the killing of fellow Muslims and believes that killing is not part of jihad. The detainee also stated he has no knowledge of training camps and knows of no one else who may know of such camps.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *[Handwritten initials]*

FROM: Director, OARDEC (U) *AS 12/9/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 029 (YEMEN)

- o (S//NF) Subject ARB was held on 3 Nov 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

- o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

- o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o (S//NF) RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5)
 (b)(1),(b)(5) (Detain) *[Handwritten signature]* 12-15-08
 Or Transfer _____ Release _____

- o (U) Attachments:

Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

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Summary of Administrative Review Board Proceedings for ISN029

The Administrative Review Board was called to order at 0917 hours on 3 November 2008.

The Detainee entered the proceedings.

Presiding Officer: Is Mohammed Al Ansi the correct way to pronounce your name?

Detainee (through translator): Yes.

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 confirmed that the Detainee did not want to make his statements under oath. (Muslim oath offered).

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

Presiding Officer: Mohammed Al Ansi do you understand this process?

Detainee: [Nods head affirmatively.]

The Assisting Military Officer presented the Notification of the Decision of the ARB, 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.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, DMO-2, and DMO-46 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 did want to respond to the information from the Unclassified Summary.

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Presiding Officer: Mohammed Al Ansi, I note that you have chosen to respond to the information from the unclassified summary. Is this correct?

Detainee (through translator): Yes, this is correct.

Presiding Officer: The Designated Military Officer will read each factor from the unclassified summary. We will then provide you a chance to respond. Board members may ask you questions based on your responses.

Detainee: [Nods head affirmatively.]

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 stated the following factors that favor continued detention.

Designated Military Officer: (3.a) Commitment.

Designated Military Officer: (3.a.1) The detainee stated he decided to go to Afghanistan to assist in Koranic education of Afghans after hearing a local Imam's sermon

Detainee(through translator): That's true. [Nods head affirmatively.]

Designated Military Officer: (3.a.2) The detainee reportedly traveled from Yemen through Karachi, Pakistan to Afghanistan.

Detainee: [Nods head affirmatively.]

Designated Military Officer: (3.a.3) The detainee stated he made arrangements to fly to Pakistan then make his way to Afghanistan to teach Islam.

Detainee: [No response.]

Designated Military Officer: (3.a.4) The detainee stated he received about 35,000 Yemeni Riyals from a Sheikh and took a bus from Sanaa, Yemen, to Dubai, United Arab Emirates. He then flew to Karachi, Pakistan.

Detainee (through translator): [No response.]

Designated Military Officer: (3.a.5) The detainee stated he met with the Imam of Khowst, Afghanistan, who collected his passport and visa. The Imam sent him to a village to instruct the local population in reading the Koran. The detainee stated he desired to return to Yemen after approximately eight months. The detainee stated he returned to Khowst, Afghanistan, to retrieve his passport and visa, but the Imam was away. After waiting several days, the detainee

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Enclosure (4)
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located a guide and headed for the Pakistani border without his documents. The detainee stated he was arrested by Pakistani authorities shortly after crossing the border

Assisting Military Officer: (To translator) Could you please ask him to speak up.

Translator: He is talking about the last sentence.

Detainee (through translator): Where you said he was captured, the last one, can you read the last sentence?

Designated Military Officer: The last sentence?

Translator: Uh hum.

Designated Military Officer: The detainee stated he was arrested by Pakistani authorities shortly after crossing the border.

Detainee (through translator): He wasn't arrested. He turned himself in.

Board Member: I have a question.

Presiding Officer: One of the board members has a question.

Board Member: Why did you give your passport and documents to the Imam?

Detainee (through translator): Because he asked him to, that he was going to keep the passport.

Board Member: Is that a standard procedure?

Detainee (through translator): Yes, it was safe. I mean, it was just standard procedures.

Board Member: It is safer to give it to somebody else than keep it yourself?

Detainee (through translator): Because I didn't know what I was going to face when I was traveling. It's a very known Mosque and I trust the per---, the Imam.

Board Member: And then you knew that once you crossed into Pakistan that you would have to turn yourself in without any documents?

Detainee (through translator): I asked them to take me to the Yemeni Embassy.

Board Member: Okay.

Detainee (through translator): I mean, it was official. I mean everything was official.

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Enclosure (4)
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Board Member: I have no further questions.

Presiding Officer: I want to be clear about this. When you crossed into Afghanistan the first thing did was go to report the authorities and you asked to be taken to the Yemeni Embassy. You said that you choose to return to Khowst after you had been in Afghanistan for eight months. Why did you want to return to Khowst?

Detainee (through translator): That's the, that's the timing that I fixed for myself, just to say there for eight months.

Presiding Officer: You only wanted to stay in Afghanistan for eight months?

Detainee (through translator): Yea, it was like the period I that I am, you know, I am going to teach people the Koran and after those eight months I have to go back. But yea, but it's not specifically after eight months, just after, you know, people, you know have learned the Koran.

Presiding Officer: And when was that?

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

Board Member: When you crossed into Pakistan were you traveling alone? You had the guide with you but was anybody else with you?

Detainee (through translator): No, no one was with me.

Board Member: Did the guard cross, I'm sorry, did the guide cross into Pakistan with you?

Detainee (through translator): Yes, he did.

Presiding Officer asked if either board member had further questions, neither had further questions.

Designated Military Officer: (3.a.6) The detainee reportedly had seniority and was a leader on the front lines near Kabul, Afghanistan.

Detainee (through translator): That's not true.

Presiding Officer: Did you see any fighting while you were in Afghanistan?

Detainee (through translator): Never.

Board Member: Did you carry a weapon in Afghanistan at all?

Detainee (through translator): Never.

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Presiding Officer asked if either board member had further questions, neither had further questions.

Designated Military Officer: (3.a.7) The detainee was identified as one of the martyrs who had been readied for the Southeast Asia part of the 11 September 2001 operation. Usama bin Laden was identified as targeting United States' airlines, citizens, and military installations in Seoul, South Korea, and Singapore.

Detainee (through translator): This is the first time I have heard any such a thing.

Designated Military Officer: (3.a.8) The detainee was identified as being on the front lines in Kabul, Afghanistan during the fighting against the Northern Alliance. The detainee was identified as receiving training at a camp called Aynak and the detainee was a bodyguard for Usama bin Laden.

Detainee (through translator): I have never attended any training. It's not true. I have never had any official or not official training.

Board Member: Have you ever met Usama bin Laden?

Detainee (through translator): Never.

Designated Military Officer: (3.a.9) The detainee was reportedly in the Tora Bora Mountains region of Afghanistan.

Detainee (through translator): It's not true.

Designated Military Officer: (3.b) Connections/Associations

Designated Military Officer: (3.b.1) The detainee stated he traveled via Yemeni Airlines from Sanaa, Yemen to Dubai, United Arab Emirates, then to Karachi, Pakistan. The detainee then flew to Quetta, Pakistan, where the detainee went to the Taliban office to join up with the Taliban. After two and a half days in Quetta, the detainee headed on to Khowst Province, Afghanistan.

Detainee (through translator): I did go to the Afghani Embassy, just not because I wanted join Taliban, but to be able to go to Afghanistan so I can get my visa.

Designated Military Officer: (3.b.2) The detainee was identified as being a guard for Usama bin Laden. The detainee was identified as being at a guest house where Usama bin Laden was staying in 2001.

Detainee (through translator): That's not true.

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Enclosure (4)
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Presiding Officer: If we could, if you could please speak a little bit louder. The translator is doing a good job but we need you to speak a little bit louder.

Detainee (through translator): I have a sore throat, you know. I have a sore throat.

Presiding Officer: Do your best.

Designated Military Officer: (3.b.3) The detainee was identified as being one of Usama bin Laden's bodyguards.

Detainee (through translator): The same thing. That's not true.

Board Member: I have a question, sir.

Presiding Officer: Please.

Board Member: Why would there be obviously multiple reports in here. Why would multiple people be making this up about you?

Detainee (through translator): Yea, I've been, I mean, just, I asked the interrogators to bring those people so they can face me and tell me, you know straight, why they said that, but you know they never did. I am sure they know who is telling the truth and who is lying.

Designated Military Officer: (3.b.4) The detainee was reportedly a member of al Qaida.

Detainee (through translator): Same thing, it's not true.

Board Member: Do you know any al Qaida members?

Detainee (through translator): Never.

Designated Military Officer: (3.b.5) The detainee stated he visited the Jamat-al-Tabligh Mosque in Karachi, Pakistan. He stated the Jamat-al-Tabligh made his travel arrangements.

Detainee (through translator): I did stay with them at the Mosque. But they never ever made the arrangements for my travel.

Presiding Officer: Who did make the arrangements?

Detainee (through translator): Myself. But, I did stay at the mosque with them.

Board Member: How did you fund your travel?

Detainee (through translator): The same thing. You know, I took 35,000 Riyals, Yemeni Riyals, from the Sheik and I had some savings from previous jobs that I had. That's it.

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Enclosure (4)
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Presiding Officer: If you made your travel arrangements yourself, what steps did you go through to get that travel arranged?

Detainee (through translator): I did go from the mosque. I took a car from the mosque to the airport. And, then I bought my plane ticket and then from there I flew from Quetta, Pakistan. And in Quetta, I went to Taliban. I went to the Embassy, the Taliban Embassy and then I got my visa and then I traveled by bus to Khowst.

Presiding Officer asked if either board member had further questions, neither had further questions.

Designated Military Officer: (3.b.5.a) Jamat-al-Tabiligh has been supporting Islamic terrorist groups in South and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.

Detainee (through translator): I don't know of anything that you just said. What I have heard is that Jamat-al-Tabiligh they just practice their activities, you know, in a clear manner. You know, you hear about them in the United States and in different countries. That is the only thing I know about Jamat-al-Tabiligh.

Presiding Officer: How big is that mosque?

Detainee (through translator): It was very big. What do you mean by---

Presiding Officer: The number of worshipers and students and---

Detainee (through translator): I don't know specifically about this numbers. I don't know how many people, how many worshipers. But, I do know it was a big mosque.

Designated Military Officer: (3.b.6) The detainee stated he obtained a visa for travel into Afghanistan from the Taliban Embassy in Quetta, Pakistan.

Detainee (through translator): That is true.

Designated Military Officer: (3.b.7) The detainee was reportedly guarding Usama bin Laden at the Kandahar, Afghanistan, airport in July 2000.

Detainee (through translator): That's not true.

Board Member: Have you ever been to the airport in Kandahar?

Detainee (through translator): Never.

Translator: Sir, May I ask him a question he said something---

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Enclosure (4)
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Presiding Officer: Please.

Translator speaks to detainee.

Detainee (through translator): If I was his body guard, his personnel body guard so I should be with him right now not being here in front of you.

Designated Military Officer: (3.b.8) The detainee was reportedly a bodyguard for Usama bin Laden and was in Tora Bora, Afghanistan, with a handgun and a Beka.

Detainee (through translator): I have never had a lethal weapon never ever. That's not, this whole thing is not true.

Designated Military Officer: (3.b.9) The detainee was reportedly at Usama bin Laden's house many times.

Detainee (through translator): Same thing.

Designated Military Officer: (3.b.10) The detainee was reportedly a guard who resided at Usama bin Laden's compound.

Detainee (through translator): Same thing.

Designated Military Officer: (3.c) Training.

Designated Military Officer: (3.c.1) The detainee was identified as participating in an elite training course at Mes Aynak Camp.

Detainee (through translator): I have never received any training.

Designated Military Officer: (3.c.1.a) Basic trainees at the Aynak training camp received weapons training on Kalashnikov rifles, PK machine guns, rocket propelled grenades and hand grenades.

Detainee (through translator): Same thing.

Designated Military Officer: (3.c.2). The detainee was identified as being trained by the instructor at Mes Aynak who trained Usama bin Laden's bodyguards.

Detainee (through translator): I don't know. I mean it's the same thing.

Designated Military Officer: (3.d) Other Relevant Data

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Designated Military Officer: (3.d.1) Individuals who attended the close combat course at Mes Aynak training camp were identified as not having to smear [sic] bayat to Usama bin Laden or al Qaida. Correction, Individuals who attended the close combat course at Mes Aynak training camp were identified as not having to swear bayat to Usama bin Laden or al Qaida. If an individual was going on an operation, that individual was identified as swearing his willingness to be killed for Allah. The detainee was identified as swearing bayat.

Detainee (through translator): That's not true. That's, I mean, we as a Muslim, this bayat oath is not given you know, to any you know regular person. Only for the, you know, state minister, or something that can make that kind of decision.

Presiding Officer: Only a high official could give that?

Detainee (through translator): Yea, only the person who can make up something like that, or come up with, say something like that.

Designated Military Officer: (3.d.2) The Pakistani warden reportedly informed the detainee that the best thing they could tell United States forces when interrogated was they were in Afghanistan to teach the Koran and for religious studies.

Detainee (through translator): I don't speak Urdu. How can you think I am going to be able to understand what he says. That's not true.

Board Member: How long were you in the Pakistani prison?

Detainee (through translator): Ten days, almost, almost ten days.

Board Member: Did you know anybody there?

Detainee (through translator): Never, No. No, I didn't know anybody.

Presiding Officer: Did you meet anybody?

Detainee (through translator): Americans, yes. They just came and interrogated me and then left.

Designated Military Officer: (4) Factors Favoring Release or Transfer:

Designated Military Officer: (4.a) The detainee stated he had no involvement in or knowledge of al Qaida activities in Afghanistan or Pakistan. He never saw Usama bin Laden. He has never received any formal or informal military training. He was never issued or carried a weapon while in Afghanistan or Pakistan. He stated he has no enmity towards the United States.

Detainee (through translator): That's true.

UNCLASSIFIED

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Designated Military Officer: (4.b) The detainee stated he did not know of the terrorist acts against the United States in New York. The detainee stated he had no formal military training and the only weapon he had ever handled was the family AK-47 which he shot during a wedding celebration in Yemen. The detainee stated no one had attempted to recruit him for the jihad or for any sort of training in Afghanistan.

Detainee (through translator): That's true but this AK-47, this is the first time I have heard of it. What is it?

Presiding Officer: The family rifle. It says here that it was a family weapon---

Detainee (through translator): Yes, it's true about the rifle. It's true. But the name of the AK-47, this is the first I have heard it.

Designated Military Officer: (4.c) The detainee stated he had never been to any training camp and he had never been to Tora Bora.

Detainee (through translator): That's true.

Designated Military Officer: (4.d) The detainee stated that Usama bin Laden should be hung for such acts.

Detainee (through translator): No, I never said this thing.

Presiding Officer: Do you have other response to the unclassified summary?

Detainee (through translator): No, I have said what I have so far.

The Presiding Officer confirmed that none of the members desired more time to review the Unclassified Summary.

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

The Presiding Officer acknowledged the request.

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

Assisting Military Officer: Sir, the detainee previously stated that depending on how the board transpires he may have an oral statement to make.

Detainee (through translator): I don't have anything to say.

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The Assisting Military Officer confirmed that he had no additional unclassified information to present on behalf of the Detainee.

Presiding Officer: Mohammed Al Ansi, do you have any further information you wish us to consider?

Detainee (through translator): No, I don't have anything.

The Assisting Military Officer did not have any additional information to present.

The Assisting Military Officer had no questions for the Detainee

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's had questions:

Board Member: Why didn't you take the oath?

Detainee (through translator): I did attend two boards before and they never asked me if I wanted to take an oath not. I mean, this is the first time I have heard of something like taking the oath. This is the first time they said that you know, I heard that they requested a Muslim or non-Muslim oath because before they haven't had any oath. Yea, I was surprised because they brought this up today and before when I had the, those two, when I was in the previous boards they never asked me this question.

Presiding Officer: As I said in the beginning, it is your choice you are not required to take the oath but it is there if you would like it.

Detainee (through translator): So if it optional, why would you ask me this question?

Board Member: It's your choice.

Detainee (through translator): Does it, does it have any weight on this hearing right now if I do take or not take the oath? Does it really matter?

Presiding Officer: You are not required to take the oath. Each board member must, in his own mind, must put what ever weight he or she decides on that decision. I cannot tell you what the other board members will weigh that with.

Board Member: I have one more question, sir . While you were in Afghanistan did you meet any other non-Afghans?

Detainee (through translator): No, they were all Afghans?

Presiding Officer: So, you did not travel with any other Arabs?

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Detainee (through translator): Yes, I did. There were two. One Pakistani and two Yemenis, they went, traveled with me from Sanna to Karachi then to Quetta, then to Khowst, then to the village where we teach the Koran.

Presiding Officer: I want to understand there were three of you together who taught the Koran to local Afghan civilians?

Detainee (through translator): That's true.

Board Member: And they didn't want to leave with you when you left?

Detainee (through translator): They left prior to my departure, like four months before.

Board Member: When you were in Afghanistan teaching the Koran, who did you teach the Koran to? Were you at a specific mosque?

Detainee (through translator): Yea, I did in the mosque and it was for the local villagers.

Board Member: Children or adults?

Detainee (through translator): Teenagers and kids mostly.

The Presiding Officer stated that all unclassified evidence was presented.

Detainee (through translator): Yea, I remember from our meeting, when we had that meeting, the Assisting Military Officer, we talked about my behavior in the camp here and if you have any further questions about that you can always call out and the, you know, guards and the people who are taking care of the camps, I mean about my behavior inside the camp. Hopefully, that will help. Because I mean, if you want to know about my behavior during all this time inside the camp, how I acted with the guards and I mean people that I interacted with and all this stuff, you can get the information.

Board Member: Why don't you tell the board about your behavior in the camps?

Detainee (through translator): Well actually, I mean my behavior is normal, like anyone else. I don't have any issues or any confrontations with the guards, no punishment or anything.

Board Member: No attacks on the guards or staff?

Detainee (through translator): No, never. I have never hit any guards or anything, or anything like that.

Board Member: Thrown anything at them?

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Detainee (through translator): All three of them, number one, number two and number three, I have never done that to them. The file is available and they keep record of everything. I mean it's been like two or three years now and I don't really have any issues and I wasn't I have never being punished during these last two or three years, the same thing with the interrogators.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee.

The open session of the Administrative Review Board was adjourned at 1019 hours on 3 November 2008.

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.

(b)(3): 10 USC §130b,
(b)(6)

COL, US Army
Presiding Officer

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Enclosure (4)
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(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 029

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee chose to attend, and consequently the Board convened with the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after it is presented.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview and during the ARB. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

e. (U) The detainee responded verbally to the allegations/statements in the Unclassified Summary, either to deny or confirm the statement. The detainee answered a series of questions from the ARB, which included inquiries regarding his recruitment in Yemen, his activities in Afghanistan, his decision not to take an oath, and if he knew of or was with other Arabs in Afghanistan. The detainee's testimony and comments are included in enclosure (4).

(b)(1),(b)(5)



g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent

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practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered


a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-46.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)




(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



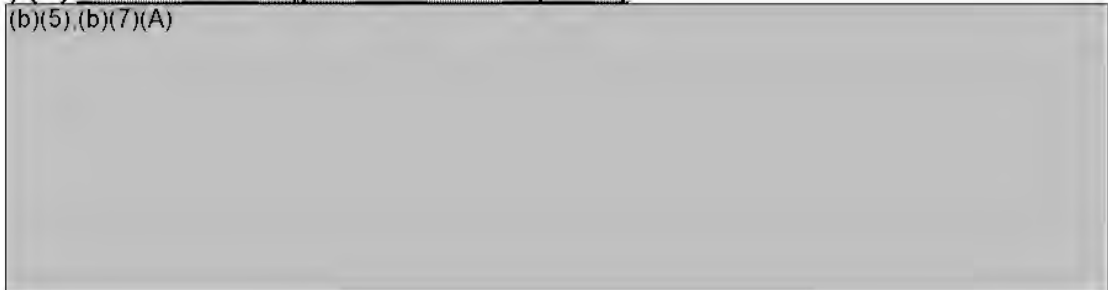
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(5),(b)(7)(A)



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(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

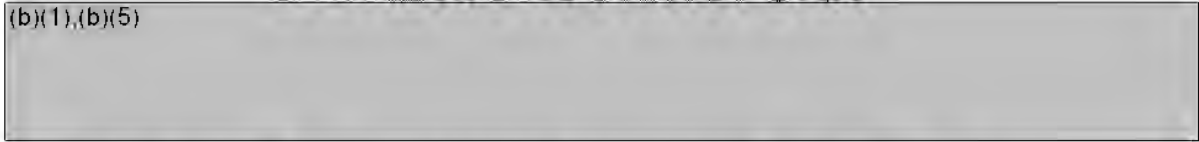
6. (U) Additional Information

(b)(1),(b)(5)

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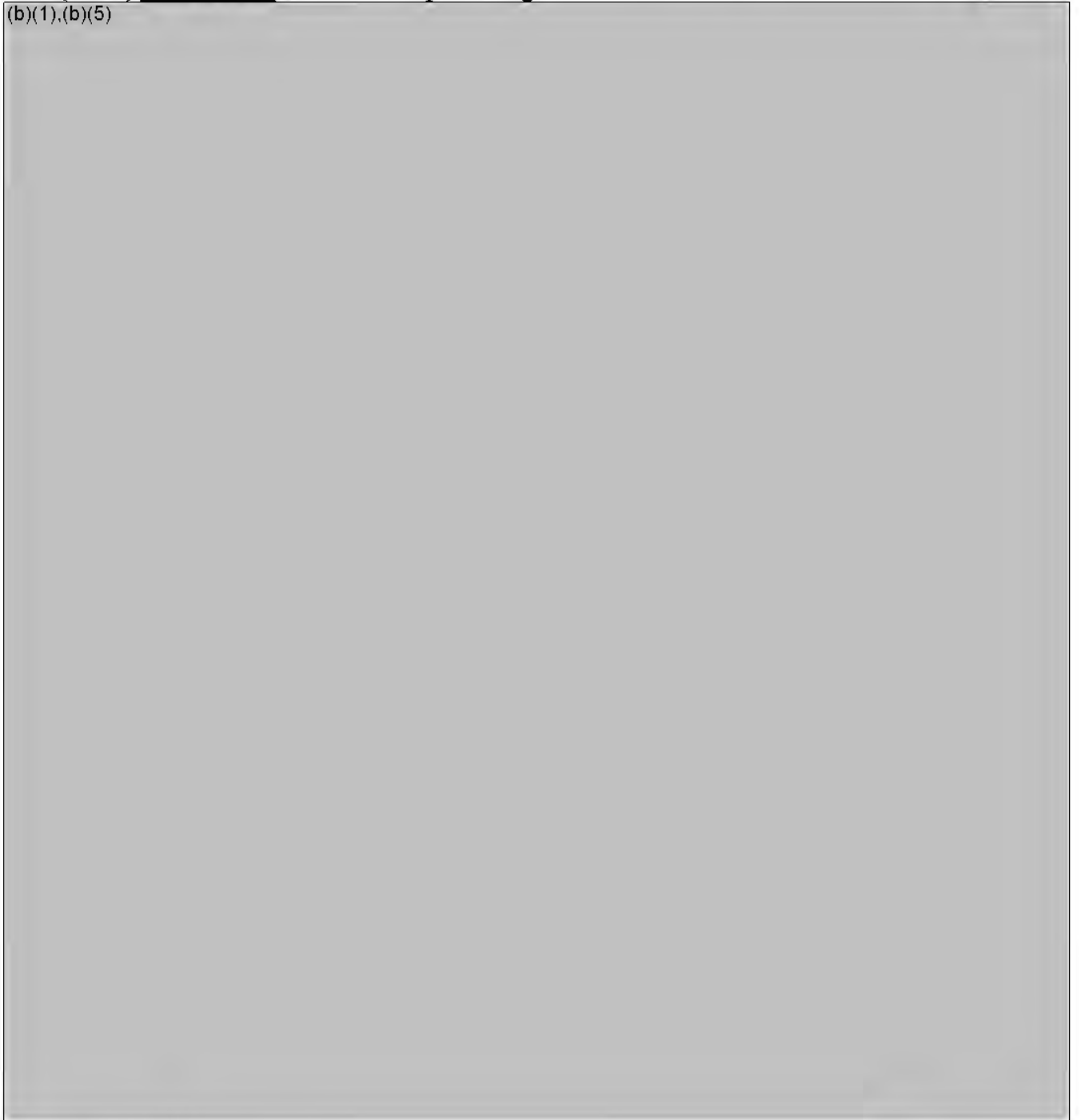
(b)(1),(b)(5)



7. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.**


(b)(1),(b)(5)



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Declassify On: 25X1-Human

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(b)(1),(b)(5)



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(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



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(b)(1),(b)(5)



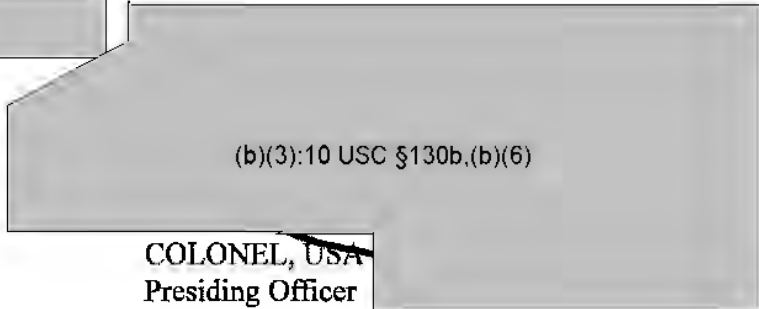
d. (U) Recommendation.

(b)(1),(b)(5)



8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)

COLONEL, USA
Presiding Officer

UNCLASSIFIED

**Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba**

06 October 2008

To: AL ANSI, MOHAMMED A

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL ANSI, MOHAMMED A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he decided to go to Afghanistan to assist in Koranic education of Afghans after hearing a local Imam's sermon.
 - 2) The detainee reportedly traveled from Yemen through Karachi, Pakistan, to Afghanistan.
 - 3) The detainee stated he made arrangements to fly to Pakistan then make his way to Afghanistan to teach Islam.
 - 4) The detainee stated he received about 35,000 Yemeni Riyals from a Sheikh and took a bus from Sanaa, Yemen, to Dubai, United Arab Emirates. He then flew to Karachi, Pakistan.
 - 5) The detainee stated he met with the Imam of Khowst, Afghanistan, who collected his passport and visa. The Imam sent him to a village to instruct the local population in reading the Koran. The detainee stated he desired to return to Yemen after approximately eight months. The detainee stated he returned to Khowst, Afghanistan, to retrieve his passport and visa, but the Imam was away. After waiting several days, the detainee located a guide and headed for the Pakistani border without his documents. The detainee stated he was arrested by Pakistani authorities shortly after crossing the border.

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DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL ANSI, MOHAMMED A

- 6) The detainee reportedly had seniority and was a leader on the front lines near Kabul, Afghanistan.
- 7) The detainee was identified as one of the martyrs who had been readied for the Southeast Asia part of the 11 September 2001 operation. Usama bin Laden was identified as targeting United States' airlines, citizens, and military installations in Seoul, South Korea, and Singapore.
- 8) The detainee was identified as being on the front lines in Kabul, Afghanistan during the fighting against the Northern Alliance. The detainee was identified as receiving training at a camp called Aynak and the detainee was a bodyguard for Usama bin Laden.
- 9) The detainee was reportedly in the Tora Bora Mountains region of Afghanistan.

b) Connections/Associations

- 1) The detainee stated he traveled via Yemeni Airlines from Sanaa, Yemen to Dubai, United Arab Emirates, then to Karachi, Pakistan. The detainee then flew to Quetta, Pakistan, where the detainee went to the Taliban office to join up with the Taliban. After two and a half days in Quetta, the detainee headed on to Khowst Province, Afghanistan.
- 2) The detainee was identified as being a guard for Usama bin Laden. The detainee was identified as being at a guest house where Usama bin Laden was staying in 2001.
- 3) The detainee was identified as being one of Usama bin Laden's bodyguards.
- 4) The detainee was reportedly a member of al Qaida.
- 5) The detainee stated he visited the Jamat-al-Tabligh Mosque in Karachi, Pakistan. He stated the Jamat-al-Tabligh made his travel arrangements.
 - a) Jamat-al-Tabligh has been supporting Islamic terrorist groups in South and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.
- 6) The detainee stated he obtained a visa for travel into Afghanistan from the Taliban Embassy in Quetta, Pakistan.
- 7) The detainee was reportedly guarding Usama bin Laden at the Kandahar, Afghanistan, airport in July 2000.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL ANSI, MOHAMMED A

- 8) The detainee was reportedly a bodyguard for Usama bin Laden and was in Tora Bora, Afghanistan, with a handgun and a Beka.
- 9) The detainee was reportedly at Usama bin Laden's house many times.
- 10) The detainee was reportedly a guard who resided at Usama bin Laden's compound.

c) Training

- 1) The detainee was identified as participating in an elite training course at Mes Aynak Camp.
 - a) Basic trainees at the Aynak training camp received weapons training on Kalashnikov rifles, PK machine guns, rocket propelled grenades and hand grenades.
- 2) The detainee was identified as being trained by the instructor at Mes Aynak who trained Usama bin Laden's bodyguards.

d) Other Relevant Data

- 1) Individuals who attended the close combat course at Mes Aynak training camp were identified as not having to swear bayat to Usama bin Laden or al Qaida. If an individual was going on an operation, that individual was identified as swearing his willingness to be killed for Allah. The detainee was identified as swearing bayat.
- 2) The Pakistani warden reportedly informed the detainee that the best thing they could tell United States forces when interrogated was they were in Afghanistan to teach the Koran and for religious studies.

4. Factors Favoring Release or Transfer

- a) The detainee stated he had no involvement in or knowledge of al Qaida activities in Afghanistan or Pakistan. He never saw Usama bin Laden. He has never received any formal or informal military training. He was never issued or carried a weapon while in Afghanistan or Pakistan. He stated he has no enmity towards the United States.
- b) The detainee stated he did not know of the terrorist acts against the United States in New York. The detainee stated he had no formal military training and the only weapon he had ever handled was the family AK-47 which he shot during a wedding celebration in Ycmcn. The detainee stated no one had attempted to recruit him for the jihad or for any sort of training in Afghanistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL ANSI, MOHAMMED A

- c) The detainee stated he had never been to any training camp and he had never been to Tora Bora.
- d) The detainee stated that Usama bin Laden should be hung for such acts.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *JK*

FROM: Director, OARDEC (U) *AD 12/15/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 030 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 4 November 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *JK 12-30-08*
 Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC DSJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 030

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings the detainee.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-34.

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (5)
Page 1 of 7

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



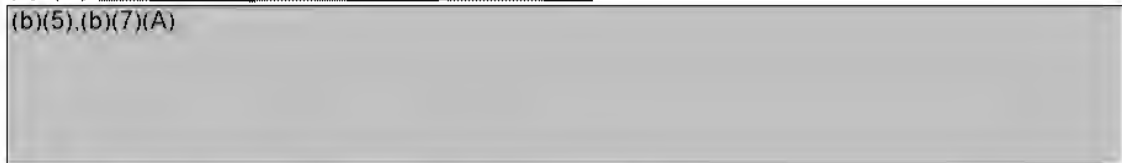
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



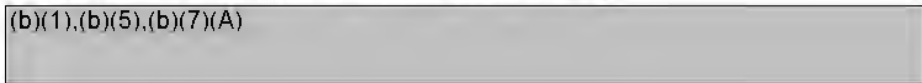
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



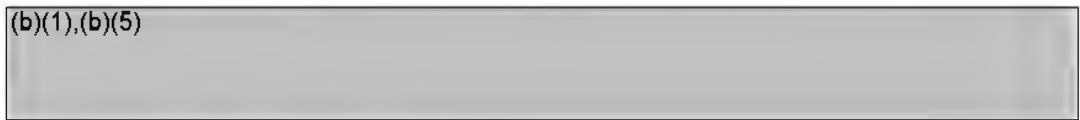
(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)



4. (U) **Third Party / Home Country Statements**

(b)(5)



5. (U) **Consultations with the Administrative Review Board Legal Advisor**

(b)(5)



6. (U) **Additional Information**

(b)(1),(b)(5)



Derived From: Multiple Sources
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Enclosure (5)
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(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

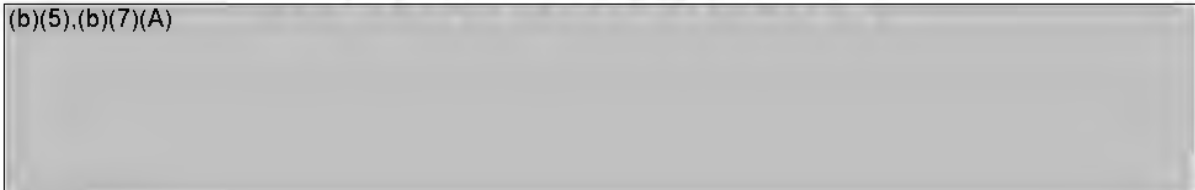
(b)(1),(b)(5)

(b)(5),(b)(7)(A)


Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (5)
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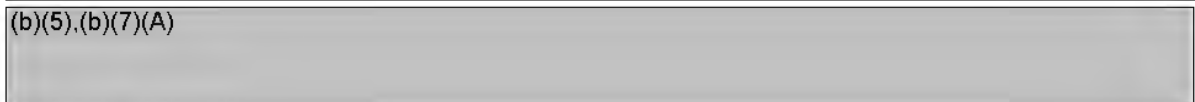
(b)(5),(b)(7)(A)



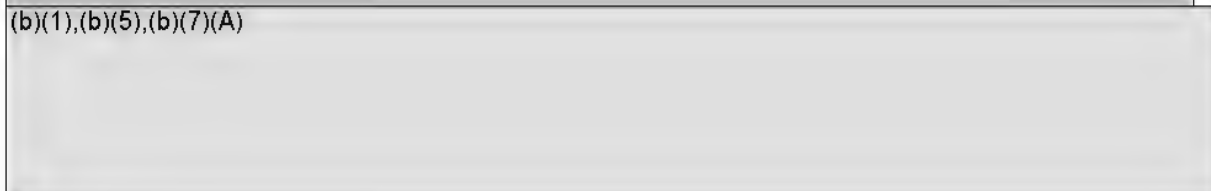
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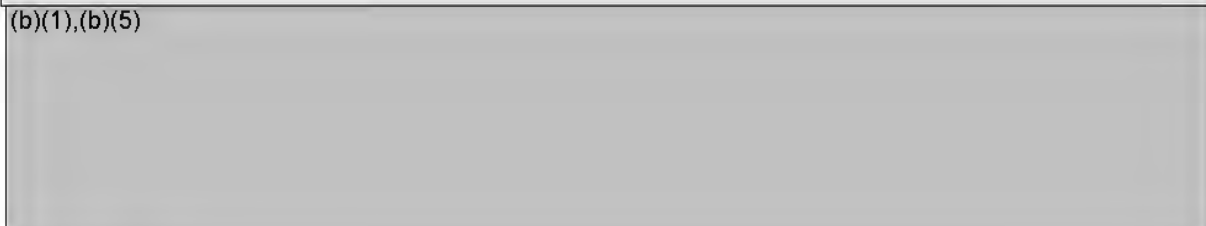
(b)(5),(b)(7)(A)




(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(5)



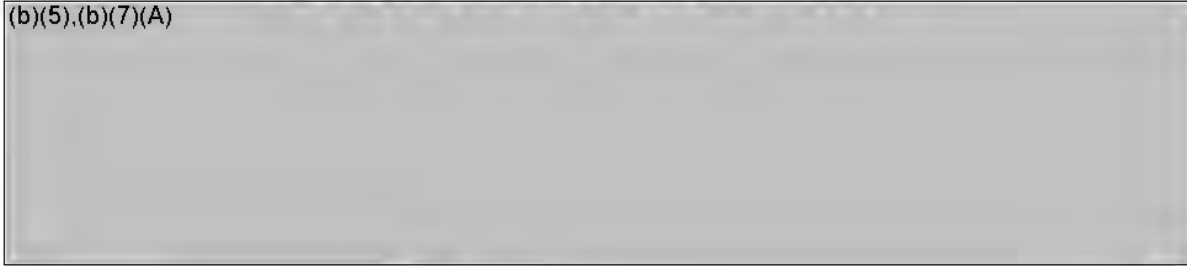
(b)(5),(b)(7)(A)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 030
Enclosure (5)
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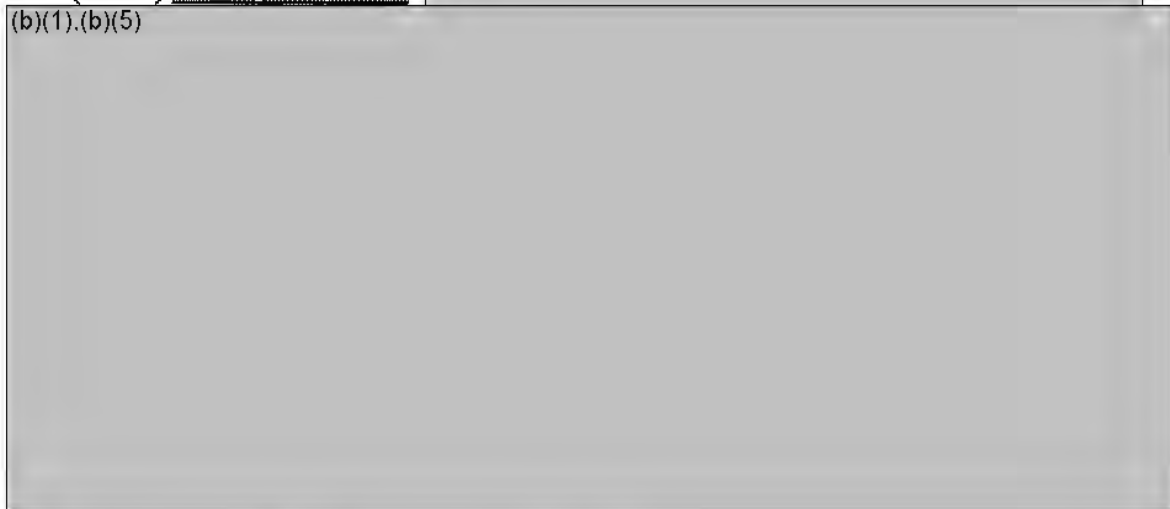
(b)(5),(b)(7)(A)



b. **(S//NF) Intelligence Value.**

(b)(1),(b)(5)

(b)(1),(b)(5)



c. **(U) Detainee Treatment Act Consideration.**

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1) (b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b.(b)(6)

Colonel, United States Marine Corps
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 030
Enclosure (5)
Page 7 of 7

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

30 October 2008

To: AL HIKIMI, AHMED U

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL HIKIMI, AHMED U

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated that in 1999, he met a man who told him about the Dawa, and told the detainee to go see a well known Muslim religious scholar from Sadah, Yemen.
 - a. Reportedly, this religious scholar was a supporter of the Taliban and jihad who said it was a good thing for Muslims to go fight jihad.
 - 2) The detainee stated he traveled to Sadah, Yemen, to meet the religious scholar. The detainee stated the religious scholar informed him about the Dawa and gave the detainee 5,000 Saudi Riyals (\$11,000 United States dollars) to help him with his travels. The detainee stated the religious scholar told him to go to Khowst, Afghanistan.
 - 3) The detainee stated he decided to sell his motor taxi business and used the money to pay a bribe for a Yemeni passport with 1969 as his date of birth, making him too old to enlist in the Army. The detainee stated at the Pakistani Embassy he was told he was forbidden to get a visa without having proper working or medical papers. The detainee stated he paid an unknown doctor for a document stating he needed medical treatment, and then went to the Pakistani Embassy where he presented his passport, medical document and money to get a visa.

ISN 030
DMO Exhibit 01
Page 1 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HIKIMI, AHMED U

- 4) The detainee stated he decided to go to Afghanistan for the first time and bought an airline ticket to Karachi, Pakistan. The detainee stated he took a taxi to Miram Shah, Pakistan, a town on the border of Afghanistan. The detainee stated he walked across the border, and then took a taxi to Khowst, Afghanistan.
- 5) The detainee stated he met a man in Khowst, Afghanistan. The detainee stated they decided they would teach together in and around Khowst and Kabul, Afghanistan. The detainee stated they taught and traveled together for about eight months in 1999. The detainee stated he ran out of money and returned to Taiz, Yemen, by the same outgoing route.
- 6) The detainee stated that in February 2001, he decided to go back to Afghanistan to teach the Koran. The detainee stated he went the same route to Afghanistan as he did on his first trip, Sanaa, Yemen, to Karachi, Pakistan, via plane; to Peshawar, Pakistan by bus; to Miram Shah, Pakistan, by taxi and to Khowst, Afghanistan, by foot.
- 7) The detainee stated he continued to teach until Khowst, Afghanistan, fell to the opposition forces and he was advised to go back to Pakistan. The detainee stated the Miram Shah Crossing was blocked, and a friend drove him to a small village in a valley and arranged for an Afghani guide to lead the detainee to Peshawar, Pakistan. The detainee stated he traveled with the guide for eight days and left.
- 8) The detainee stated he met 30 unknown people fleeing Afghanistan and walked with them and other Afghani guides toward the Pakistani border. The detainee stated the guides told them to go through the border checkpoint and the guides would walk around and meet them on the other side in Pakistan. The detainee stated the Afghans walked around the border crossing and informed the Pakistani police about them and they were arrested at the border.
- 9) Reportedly, the detainee lived and fought in the Taloqan area of Northern Afghanistan and lived at a safe house located three kilometers from the front line.
 - a. Reportedly, the man who owned the safe house mentioned in the above statement created his own camp and his own guest house in Kabul, Afghanistan. Reportedly, this man reported directly to Usama bin Laden and his duties were to finance the training, obtain supplies and indoctrinate the new recruits.
- 10) Reportedly, the detainee's duties in Jalalabad, Afghanistan, were to transport clothing and supplies from Jalalabad to Tora Bora.
- 11) Reportedly, the detainee was in Tora Bora.

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UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HIKIMI, AHMED U

- 12) Reportedly, the detainee was a Usama bin Laden bodyguard.
 - 13) A senior al Qaida operative saw the detainee in Afghanistan prior to the 11 September 2001 attacks and identified him as a Yemeni national known to frequent the Bayt Al Salama guest house.
 - a. The Bayt Al Salama lodging house in Kandahar, Afghanistan was run by al Qaida for its members and distinguished visitors.
 - 14) Reportedly, the detainee was present at the Khana Gulem Bechey guest house in Afghanistan.
 - a. Reportedly, the Ghulam Bacha guest house was owned and operated by al Qaida, and it was used by al Qaida members from Saudi Arabia, Yemen, Iraq and Libya.
- b) Training**
- 1) The detainee stated he attended the Dimaj Institute in Yemen.
 - 2) An al Qaida operative stated he first saw the detainee at al Farouq Training Camp in Afghanistan. The detainee would drive the route from the front line to the mountains once a week with food for the brothers in the mountains and to move brothers back and forth from the front lines to the mountains.
 - a. Reportedly, the man mentioned in the above statement participated in attacks on the United States Embassy in Somalia and the attacks on United States Forces in Mogadishu, Somalia, and had knowledge of explosives.
 - b. Reportedly, the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. Reportedly, the training at al Farouq consisted of two-week periods of weapons training, a basic commando course, topography and explosives.
- c) Connections/Associations**
- 1) Reportedly, the detainee was a suspected member of al Qaida due to his association with the Kandahar Airport group. Reportedly, it was well known that individuals associated with the Kandahar airport were automatically associated with being a member of Usama bin Laden's group.
 - 2) Reportedly, the detainee was a friend with a man who worked for Usama bin Laden.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HIKIMI, AHMED U

- a. Reportedly, the man mentioned in the statement above was a master at building all types of explosives and improvised explosive devices and swore bayat to Usama bin Laden.
 - 3) Reportedly, the detainee was a friend and advisor to a skilled fighter and trainer who fought on the Northern Afghanistan front lines. Reportedly, when this man was not training, he was in charge of the closest front line and was in charge of approximately 50 other Arab fighters in Taloqan, Afghanistan.
 - 4) Reportedly, the detainee drove personnel back and forth from the front line to the guest house, and since the detainee was a driver, the detainee knew an active al Qaida member.
 - a. Reportedly, the man mentioned in the statement above worked at the media center in Kandahar, Afghanistan, and was in charge of audio and video recordings of Usama bin Laden speeches. Reportedly, this man was close to Usama bin Laden and was with Usama bin Laden in Afghanistan after 11 September 2001.
4. The following primary factors favor release or transfer:
- a) The detainee stated he had no problem with America or Americans. The detainee stated that if he were released, he intended to get a job in Yemen and get married.
 - b) The detainee stated he underwent no military-style training and attended no training camps in Afghanistan. The detainee stated he never handled or fired a weapon in Afghanistan and never fought in Afghanistan.
 - c) The detainee stated he was not a member of al Qaida or the Taliban.
 - d) The detainee stated he did not believe in jihad.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJA*

FROM: Director, OARDEC (U) *AS 10/4/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 031(YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 07 Aug 2008, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5) Detain) *[Signature]*
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #142
 Source Marked: 25X1-Human
 Source Dated: 12 Aug 08

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 031

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee wanted the assistance of the AMO but affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process. The AMO verbally summarized comments regarding statements from the Unclassified Summary made by the detainee during the AMO's interview. These comments are documented in Exhibit EC-B.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 031
Enclosure (4)
Page 1 of 6

3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-37.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



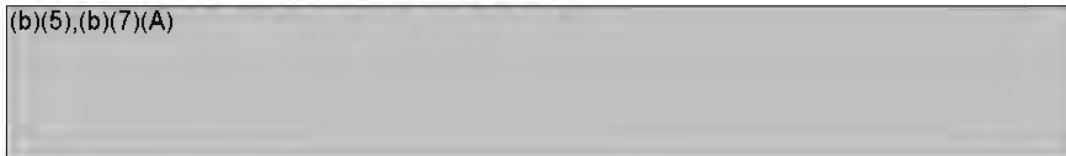
(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



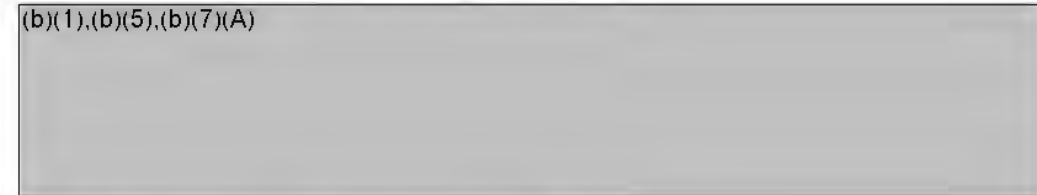
(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



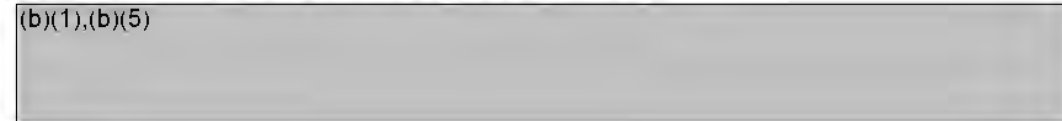
(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.


(b)(1),(b)(5)

(b)(1),(b)(5)


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(b)(1),(b)(5)



(b)(5),(b)(7)(A)




(b)(1),(b)(5)



(b)(5),(b)(7)(A)



(b)(1),(b)(5)



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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. (S//NF) Intelligence Value

(b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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(b)(1).(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, U.S. Navy
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 031
Enclosure (4)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

(b)(5)

28 July 2008

To: AL MUJAHID, MAHMUD A

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL MUJAHID, MAHMUD A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he studied religion under a Sheikh in Hadramout, Yemen for a period of three months. (DMO-13)
 - a. The Sheikh in question reportedly recruited and indoctrinated youths into a radical sect of Islam and instilled with a profound hatred toward the West. (DMO-14)
 - 2) The detainee stated he attended the Islamic institute in Ma'reb, Yemen. A Sheikh who taught at the institute told the detainee he should go to Afghanistan to teach the Koran. The detainee stated the Sheikh introduced him to an individual who would also be traveling to Afghanistan. (DMO-13)
 - 3) The detainee's brother reportedly recruited him as a bodyguard for Usama bin Laden. (DMO-26)
 - 4) An al Qaida supporter reportedly facilitated the detainee's travels to Afghanistan in late 1999 or early 2000 and also stated he facilitated the detainee's brother's trip to Afghanistan circa 1997-1998. (DMO-16)

ISN 031
DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL MUJAHID, MAHMUD A

- 5) The detainee was identified as the emir of a guesthouse at the airport village in Kandahar, Afghanistan. (DMO-17)
- 6) The detainee stated he traveled from Karachi Pakistan to Quetta Pakistan then to Kandahar, Afghanistan. (DMO-13)
- 7) The detainee was identified as a bodyguard for Usama bin Laden and that the detainee's brother was also a bodyguard for Usama bin Laden. (DMO-18)
- 8) The detainee reportedly became a bodyguard shortly after the USS Cole bombing and remained a guard for one year until they all withdrew to Tora Bora, Afghanistan. (DMO-16)

b) Connections/Associations

- 1) Reports state the detainee was seen with Usama bin Laden on three different occasions between April 2001 and November 2001. The detainee was reportedly one of Usama bin Laden's closest bodyguards due to the fact that every time Usama bin Laden was seen, the detainee was close by. (DMO-27)
- 2) The detainee was reportedly always with Usama Bin Laden in Kabul, Kandahar, and al Farouq, and described him as a good fighter. (DMO-19)
- 3) The detainee was captured with 30 individuals attempting to cross the Pakistan border after leaving Tora Bora. (DMO-30)

c) Training

- 1) The detainee was reportedly trained at al Farouq. (DMO-16)
- 2) The detainee was reportedly at the al Farouq training camp. (DMO-28)
- 3) The detainee was reportedly a bodyguard for Usama bin Laden who was given special training at al Farouq. (DMO-19)
- 4) The group that the detainee was with when he was captured was reportedly given the cover story that when interrogated, he was in Afghanistan to teach the Koran and for religious studies. (DMO-31)

d) Intent

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL MUJAHID, MAHMUD A

- 1) Detainee reportedly knows about future operations. (DMO-19)
- 2) Detainee reportedly has discussed plans for suicide operations. (DMO-36)

e) Other Relevant Data

- 1) Pakistani authorities apprehended the detainee with a group of 30 Arabs on approximately 15 December 2001. (DMO-34)
- 2) The detainee stated he graduated from high school at approximately age 22. The detainee stated that his only formal employment was a job in a Proctor & Gamble diaper factory in Ta'ez, Yemen, which the detainee held for three months during the summer. (DMO-13)

4. The following primary factors favor release or transfer:

- a) The detainee stated he did not participate in any fighting or receive any weapons training either before or during his trip to Afghanistan. The detainee stated he did not know the locations of any terrorist training camps. (DMO-34)
- b) The detainee stated his brother, Riyadh, had never been to Afghanistan, and was not affiliated with al Qaida or the Taliban. (DMO-34)
- c) The detainee was reportedly hesitant of fighting against the Northern Alliance. The detainee reportedly did not know whether to go to the Islamic Institute or to go to the front lines to fight. (DMO-16)
- d) The detainee stated he did not attend the al Farouq training camp and did not participate in any military training while in Afghanistan. The detainee denied being an Usama bin Laden bodyguard, denied swearing bayat to Usama bin Laden, and stated he never saw anyone swear bayat to Usama bin Laden. (DMO-35)
- e) The detainee stated he had no prior knowledge of the September 11 terrorist attacks in the United States and never heard any rumors concerning these same attacks. (DMO-13)
- f) The detainee stated he did not know anyone affiliated with al Qaida, although he has heard of the organization. (DMO-34)

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED

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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL MUJAHID, MAHMUD A**

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

—SECRET//NOFORN
 ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *7/28/08*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO AHMED, FARUQ, ISN 032 (YEMEN)

o Subject ARB was held on 23 June 2008 resulting in a (b)(1),(b)(5) recommendation (b)(1),(b)(5) (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5):

(b)(1),(b)(5) (Detain) *ADP 8-22-08*
 Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

—SECRET//NOFORN—

UNCLASSIFIED

Summary of Administrative Review Board Proceedings for ISN032

The Administrative Review Board was called to order at 1004 hours on 23 June 2008.

The Detainee entered the proceedings.

Presiding Officer: Good Morning.

Presiding Officer: Is the correct pronunciation of your name Faruq Ali Ahmed?

Detainee (through linguist): Yes ma'am

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, Linguist, Assisting Military Officer (AMO) and Board Members were sworn.

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

The Detainee declined the oath.

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

Presiding Officer: Faruq Ali Ahmed do you understand this process?

Detainee (through linguist): Yes ma'am.

The Assisting Military Officer presented the Notification of the Decision of the ARB, 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.

The detainee's ARB interview was conducted on 17 June 2008 with a follow up interview on 19 June 2008. 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 was initially noncommittal, however later stated he would attend the ARB and have the AMO

ISN032
Enclosure (5)
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read a statement on his behalf. The detainee was polite and attentive throughout the interview. Copies of both the English and Arabic translated Unclassified Summary of Evidence, were handed to the detainee according to the JDG Standard Operating Procedures. The AMO also provided the JDG with e-mail confirmation of the document delivery.

Additional Comments:

The detainee appeared at his interview wearing a tan uniform.

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

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

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee did not want to respond to the information from the Unclassified Summary.

Detainee (through linguist): But I did write a statement.

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 reads Exhibit DMO-1.

3. The following primary factors favor continued detention:

3. a. Commitment

3. a. 1. The detainee stated he attended the Furquan Institute in Taiz, Yemen for approximately three years beginning in 1998.

3. a. 1. a. The Furquan Institute was something of a meeting and recruiting ground for jihadists in Yemen. Many Yemeni al Qaida members have links to the institute, specifically a number of the al Qaida members involved in the 12 October 2002 attack on the USS Cole.

3. a. 2. The detainee stated that in approximately March 2001 an individual provided approximately 500 United States dollars and a plane ticket to support the detainee on a trip to Afghanistan to perform missionary work.

3. a. 3. The detainee stated the individual gave him instructions to go to Quetta, Pakistan and ask a taxi to take him to the Taliban office in Quetta.

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3. a. 3. a. The Daftar Taliban Office in Quetta helped Arabs cross the border into Afghanistan by coordinating travel and lodging for a fee.
3. a. 4. The detainee stated he traveled by plane from Taiz, Yemen to Karachi, Pakistan then by bus to Quetta. In Quetta the detainee went to the Taliban office. The next day the detainee went to Kandahar, Afghanistan, where he stayed for three days before continuing on to Kabul, Afghanistan.
3. a. 5. The detainee stated he met an individual at the Wazir Akbar Khan Mosque in Kabul. The detainee stated the mosque was frequented mostly by Afghans, some of them armed with AK-47s. The detainee taught at the mosque from approximately May 2001 to August 2001.
 3. a. 5. a. The detainee stated the individual he met used to work for the Taliban. The detainee gave him his passport for safe keeping.
 3. a. 5. b. The Wazir Akbar neighborhood in Kabul was cleared of its residents by the Taliban in order to house high-level Taliban officials and Arabs.
3. a. 6. The detainee stated that while in Kabul he lived in a two story house run and occupied by Afghans.
 3. a. 6. a. The detainee stated the house was for Taliban officials to live in while on business in Kabul.
3. a. 7. The detainee stated that in approximately August 2001 the individual told him he should teach in Khowst, Afghanistan. The individual took the detainee to a village near Khowst and to the Abu al Hanifa Mosque [NFI]. The detainee stated he lived and taught at the mosque for approximately 4 months.
3. a. 8. The detainee was identified as being at Usama bin Laden's private airport in Kandahar holding an AK-47 and wearing camouflaged clothing.
3. a. 9. The detainee was identified as being at the Dar Al Aman house in Kabul and on the front lines.
 3. a. 9. a. The Dar Al-Amn safe house in Kabul acted as a staging area for the transportation of Taliban fighters moving to the front lines of Kabul and Konduz, Afghanistan. Afghani and Arab fighters routinely passed through this location to transition from one assignment to another.

3. b. Connections/Associations

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3. b. 1. A document listing 324 Arabic names, aliases, and nationalities was recovered from safe house raids associated with suspected al Qaida in Pakistan. This document lists the detainee's name.
3. b. 2. The detainee stated he came into contact with many Taliban officials during his time at the Wazir Akbar Khan Mosque in Kabul.

3. c. Training

3. c. 1. The detainee was identified as having attended the al Farouq training camp.
 3. c. 1. a. The al Farouq training camp was funded by al Qaida and therefore was more advanced than other training camps in Afghanistan. The basic training class at al Farouq consisted of weapons training, a basic commando course, topography, and explosives.
3. c. 2. The detainee was identified as being seen frequently in a house in Kabul where there were many Arab fighters and Taliban commanders. The detainee would go to the al Karga Training Camp for explosives training. This camp was located at the edge of Kabul in an industrial area surrounded by a forest.
 3. c. 2. a. Karga Camp, located in Kabul, was a poison and explosives training facility. Al Qaida members also trained at the camp. .

3. d. Other Relevant Data

3. d. 1. The detainee stated that in December 2001 he was told it was too dangerous for him in Afghanistan and he should leave.
3. d. 2. The detainee was told, soldiers were in Kabul and would kill any Arabs or other foreigners they found there. On the way to the border the detainee recognized some fellow Yemeni men in a group of refugees and asked to be left with that group.
3. d. 3. The detainee stated the group walked for about 8 days to the border town of Barashina, Pakistan. After crossing the border the detainee surrendered to Pakistani militia or military.
3. d. 4. The detainee stated he was captured with approximately 30 people.
3. d. 5. The detainee was identified as being captured while trying to cross into Pakistan from Afghanistan in 15 December 2001 with 30 suspected al Qaida members.
3. d. 6. The detainee was reportedly a Yemeni mujahedin captured at Tora Bora, Afghanistan.

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4. The following primary factors favor release or transfer:
- 4. a. The detainee stated he had no weapon or military training of any kind.
 - 4. b. The detainee stated he has no knowledge of al Qaida or Usama bin Laden.
 - 4. c. The detainee stated the only time he saw Taliban troops with weapons was at the market in Kabul.
 - 4. d. The detainee stated he was not a bodyguard for Usama bin Laden and has only seen bin Laden in pictures. The detainee stated bin Laden is a bad man. The detainee stated he would not go to any other countries or participate in any further jihads.
 - 4. e. The detainee was identified as not being a bodyguard for Usama bin Laden.
 - 4. f. The detainee was identified as not being known as an al Qaida member.
 - 4. g. The detainee stated he did not travel with a group of other men fleeing Afghanistan for Pakistan. The detainee only traveled with Obaid Allah.
 - 4. h. The detainee stated if released he would like to play soccer, get married, get his own house, and find a job in Yemen. He does not feel any animosity towards the United States. He feels the people involved with the September 11th attacks should be held accountable for their actions. He would not want to harm any Americans.

The Designated Military Officer confirmed that he had concluded reading the Unclassified Summary.

The Presiding Officer confirmed that none of the members desired more time to review the Unclassified Summary.

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

The Presiding Officer acknowledged the request.

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

Presiding Officer: Assisting Military Officer, does the detainee want to present any information to this board?

Assisting Military Officer: Yes, ma'am. The detainee has prepared a written statement and would like me to speak on his behalf.

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

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

Detainee Comments:

The detainee provided a written statement in response to the unclassified summary as well as a final statement. His comments in response to the unclassified summary are translated as follows:

The Furquan institution was not a recruiting or meeting ground for the Mujahedeen.

In Yemen, in fact it was a secondary school just like the other institutions and the schools that belonged to the government.

I had no idea that Wazir Akbar Khan neighborhood was cleared of its residents by the Taliban in order to house high-level officials and Arabs. And that is because I lived in a small room next to one of the houses and I had no association with that neighborhood except that I visited the Wazir Akbar Khan mosque, and therefore I had no information that pertains to that issue.

I have not stated that the house was occupied by Taliban officials, what I have stated though that I had no knowledge of what group did the men that I saw belong to.

I have never carried a weapon since I was born, and have not worn any camouflaged clothes and I never knew that there was a private airport for Osama Bin Laden and I have never seen the man with my own eyes except for posters or the pictures.

I didn't know or hear of Bait Dar Alaman.

It is possible that this is not my name, for names can sound alike, and even if that was my name in reality, that would not be a sufficient evidence to convict me.

I have not met any official from Taliban.

I have not entered Al Farouk camp, and the only time that I heard of it, was through you people. I didn't go to any camp, I didn't receive any training, didn't know of any place in Kabul other than the one that I was living in, And the market, in addition to that I have no information on what Karga Camp was, nor where was it located or what did it consist of.

I never knew that my life in 12/2001 was in extreme danger until one the Afghans told me so; I didn't feel that I was in any danger for I have not harmed or mistreated anybody.

I didn't meet with anyone during my departure from Afghanistan until I was in Pakistan.

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I walked on foot for eight days crossing borders and I am talking about myself here, I am not talking about anyone else who walked through that route.

I was captured alone; I had no one else with me.

Yes, I am a Yemeni detainee, but I am not a Mujahid as you claim, and I was not arrested until I was in Pakistan after I departed Khowst.

The Assisting Military Officer read the Detainee's Final Statement on behalf of the detainee.

Detainee's statement:

Here I am, I have spent almost seven years in prison and still don't know why I am here? You all know that I left my country to teach Quran, and since when that was a crime? With the missionary centers through out the world, how could you consider me a sinner and you are doing the same thing I am doing? And on top of all that you claim and support freedom, security and peace, hailing and calling for justice and fairness and imposing it on the others, how could they practice justice and serve it if you don't practice it yourselves!? I was captured when I was eighteen years old and my main concern and goal was to build my future, complete my college studies and play my sport (Soccer), but you were the obstacle in my way, and you didn't have any substantial or any convincing reason for detaining me and destroying my future, I didn't commit any crime to deserve this treatment and this long detention, therefore, if you have finally realized something, set me free, I am still capable of achieving what dreams I have hoped for, from studying, playing soccer, marriage to rejoining my family. Finally it is not a shame to do a mistake, the shame is to keep doing that mistake after realizing it was a mistake. Peace be upon those who follow righteous guidance. Farouk Ahmed

The Presiding Officer confirmed that concluded Detainee's statement.

The Assisting Military Officer confirmed that he had no further unclassified information to present on behalf of the Detainee.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's had questions:

Board Member: Faruq Ali Ahmed, when you were teaching at the mosque in Afghanistan, what kind of students were you teaching there?

Detainee (through linguist): Little kids, ma'am. Little children.

Board Member: Were they Afghani children?

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Detainee (through linguist): Yes, ma'am.

Board Member: And could you speak their language when you were teaching them?

Detainee (through linguist): You don't have to speak Afghani when you teach the Quran because the Quran is in Arabic, so he didn't have to speak in Afghani.

Board Member: But how would you explain to them what you wanted them to memorize?

Detainee (through linguist): I did have a linguist who was translating for me, who was helping me translate everything I wanted to say to them. But I didn't have to translate a lot because most of the time I was teaching in Arabic. He was just teaching pronunciation so he didn't need a lot of translation. They were just merely repeating exactly what he was reading. He was teaching them how to read in Arabic so they were just repeating whatever he was reading so he didn't need a lot of translation there. That why a lot of people who don't speak Arabic can still read the Quran because they can actually read it because we read to them and there taught how to read it. That's why I'm sure you can make sure of that if you want for your self a lot of people do the same thing they can read to the Quran without having to know the language they don't have to speak the Arabic read to know the Quran. Lot of Muslims in America you can be sure of that yourself too.

Board Member: In your earlier interviews with the people here you stated that you were traveling with some people that you had known before in Yemen; in your later interviews and in the statements to the board today you said you were traveling alone. Why has this story changed?

Detainee (through linguist): We gathered on the border, a lot of people there, we're on the border, stuck on the border, this is the truth, this is reality, this is what happened, I don't even know the people, those people that I was with. There is a lot of people together, we were gathered a lot of us. I was with some people there I didn't know exact how many were they and who were they but I would just happen to be at the same place that they were so that's why I felt that being saying the truth at this time, telling that I didn't know them did not help me, did not help my case. I had no association with them at all but at that time when I was interrogated they asked me if you were with them all that so they made it like a case, they made it sound like I was with them and I had even single association with them and all that and that is not the case. I only meet them there because I only happen to be in the same place that they were so I thought finally to say the truth which was I was really by myself I wasn't with anybody and this is what happened.

Board Member: Do you believe that violence or killing for the purpose of Jihad is ever justified?

Linguist tried to clarify the question for the Detainee with the board's permission.

Detainee (through linguist): He doesn't see no relation between violence and Jihad, two different things, he just doesn't see the relations between the violence and the Jihad.

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Board Member: We often hear about Jihad and how they're killing for the purpose of Jihad. Do you believe that that is right when they say that?

Linguist tried to clarify the question for the Detainee with the board's permission.

Detainee (through linguist): Where did you hear that from? Did you hear that, he is asking you if you heard that from where that Jihad is for the Jihad only? He's not sure that he knows what you are talking about exactly that Jihad is for the Jihad. He wants you to talk more about to elaborate more about it. The Jihad is mentioned in the Quran. Who would explain Jihad besides the scholars, the clerics? I have no knowledge of this I can not elaborate on that more because it's not my job, it is the clerics' job and the sheikh's job, they can explain that Jihad more than I can do and this is all I know about it.

Board Member: Thank you.

Board Member: Sir, when you answered the question a few minutes ago about your capture and you said you were alone and then you said this is true, I'm curious you did not take an oath so why should we believe you without the oath. I am wondering why you did not take the oath.

Detainee (through linguist): You said the oath was optional.

Board Member: Yes.

Detainee (through linguist): Ok then if the oath is optional how could you doubt me how could you blame me for not taking the oath and not telling the truth at the same time?

Board Member: To me it would have lended credibility had you taken the oath both for himself and for the board but it was optional he is correct in that.

Detainee (through linguist): I can assure that I can actually count that I will be leaving here that you will release from here. I can not count that you will release me from this place so I guess you just saying that I have to take the oath because I am not counting on it.

Board Member: It doesn't matter anyway, ok.

Detainee (through linguist): It's not really justice; it's not fair what's happening to begin with. If I can explain that to you? I'm sitting here with you guys, with detention, I'm detained, I'm shackled. Is that fair? Is that fair, I am sitting with you guys here, I'm all shackled, I'm all tied, is this fair, is this justice?

Board Member: I think the shackles are for security reasons.

Detainee (through linguist): And I appreciate that. Why my chair is different then your chairs then? Mine is plastic and yours is leather or material whatever?

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Board Member: I don't have an answer for that.

Detainee (through linguist): Ok.

Board Member: I noticed that when the name Usama bin Laden was mentioned each time you smile and one time you even seemed to laugh. I'm wondering why Mr. Bin Laden's name brings a smile to your face.

Detainee (through linguist): Well first the accusations are funny. You guys consider Usama bin Laden a big guy and very famous guy. I went to Afghanistan when I was 18 years old, I had no and I still have no military experience or political experience what so ever so I can not compare myself to those people who are into politics and military matter. It just sounds funny that you guys are giving me that much of importance when you mention Usama bin Laden and I was this and this with him and all of that kind of thing, it just seems funny, it sounds funny to me that you know that big guy, he is a very important famous guy and I'm only 18 years old and I went to Afghanistan. It just sounds funny that's all. I am imagining myself as a famous person now because you guys are comparing me to someone who is big and famous like Usama bin Laden and that is why it seems funny to me.

Board Member: Thank you.

President: Your statement says that you have never met any official from the Taliban, is that correct?

Detainee (through linguist): Yes, ma'am.

President: When you arrived in Quetta you were instructed to take a taxi to the Taliban office, why is that?

Detainee (through linguist): Are you saying that I took a taxi cab when I went to Afghanistan?

President: No. In Quetta, Pakistan after he arrived there he was instructed to take a taxi cab to the local Taliban office.

Detainee (through linguist): I took a taxi cab from Quetta, Pakistan to Afghanistan.

President: That is a very expensive taxi ride.

Detainee (through linguist): I did not get into that money issue because the office for the Taliban they took care of that. First I wasn't by myself, there was like four or six other Afghani people there and the other thing is this was all taking care of by the office of Taliban. I was there and they just drove you to Afghanistan.

President: Ok, so you did visit the Taliban office?

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Detainee (through linguist): Yes, you should have this stated in your ...

President: I'm just clarifying.

President: So you can visit a Taliban office and not met any Taliban officials?

Detainee (through linguist): How do I enter Afghanistan? The only way to enter Afghanistan is to go through that office for the Taliban and they have to conduct a length interview and this is what I did. He is not sure if it was officials, he went to the office they had an interview with him for a long time and then they let him enter Afghanistan. The man or the person that he was interviewed by, he did not have a Taliban official, was an officer, a big officer, obviously he didn't have no idea, all he knows is interviewed by him for a long time and that's all he can say about the man. I'm not sure, I can't say I met official because I am not sure what officials are, whose official, who's not. I don't know.

President: Thank you.

President: My next question, and it may be different in different parts of the world, is your passport an important document for you to maintain control of?

Detainee (through linguist): Yeah, I travel with my passport.

President: Why would you give it to somebody for safe keeping?

Detainee (through linguist): Because I was absolutely sure. That I was so sure. The Yemen passport is not a passport that people would love to have; it is not something that people would steal or forge or anything like that so I did not care about it I guess.

President: So why wouldn't he keep it for himself?

Detainee (through linguist): He offered to keep it and it wasn't safe at the place I was staying that's all. I had a copy of it; he offered to keep it for me. I had no interest of taking that passport back; it was no use for me.

President: You wouldn't need it to return back to Yemen?

Detainee (through linguist): I wasn't keeping it with him for a long time, it was only for a couple days, I could always take it back from him if I wanted to. Only for a certain times, then take it back from him. I wasn't planning on keeping it with him for a long time.

President: Thank you.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee.

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The open session of the Administrative Review Board was adjourned at 1114 hours on 23 June 2008.

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.

(b)(3):10 USC §130b,(b)(6)

Colonel, United States Air Force
Presiding Officer

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(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 032

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee chose to attend, and consequently the Board convened with the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee wanted to appear personally in the ARB Proceedings, wanted the assistance of the AMO, and wanted to wait until the entire Unclassified Summary was presented before responding. The AMO verbally summarized comments the detainee made during the AMO's interview and provided a written statement given by the detainee to the AMO. This statement is documented in Exhibit EC-B. The AMO further presented correspondence on behalf of the detainee as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process. Copies of both the English and Arabic translated Unclassified Summary of Evidence were handed to the detainee according to the Joint Detention Group (JDG) Standard Operating Procedures.

e. (U) Following the presentation of the entire Unclassified Summary, the AMO read the detainee's prepared written statement in response to the allegations in the Unclassified Summary and then read a final statement on behalf of the detainee. The detainee answered a series of questions from the ARB, which included inquiries regarding his beliefs regarding jihad, his travel from Afghanistan to Pakistan, his methodology of teaching the Koran, his trustworthiness, the disposition of his passport during his travels into Afghanistan, and his contact with Taliban officials. All detainee testimony and comments are included in enclosure (5).

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-41.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (9):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information


(b)(5),(b)(7)(A)

7. (U) Conclusions and Recommendation of the Administrative Review Board


a. **(S//NF) Threat Level.** (b)(1),(b)(5)

(b)(1),(b)(5)


(b)(1),(b)(5)



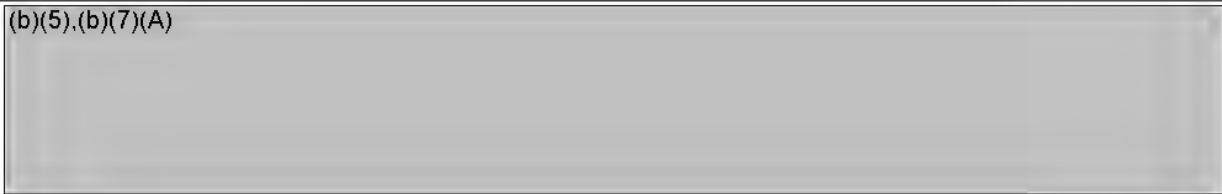
(b)(5),(b)(7)(A)



(b)(1),(b)(5)



(b)(5),(b)(7)(A)



(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. (S//NF) Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b.(b)(6)

Colonel, U.S. Air Force
Presiding Officer

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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

11 June 2008

To: AHMED, FARUQ A.

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AHMED, FARUQ A.

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he attended the Furquan Institute in Taiz, Yemen for approximately three years beginning in 1998.
 - a) The Furquan Institute was something of a meeting and recruiting ground for jihadists in Yemen. Many Yemeni al Qaida members have links to the institute, specifically a number of the al Qaida members involved in the 12 October 2002 attack on the USS Cole.
 - 2) The detainee stated that in approximately March 2001 an individual provided approximately 500 United States dollars and a plane ticket to support the detainee on a trip to Afghanistan to perform missionary work.
 - 3) The detainee stated the individual gave him instructions to go to Quetta, Pakistan and ask a taxi to take him to the Taliban office in Quetta.
 - a) The Daftar Taliban Office in Quetta helped Arabs cross the border into Afghanistan by coordinating travel and lodging for a fee.
 - 4) The detainee stated he traveled by plane from Taiz, Yemen to Karachi, Pakistan then by bus to Quetta. In Quetta the detainee went to the Taliban office. The next day the

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DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AHMED, FARUQ A.

detainee went to Kandahar, Afghanistan, where he stayed for three days before continuing on to Kabul, Afghanistan.

- 5) The detainee stated he met an individual at the Wazir Akbar Khan Mosque in Kabul. The detainee stated the mosque was frequented mostly by Afghans, some of them armed with AK-47s. The detainee taught at the mosque from approximately May 2001 to August 2001.
 - a) The detainee stated the individual he met used to work for the Taliban. The detainee gave him his passport for safe keeping.
 - b) The Wazir Akbar neighborhood in Kabul was cleared of its residents by the Taliban in order to house high-level Taliban officials and Arabs.
- 6) The detainee stated that while in Kabul he lived in a two story house run and occupied by Afghans.
 - a) The detainee stated the house was for Taliban officials to live in while on business in Kabul.
- 7) The detainee stated that in approximately August 2001 the individual told him he should teach in Khowst, Afghanistan. The individual took the detainee to a village near Khowst and to the Abu al Hanifa Mosque [NFI]. The detainee stated he lived and taught at the mosque for approximately 4 months.
- 8) The detainee was identified as being at Usama bin Laden's private airport in Kandahar holding an AK-47 and wearing camouflaged clothing.
- 9) The detainee was identified as being at the Dar Al Aman house in Kabul and on the front lines.
 - a) The Dar Al-Amn safe house in Kabul acted as a staging area for the transportation of Taliban fighters moving to the front lines of Kabul and Konduz, Afghanistan. Afghani and Arab fighters routinely passed through this location to transition from one assignment to another.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AHMED, FARUQ A.

b) Connections/Associations

- 1) A document listing 324 Arabic names, aliases, and nationalities was recovered from safe house raids associated with suspected al Qaida in Pakistan. This document lists the detainee's name.
- 2) The detainee stated he came into contact with many Taliban officials during his time at the Wazir Akbar Khan Mosque in Kabul.

c) Training

- 1) The detainee was identified as having attended the al Farouq training camp.
 - a) The al Farouq training camp was funded by al Qaida and therefore was more advanced than other training camps in Afghanistan. The basic training class at al Farouq consisted of weapons training, a basic commando course, topography, and explosives.
- 2) The detainee was identified as being seen frequently in a house in Kabul where there were many Arab fighters and Taliban commanders. The detainee would go to the al Karga Training Camp for explosives training. This camp was located at the edge of Kabul in an industrial area surrounded by a forest.
 - a) Karga Camp, located in Kabul, was a poison and explosives training facility. Al Qaida members also trained at the camp.

d) Other Relevant Data

- 1) The detainee stated that in December 2001 he was told it was too dangerous for him in Afghanistan and he should leave.
- 2) The detainee was told, soldiers were in Kabul and would kill any Arabs or other foreigners they found there. On the way to the border the detainee recognized some fellow Yemeni men in a group of refugees and asked to be left with that group.
- 3) The detainee stated the group walked for about 8 days to the border town of Barashina, Pakistan. After crossing the border the detainee surrendered to Pakistani militia or military.
- 4) The detainee stated he was captured with approximately 30 people.

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DMO Exhibit 1
Page 3 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AHMED, FARUQ A.

- 5) The detainee was identified as being captured while trying to cross into Pakistan from Afghanistan in 15 December 2001 with 30 suspected al Qaida members.
- 6) The detainee was reportedly a Yemeni mujahedin captured at Tora Bora, Afghanistan.

4. The following primary factors favor release or transfer:

- a) The detainee stated he had no weapon or military training of any kind.
- b) The detainee stated he has no knowledge of al Qaida or Usama bin Laden.
- c) The detainee stated the only time he saw Taliban troops with weapons was at the market in Kabul.
- d) The detainee stated he was not a bodyguard for Usama bin Laden and has only seen bin Laden in pictures. The detainee stated bin Laden is a bad man. The detainee stated he would not go to any other countries or participate in any further jihads.
- e) The detainee was identified as not being a bodyguard for Usama bin Laden.
- f) The detainee was identified as not being known as an al Qaida member.
- g) The detainee stated he did not travel with a group of other men fleeing Afghanistan for Pakistan. The detainee only traveled with Obaid Allah.
- h) The detainee stated if released he would like to play soccer, get married, get his own house, and find a job in Yemen. He does not feel any animosity towards the United States. He feels the people involved with the September 11th attacks should be held accountable for their actions. He would not want to harm any Americans.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *5/24*

FROM: Director, OARDEC (U) *18/4/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 033 (YEMEN)

o (S//NF) Subject ARB was held on 14 Aug 2008, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* 12-1-08
 Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 033

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings but wanted the assistance of the AMO to present a written statement to be read to the board. The AMO read the detainee's written statement during the proceedings. The AMO presented this written statement from the detainee as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human


ISN 033
Enclosure (7)
Page 1 of 5

3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-34.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8).

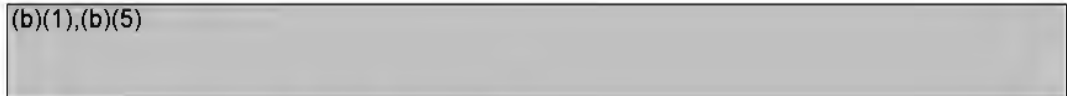
(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



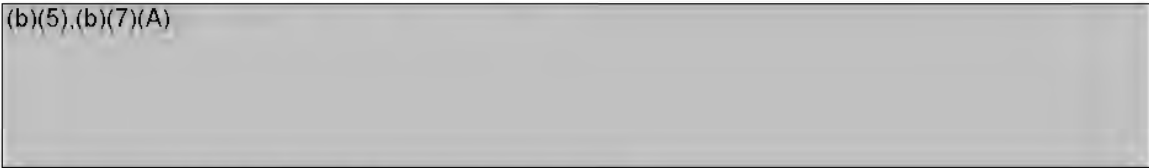
(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)




(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 033
Enclosure (7)
Page 2 of 5

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(5)

[Redacted]

6. (U) Additional Information

(b)(1),(b)(5)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.**

(b)(1),(b)(5)

[Redacted]

(b)(1),(b)(5)

[Redacted]

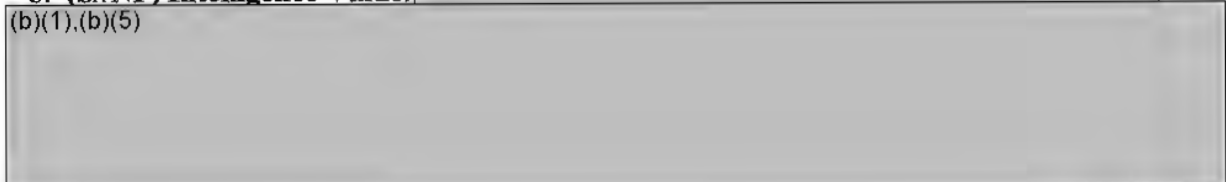
(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 033
Enclosure (7)
Page 4 of 5

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

8. (U) Board Members' Voting Results

(b)(5)

[Redacted]

(b)(3):10 USC §130b,(b)(6)

[Redacted]

Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

**Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba**

31 July 2008

To: **AL EDAH, MOHAMMED**

Subject: **UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL EDAH, MOHAMMED**

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he planned to take six months off from work to travel from Yemen to Pakistan and Afghanistan with his sister. They were traveling so she could receive medical treatment and so she could be with her husband. The detainee was then going to travel to Bahrain and Pakistan in search of a job. (DMO-17)
 - 2) The detainee stated he took 15,000 Yemeni riyals with him on the trip. (DMO-17)
 - 3) The detainee stated that in July 2001, the detainee and his sister traveled from Taiz, Yemen; to Karachi, Pakistan; via Sanaa, Yemen; and Dubai, United Arab Emirates. In Karachi, they met a Pakistani guide and flew to Quetta, Pakistan; and then drove to Kandahar. (DMO-19)
 - 4) The detainee was reportedly an al Qaida security leader who came to the Nebras guest house to conduct an inspection of the guest house prior to Usama bin Laden's visit in mid-2001. The detainee reportedly conducted several security checks at the guest house. The detainee would arrive at the guest house in a white Toyota Corolla vehicle with four personal bodyguards armed with AK-47 assault rifles. (DMO-22)
 - a. The Nebras Arab guest house in Kandahar was used by Usama bin Laden and fighters heading to the al Farouq Training Camp. Arabs bound for training at al Farouq would gather at Nebras until about 25-30 were in the group and then they were transported to

ISN 033
DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL EDAH, MOHAMMED

al Farouq. Usama bin Laden would come to Nebras to greet the fighters before they went to training. (DMO-31)

- 5) The detainee does not deny being responsible for the torturing or approving the torturing of others. (DMO-24)

b) Connections/Associations

- 1) The detainee stated that while at the residence of his brother-in-law, the detainee encountered many Arabs. The detainee claimed that some were mujahedin. The detainee stated he saw many people carrying Kalashnikov rifles. (DMO-17)
- 2) In late July-early August 2001, while attending the wedding celebration of his brother-in-law at one of the compounds belonging to Usama Bin Laden in Kandahar, the detainee was reportedly introduced to Usama Bin Laden. (DMO-32)
- 3) The detainee and his family have made excessive phone calls to al Qaida associated individuals and organizations in Pakistan. (DMO-26)

c) Training

- 1) A source indicated that the detainee was the leader of an al Farouq training camp in February 2000. (DMO-12)
- 2) The detainee reportedly stayed at a guest house in Kandahar and attended the al Farouq training camp. The detainee was reportedly going to go to the front lines to fight. It was also reported that the detainee knows all the Yemeni trainers at al Farouq. (DMO-21)
- 3) The detainee stated he was at al Farouq training camp for one week and was kicked out for not following orders and smoking. (DMO-30)
- 4) It was reported that the detainee was not a dedicated mujahiden and that he often smoked tobacco, chewed khat and was a possible hashish user. It was reported that the detainee was uncommitted to training, and his behavior led him to be suspected of being a spy. The detainee was reportedly expelled from al Farouq. (DMO-25)

d) Intent

- 1) Nothing Significant to Report (NSTR)

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL EDAH, MOHAMMED

e) Other Relevant Data

- 1) Nothing Significant to Report (NSTR)

4. (U) Factors Favoring Release or Transfer:

- a) The detainee denied any knowledge of any rumors or plans of future attacks on the United States or United States interests. (DMO-34)
- b) It was reported that the detainee did not have credentials and was not a ranked Al Qaida or Taliban member. (DMO-33)
- c) The detainee stated that when he gets back to Yemen he would like to start a business. The detainee would like to get a taxicab or open a restaurant. (DMO-29)
- d) The detainee stated when he gets back to Yemen he would like to buy a car and some property to start a farm. The detainee stated he would like to grow khat. (DMO-29)
- e) The detainee adamantly stated that he had taken no part in fighting in Afghanistan and that he was there only to find medical treatment for his sister. (DMO-19)
- f) The detainee stated that he is not a very religious person and definitely not a terrorist. The detainee stated that he did not have any contact with al Qaida or Taliban officials. (DMO-19)
- g) The detainee stated that he was a passenger in a white Toyota Corolla while in Afghanistan, but stated it belonged to his sister's husband. (DMO-20)
- h) It has been reported that many people drive Toyota Corollas in Afghanistan as the car is very popular and very cheap costing less than \$1200.00 to purchase. It was also reported that Usama bin Laden associates do not use white Toyota Corollas. (DMO-33)

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *13th/28/08*

**SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 035 (YEMEN)**

o Subject ARB was held on 28 March 2008 resulting in a (b)(1),(b) recommendation to (b)(1),(b)(5) on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5)
 (b)(1),(b) (Detain) *[Signature]* 5-12
 Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 035

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-38.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

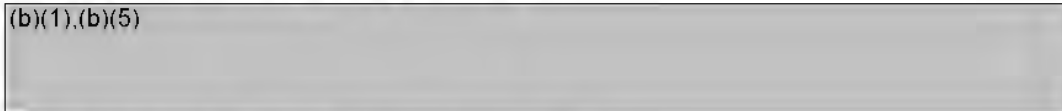
(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



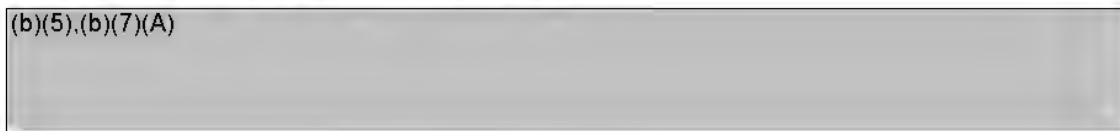
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.** (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

b. (S//NF) Intelligence Value.

(b)(1),(b)(5)

[Redacted]

c. (S//NF) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (S//NF) Recommendation.

(b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

7. (U) Board Members' Voting Results

(b)(5)

[Redacted]

(b)(3): 10 USC §130b.(b)(6)

[Redacted]

Colonel, U.S. Army
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

19 March 2008

To: IDRIS, IDRIS

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF IDRIS, IDRIS

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated he accepted a job with the Ministry of Agriculture as a clerk. The detainee taught the Koran while living in Yemen and decided to go to Afghanistan to teach the Koran as a means of avoiding compulsory military service in Yemen.
 - 2) The detainee stated he met an individual in 1999 while attending the Khair Mosque, located near Sanaa, Yemen. The individual spoke to him on different occasions about going to Afghanistan to teach the Koran.
 - a. The al Khayr Mosque in Sanaa, Yemen was suspected of supporting Islamic extremism and jihad recruitment activities in Yemen.
 - 3) The detainee stated he decided to go to Afghanistan in April 2001 at the suggestion of the individual. The detainee stated the individual paid for his plane ticket. The detainee left with 500 United States dollars of his own money and traveled alone.
 - 4) The detainee stated once he agreed to go to Afghanistan, the individual gave him approximately 100 United States dollars to use for his trip and paid for his plane ticket.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS IDRIS

- 5) The detainee later stated he paid for his travel to Afghanistan with the money he earned while working for the Ministry of Agriculture. The detainee denied receiving any assistance in planning or paying for his trip to Afghanistan.
- 6) The detainee and an individual left Sanaa, Yemen, for Karachi, Pakistan, on 22 October 2000. The following day, a Yemeni national joined them and the trio left for Quetta, Pakistan, where they stayed approximately 15 days at the Dafter al Taliban guest house. They then traveled to Kandahar, Afghanistan, via the Haji Habashi region where they were taken by a Yemeni national to the al Farouq camp.
 - a. Daftare Taliban is a Taliban office in Quetta, Pakistan, that helps Arabs cross the border into Afghanistan by coordinating travel and lodging.
 - b. Hajji Habbash refers to the Kandahar, Afghanistan neighborhood containing the Hajji Habbash mosque, Hajji Habbash guest house, and al Nibras guest house. Hajji Habbash guest house was used mainly by Yemeni Arabs, but was for everyone coming to or leaving Afghanistan. Al Nibras guest house was for new people who were being sent to the training camps.
- 7) The detainee stated he traveled between March and April 2001 from Sanaa, Yemen, to Dubai, United Arab Emirates, and on to Karachi, Pakistan.
- 8) The detainee stated he and an individual traveled from Karachi, Pakistan to Quetta, Pakistan, to Spin Buldak, Afghanistan, to Kabul, Afghanistan.
- 9) The detainee stated upon their arrival in Kabul, Afghanistan he and the individual went their separate ways.
- 10) The detainee stated he met the caretaker of a mosque in Kabul, Afghanistan. The detainee obtained a room in a house near the mosque.
- 11) The detainee stated upon arriving at the mosque he gave his passport and most of his money to the caretaker.
- 12) The detainee stated he spent the next eight months at the mosque, teaching the Koran every day except Fridays for three to four hours a day.
- 13) The detainee stated he received room and board in exchange for teaching the Koran.
- 14) The detainee later stated he paid for all his own food while teaching at the mosque. He stated he never expected, nor requested any monetary assistance. He received absolutely

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS IDRIS

nothing in return for spending six days a week for eight months teaching at the mosque.

b) Training

- 1) The detainee had reportedly been taken by a Yemeni national to the al Farouq camp.

- a. Training conducted at the al Farouq training camp in Afghanistan was conducted in four phases including small arms, physical conditioning, map reading, and explosive devices.

c) Connections/Associations

- 1) A variant of the detainee's name was listed as being a bodyguard to Usama bin Laden.

- 2) Due to their constant proximity to bin Laden, the bodyguards were constantly exposed to bin Laden's message and beliefs and became similar to disciples. Bin Laden frequently changed bodyguards because he wanted to expose as many people as possible to his opinions so they could return to their home countries and spread his message.

- a. Usama bin Laden was usually choosing men from Saudi Arabia or Yemen to be his bodyguards and favored Yemenis.

- 3) The detainee's name was found on a document recovered during a raid on an alleged al Qaida residence in Karachi, Pakistan.

d) Other Relevant Data

- 1) The detainee stated before Ramadan the Northern Alliance push on Kabul, Afghanistan caused him to flee by taxi to Khowst, Afghanistan.

- 2) The detainee stated he left his passport and money at the mosque caretaker's house when he fled Kabul, Afghanistan because he could not find the caretaker when he decided to leave.

- 3) The detainee stated upon arriving in Khowst, Afghanistan he met a man at a local restaurant. The man arranged for the detainee to stay at a room located in the restaurant while the detainee stayed in Khowst, Afghanistan. The detainee stated he stayed at the restaurant for approximately twenty days.

- 4) The detainee stated the man offered his assistance in getting him back to Pakistan and told him of a group of thirty people leaving to go there soon. The man drove him to

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS IDRIS

where the group was waiting and left him there.

- 5) The detainee later stated that during his egress from Afghanistan he traveled alone with just his clothes and a coat.
 - 6) The detainee stated he joined a group of thirty Arabs being organized by a senior al Qaida operative who promised to help him and others raise funds to permit their return to Yemen once the party reached Pakistan. They were all apprehended once they reached the Parachinar, Pakistan, border checkpoint.
 - 7) The detainee was captured in December 2001 while trying to flee from Afghanistan into Pakistan.
 - 8) The detainee stated he was taken to a jail in Peshawar, Pakistan.
 - 9) The detainee was transferred into United States military custody on 26 December 2001 from Peshawar, Pakistan.
 - 10) While in prison, the group the detainee was in, was told the best thing they could tell United States forces when interrogated was that they were in Afghanistan to teach the Koran and for religious studies.
4. The following primary factors favor release or transfer:
- a) The detainee denied any connection or knowledge of terrorism.
 - b) The detainee denied ever having any membership in, or ties with, the Taliban or al Qaida.
 - c) The detainee denied ever receiving any military or weapons training while in Afghanistan.
 - d) The detainee denied going to fight or train in Afghanistan and stated he has never fired a weapon of any kind.
 - e) 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.
 - f) The detainee stated he only interacted with the local Afghani people while teaching the Koran. He does not recall having any contact with any other Arabs.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS IDRIS

g) The detainee stated he has fulfilled his obligation to teach the Koran and has no intention of pursuing any further Koranic teaching opportunities.

h) The detainee stated he hopes to return to his previous job at the Ministry of Agriculture and complete his college degree if allowed to return to Yemen.

i) The detainee stated he wants to return to normal life once he gets out of detention. The detainee wants to go back to his family, study, and work. The detainee expressed interest in continuing his studies at the university and stated he has already completed about two years of study.

j) The detainee stated he was not captured at the Pakistan border but turned himself over to the border guards.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *Sett*

FROM: Director, OARDEC (U) *18/9/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 036 (SUDAN)

o (S//NF) Subject ARB was held on 19 Sep 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *11-10-08*

o (U) Attachments:

- Tab A OARDEC DSJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 036

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive and refused to attend the interview.

d. (U) The ARB confirmed the JTF GTMO-Staff Judge Advocate (SJA) hand-carried the original English and Arabic Unclassified Summary of Evidence to the detainee. The AMO received a written affidavit of delivery of the documents to the detainee from the SJA.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 036
Enclosure (6)
Page 1 of 7

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-52.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

[Redacted]

(b)(1),(b)(5)

[Redacted]

6. (U) Additional Information

(b)(1),(b)(5)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.**

(b)(1),(b)(5)

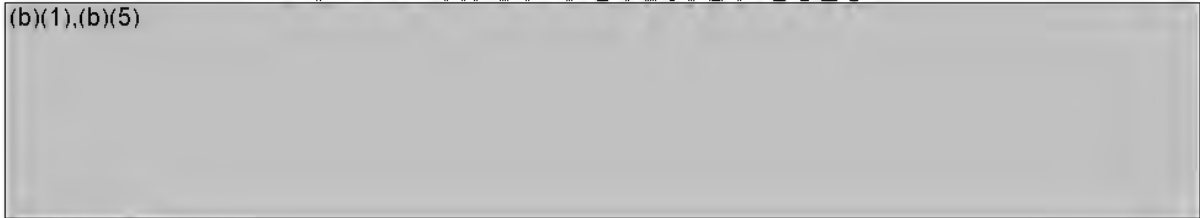
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Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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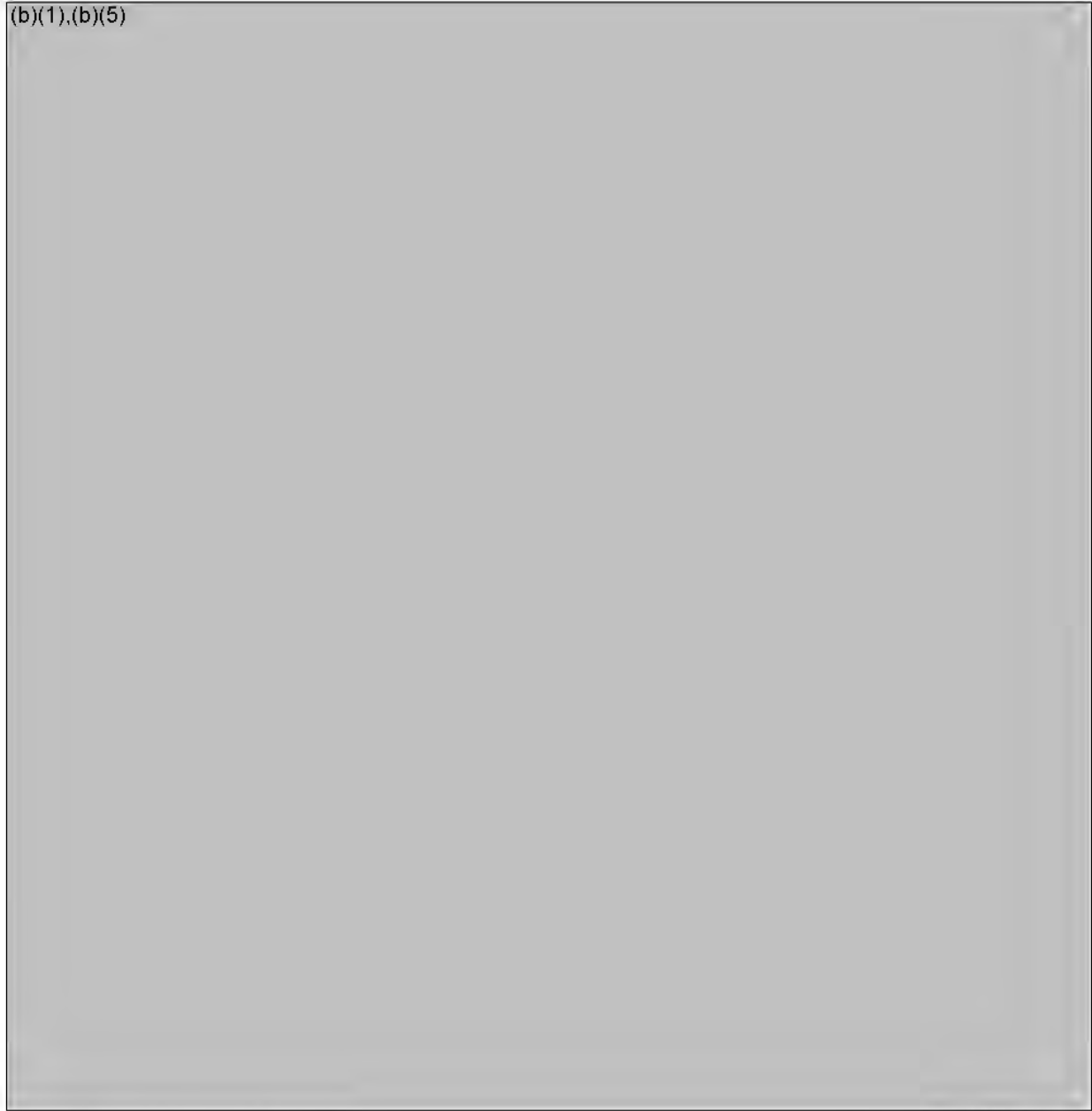
(b)(1),(b)(5)

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(b)(5),(b)(7)(A)

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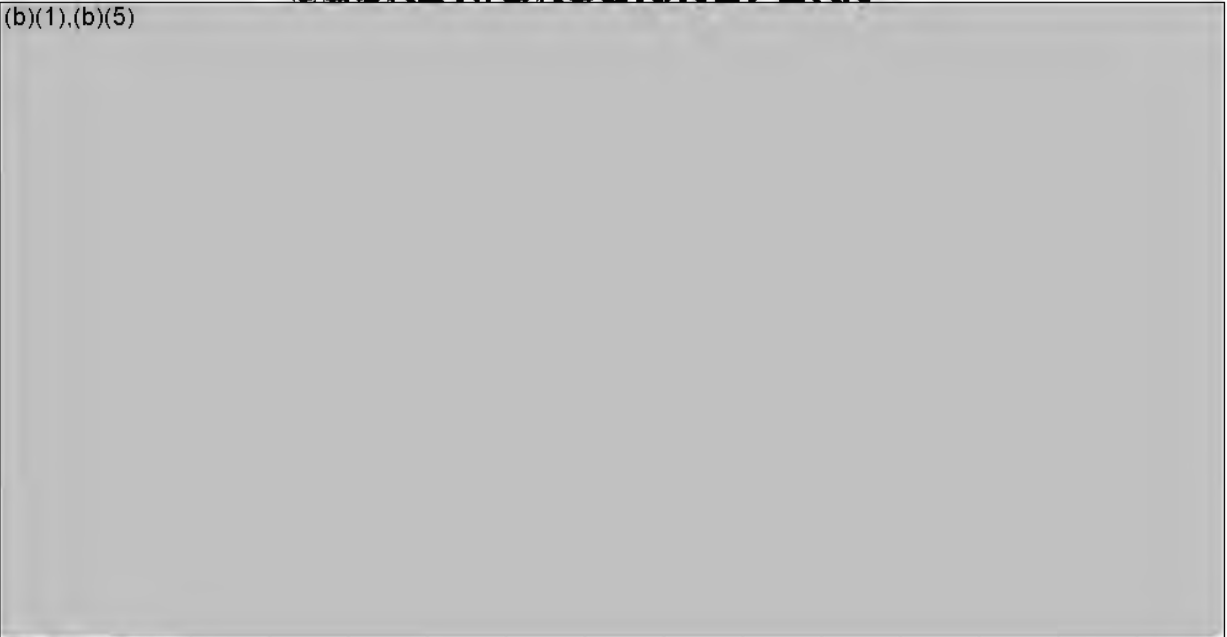
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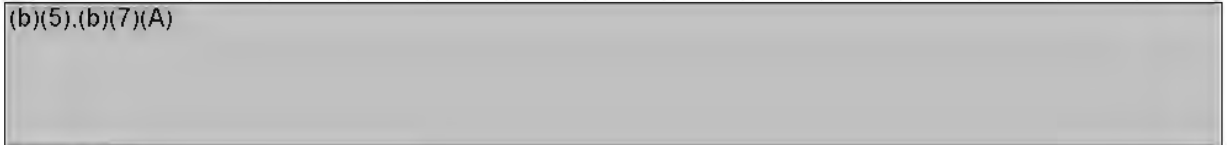
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Enclosure (6)
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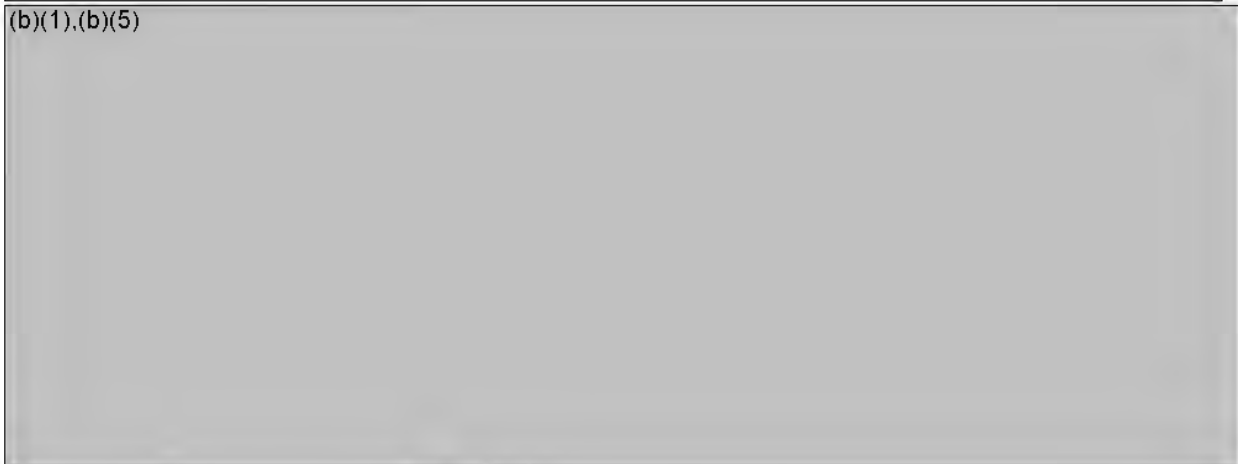
(b)(1),(b)(5)



(b)(5),(b)(7)(A)

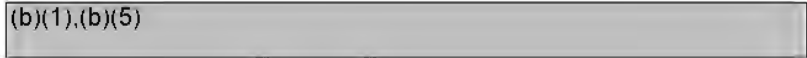


(b)(1),(b)(5)



b. (S//NF) Intelligence Value.

(b)(1),(b)(5)



(b)(1),(b)(5)



Derived From: Multiple Sources
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(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, U.S. Navy
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

10 September 2008

To: IDRIS, MAHMUD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF IDRIS, MAHMUD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he traveled to Afghanistan to fulfill a dawa to teach the Koran to men and children.
 - 2) The detainee stated he departed for Afghanistan in August 2001. He flew to Karachi, Pakistan where he took a bus to Quetta, Pakistan. The detainee then traveled to Khowst, Afghanistan by way of Kandahar, Kabul and Gardez, Afghanistan. The detainee stated he spent one or two days in each city, staying in mosques, as he traveled.
 - 3) The detainee stated he remained in Khowst, Afghanistan for approximately four months. In Khowst, the detainee met a senior member of the al Wafa relief organization, who sent him to the villages in Khowst where he taught.
 - 4) The detainee stated he saved money for 40 days to go to Raiwand, Pakistan for a Jamat al Tabiligh pilgrimage.
 - a. The Jamat al Tabiligh has been supporting Islamic terrorist groups in south and southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.

ISN 036
DMO Exhibit 1
Page 1 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS, MAHMUD

- 5) The detainee stated that prior to the start of the United States bombing of Afghanistan, the detainee fought with the Taliban against the Northern Alliance. The detainee stated he killed people in battle while attacking or being attacked by the Northern Alliance.
 - 6) The detainee was reportedly a general in charge of various lines in northern Afghanistan. As the fighting became more intense, the detainee reportedly fled to Tora Bora.
 - 7) The detainee was reportedly an interrogator for the Taliban and for al Qaida in Afghanistan.
 - 8) The detainee was reportedly in charge of the medical clinic at the al Farouq training camp.
 - 9) The detainee reportedly carried around his own personal AK-47 while at the al Farouq camp in Afghanistan. He reportedly fired this AK-47 in the camp. The detainee reportedly also fought in the south of Sudan against the Christians.
 - 10) The detainee reportedly was a camp leader, who had his own weapon, a PK LMG, and to whom everyone showed respect. The detainee reportedly had the authority to attend meetings with the leadership of the camp and to come and go from the camp as he pleased.
- b) **Connections/Associations**
- 1) The detainee stated Usama bin Laden visited the al Farouq camp on one or two occasions. The detainee stated he spoke to Usama bin Laden and shook bin Laden's hand inside the clinic.
 - 2) The detainee reportedly served as a military advisor to Usama bin Laden.
 - 3) The detainee reportedly became a messenger for Usama Bin Laden when al Qaida relocated to Sudan. The detainee would take messages back and forth between Khartoum, Sudan and Mecca and Jeddah, Saudi Arabia.
- c) **Training**
- 1) The detainee stated he was trained on first aid and on weapons (the Kalashnikov rifle, Beka machine gun and mortars) at the al Farouq training camp. The detainee stated how long the training lasted. The detainee stated he spent six months at al Farouq but could not remember the year.

a. The al Farouq training camp in Afghanistan was reportedly funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS, MAHMUD

training at al Farouq consisted of two week periods of weapons training, a basic commando course, topography and explosives.

- 2) The detainee was reportedly at the Tarnak Farms during Ramadan in 2000.
- 3) The detainee reportedly would often speak with the al Farouq camp trainers who taught a two week basic training course including lessons in topography, weapons familiarization (AKs, RPGs, etc.), explosives training (TNT, C3, C4 and dynamite) and basic commando course training.

d) Other Relevant Data

- 1) The detainee reportedly stated that the 1995 bombing in Saudi Arabia was done by "our people" referring to al Qaida.

4. The following primary factors favor release or transfer:

- a) When asked about fighting the Russians in Afghanistan during the 1980s, the detainee stated he was not in Afghanistan during that time.
- b) The detainee denied being at al Farouq and serving as the camp doctor.
- c) The detainee denied ever meeting Usama bin Laden as well as membership in al Qaida.
- d) The detainee stated he was not a terrorist, fighter, or doctor.
- e) The detainee stated he had no specific knowledge of the Taliban or al Qaida organizations.
- f) The detainee denied being a combatant in Afghanistan.
- g) The detainee was reportedly not an instructor at al Farouq.
- h) The detainee expressed his hatred for Usama bin Laden several times. The detainee stated he didn't know how bad al Farouq training camp was until now because he is here for it.
- i) The detainee stated that he had never been to Afghanistan and that all information on him involving him being in Afghanistan stem from mistaken information written down by past interrogators.
- j) The detainee stated that the sources of information indicating that he traveled to Afghanistan were lying.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF IDRIS, MAHMUD

k) The detainee stated that he is the victim of mistaken identity.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJK*

FROM: Director, OARDEC (U) *15^{12/11/08}*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 040 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 3 Oct 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5)
(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer Release
12-30-08

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 040

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings


a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive and refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation stating the documents were not accepted by the detainee.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.


g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-29.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (8):


(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)




(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



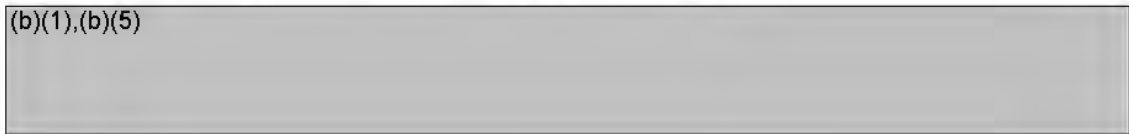
(4) (U) Criminal Investigation Task Force (CITF)

(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

[Redacted]

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

[Redacted]

6. (U) Additional Information

(b)(1),(b)(5)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board


a. (S/NF) Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

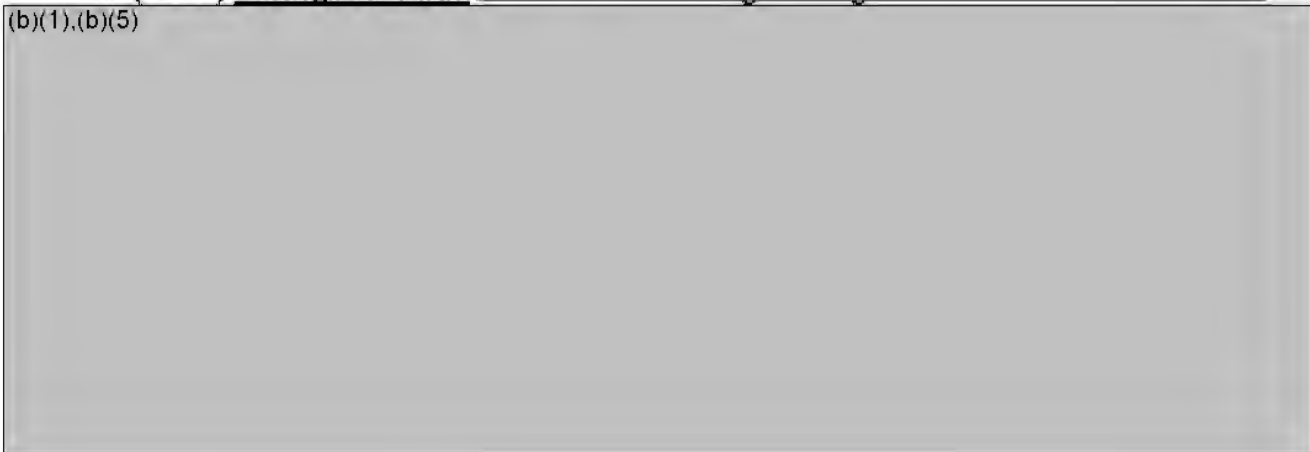
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(b)(1),(b)(5)



b. **(S//NF) Intelligence Value.** (b)(1),(b)(5)

(b)(1),(b)(5)

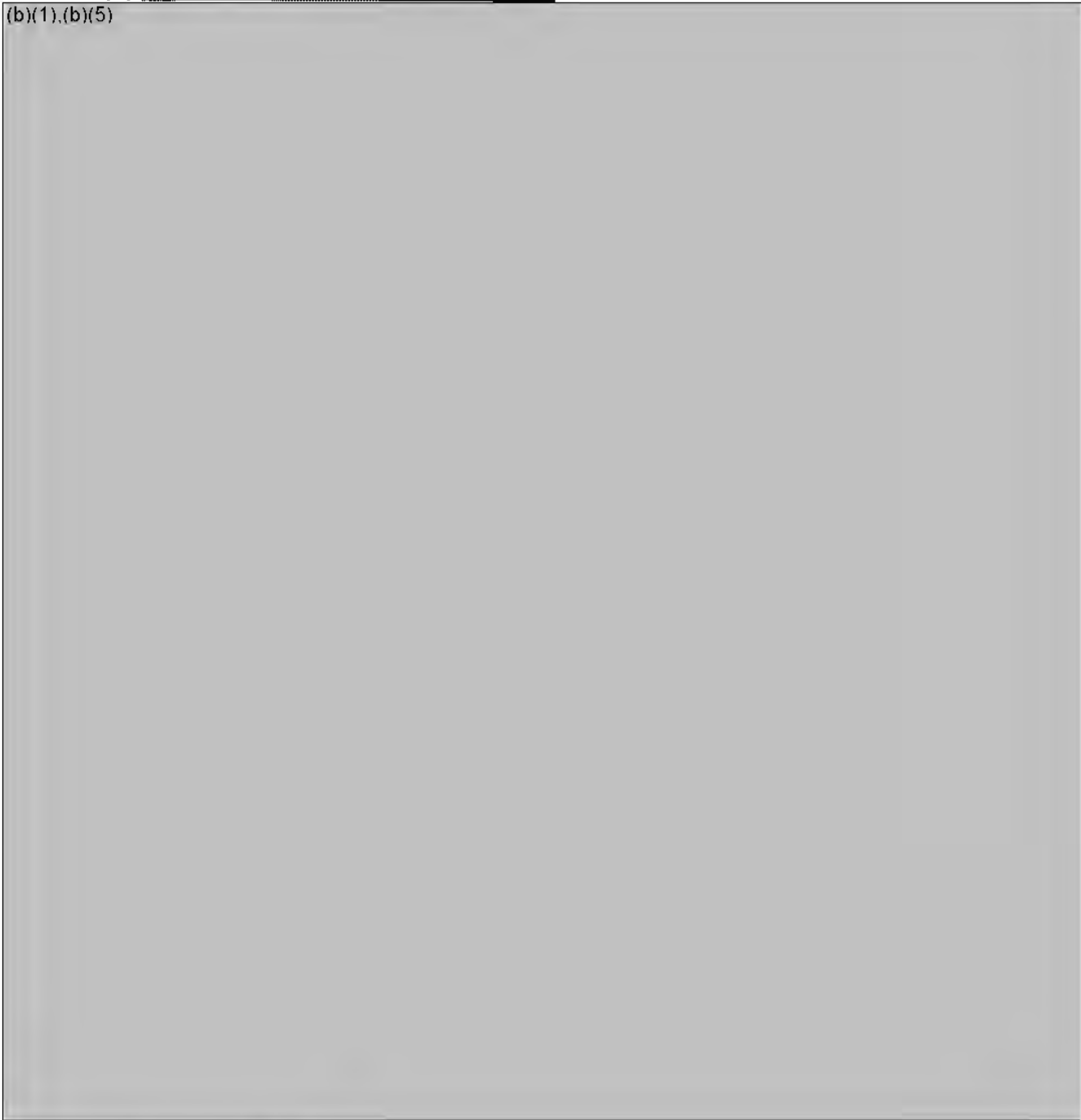


Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 040
Enclosure (7)
Page 4 of 6

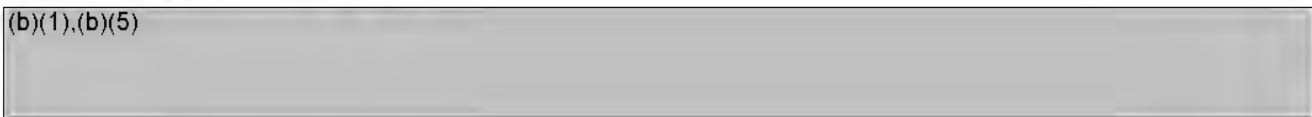
c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (7)
Page 5 of 6

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 040
Enclosure (7)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

30 September 2008

To: AL MUDHAFFARI, ABDELQADIR H

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL MUDHAFFARI, ABDELQADIR H

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee reportedly studied the Koran at a mosque in Yemen under a Sheikh. The detainee reportedly was called to go to Afghanistan, and was not recruited or recommended. The detainee stated that although he was not recruited or recommended, several people in Yemen, talked about going to Quetta, Pakistan.
 - a. Reportedly, the Sheikh at the detainee's mosque stated that it was a good thing for Muslims to go fight jihad in Afghanistan. The Sheikh further stated that if a Muslim's health prevents him from jihad he must support it financially and if not financially then he must pray.
 - 2) The detainee stated he paid for his trip to Afghanistan by asking local merchants for money to travel to Afghanistan and teach the Koran. After two months of fundraising the detainee stated he collected \$40,000 Yemeni Rials or about \$400 to \$500 United States Dollars to go to Afghanistan.
 - 3) The detainee reportedly wanted a struggle or jihad and chose to travel to Afghanistan rather than Palestine. The detainee stated that Palestinians spoke Arabic and had a good understanding of the Koran, but the Afghans did not. The detainee stated he wanted to teach the Koran to the Afghans, although he admitted he did not know Pashtu or Urdu.

ISN 040
DMO Exhibit 01
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UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL MUDHAFFARI, ABDELQADIR H

- 4) The detainee stated he obtained his passport and then went to the Pakistani Embassy in Sanaa, Yemen, to get a visa. The detainee stated he traveled from Sanaa, Yemen, to Karachi, Pakistan, and then to Quetta, Pakistan. While in Quetta, the detainee stated he went to a Taliban office and told them he wanted to go to Afghanistan to teach the Koran. The detainee stated that the Taliban office agreed to help him and he left Quetta by bus and went to Kandahar, Afghanistan.

b) Connections/Associations

- 1) Reportedly, the detainee's travel was facilitated from Yemen to Afghanistan. The detainee reportedly went to Afghanistan in late 1999 or early 2000.
- 2) The detainee was a bodyguard for Usama bin Laden for a short time.
- 3) The detainee stated that he left Afghanistan because of the United States air campaign there and was warned that Arabs were in danger if they remained. The detainee stated he left Khowst, Afghanistan and traveled with approximately eleven Arabs to the Pakistan border. The detainee stated the trip lasted about eight days and that the group grew to approximately two hundred and some in the group may have carried weapons.
- 4) The detainee stated that when the group arrived at the Pakistan border, he asked one of the Pakistan border guards to take him to the Yemeni Embassy; instead he was arrested and turned over to the United States forces.
- 5) Reportedly, the detainee was with a group of 30 Arabs at the time of capture. The 30 Arabs were taken into custody by the Pakistan military and turned over to the United States military.

c) Training

- 1) The detainee was a trainer at al Farouq.
 - a. ISN 002 stated the al Farouq Training Camp in Afghanistan, was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq consists of two week periods of weapon training, a basic commando course, topography, and explosives.

d) Other Relevant Data

- 1) The detainee stated he traveled to Kandahar, Afghanistan, prior to September 11, 2001, mainly to study and teach the Koran in Khost.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL MUDHAFFARI, ABDELQADIR H

- 2) The detainee stated he traveled back and forth between Kandahar and Khowst about several times because there was a library in Kandahar.

4. Factors Favoring Release or Transfer:

- a) The detainee stated he did not have any knowledge of the attacks in the United States prior to their execution on September 11, 2001, and the detainee also stated he did not have any knowledge of any rumors or plans of future attacks on the United States or United States' interests.
- b) The detainee stated he did not have any association with Taliban or al Qaida forces.
- c) The detainee stated he felt the attack on the World Trade Center was wrong because Islam did not permit people to kill innocent people and it was wrong to declare war on innocent people.
- d) The detainee stated the Taliban never recruited him to fight in the war against America.
- e) The detainee stated he never heard of Usama bin Laden's fatwa against the United States and stated he never met Usama bin Laden.
- f) The detainee stated his decision to go to Afghanistan was to spread the truth to the people. The detainee stated he did not go to Afghanistan to fight.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

FROM: Director, OARDEC (U) *1501/1/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 041 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 14 July 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION (b)(1),(b)(5)
(b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *9-15-08*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #131
 Source Marked: 25X1
 Source Dated: 17 Jul 08

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 041

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The unclassified portion of the proceedings was reconvened in order to correct a date in the Unclassified Summary of Evidence. The Unclassified Summary incorrectly listed the year of the USS Cole bombing as 2002, when the event actually occurred in the year 2000. The date was also incorrect in the source document. To remedy the error, the date was removed from the record and the unclassified portion of the proceedings was again adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 041
Enclosure (4)
Page 1 of 6

result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-39.
- e. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



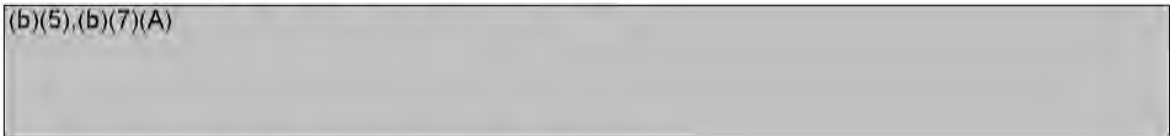
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



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Enclosure (4)
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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

[Redacted]

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

[Redacted]

6. (U) Additional Information

(b)(1),(b)(5)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(b)(1),(b)(5)

a. (S//NF) Threat Level.

(b)(1),(b)(5)

[Redacted]


(b)(5),(b)(7)(A)

[Redacted]

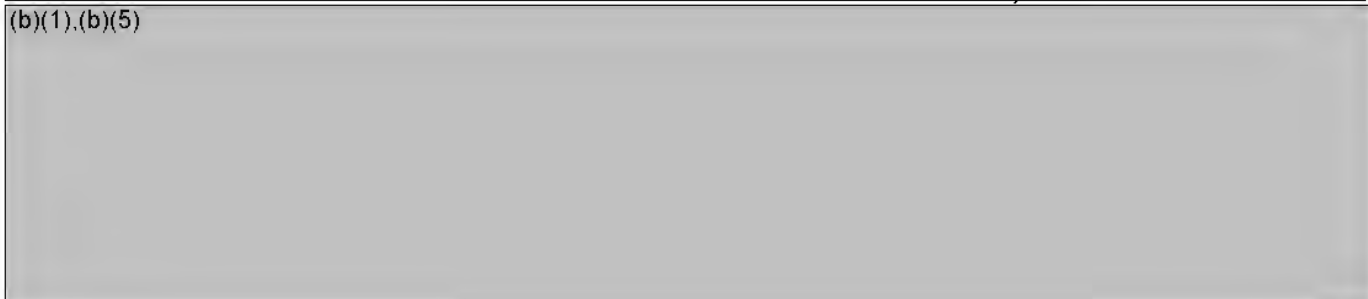
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(b)(5),(b)(7)(A)




(b)(1),(b)(5)



(b)(5),(b)(7)(A)



(b)(1),(b)(5)



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Declassify On: 25X1-Human

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Enclosure (4)
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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

b. (S//NF) Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
Page 5 of 6

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

8. (U) Board Members' Voting Results

(b)(5)

[Redacted]

(b)(3):10 USC §130b,(b)(6)

[Redacted]

Colonel, U.S. Air Force
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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UNCLASSIFIED

Department of Defense

Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

(b)(5)

02 July 2008

To: ABDU AHMED, MAJID M

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABDU AHMED, MAJID M

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated he went to high school at the Mahd al Firqan in Ta'iz, Yemen for three years.
 - a.) The Furqan Institute was something of a meeting and recruiting ground for jihadists in Yemen. Many Yememi al Qaida members have links to the institute, specifically a number of the al Qaida members involved in the 12 October 2002 attack on the USS Cole.
 - 2) The detainee stated it was at the Farqan Institute in Ta'iz that he first learned of jihad in Afghanistan and wanted to fight with the Taliban. An individual approached the detainee and asked what he thought about going to Afghanistan.
 - 3) The detainee stated after high school he returned to Aden, where he attended the Mabir Center, a well-known mosque center for da'wa in the Mabir region of Aden. The detainee stated he studied, taught, and preached the Koran.
 - 4) The detainee stated he heard about jihad from the mosque he prayed at.

ISN 041
DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDU AHMED, MAJID M

- 5) The detainee stated that towards the end of 1999, while at the Mabir Center, he decided to go to Afghanistan. The detainee felt it was his duty to teach people.
- 6) The detainee stated he wanted to travel to Afghanistan and go directly to the front lines and fight with the Taliban.
- 7) The detainee stated an individual provided the money for him to travel to Afghanistan and purchased his visa and plane ticket.
- 8) The detainee stated he traveled from Sanaa, Yemen to Karachi, Pakistan by airplane. The detainee then traveled to the Taliban office in Quetta, Pakistan.
 - a.) The Daftar Taliban Office in Quetta helped Arabs cross the border into Afghanistan by coordinating travel and lodging for a fee.
- 9) The detainee stated he arrived in Kandahar and stayed at a Taliban safe house. The house was known to support Taliban fighters who would travel back and forth to the front line. The detainee stated he met the owner of the Kandahar safe house, and told him he was there to fight jihad with Afghans and support the Taliban. The detainee stated the owner told him he would take the detainee to Kabul, Afghanistan.
- 10) The detainee stated that after one week he traveled to Kabul with three or four Afghans. Upon arrival in Kabul the detainee was taken to a guest house. The detainee stated he lived at the guest house while he studied and taught the Koran at a mosque in Khowst, Afghanistan.
- 11) The detainee stated this safe house is the house where he would stay during his breaks from the front line north of Kabul.
- 12) The detainee stated he stayed at a guest house in Kabul for approximately 22 months and described his daily routine there as praying and traveling around to the local mosques teaching the Koran.
- 13) The detainee stated he never received training in Afghanistan and went straight to the front lines to fight.
- 14) The detainee stated that from the safe house he left Kabul and his commander on the Taliban front lines. The commander tested the detainee on his proficiency with a weapon and fired several rounds at targets.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDU AHMED, MAJID M

- 15) The detainee stated he fought with the Taliban in a jihad. The detainee carried a Kalashnikov rifle during the fighting and fired rounds.
- 16) The detainee stated he fought for the Taliban the two years he was in Kabul. The detainee was armed with a fully loaded AK-47, three magazines, and two anti-personnel grenades. The detainee stated his enemy while with the Taliban was Ahmed Shah Masoud, the leader of the Northern Alliance. The detainee would engage the enemy two to three times a week with rifle and mortar fire. The detainee is unsure if he injured or killed anyone since the fighting was done from a great distance.
- 17) The detainee stated his duty at the front line was to protect the front line from attacks by the Northern Alliance. The detainee would remain in a sandbag bunker with his weapon and binoculars to watch for attacks.
- 18) The detainee was reportedly in Kandahar, Afghanistan in 2001, but before September 2001, when the detainee was serving as one of Usama bin Laden's bodyguards.
 - a.) The detainee was reportedly at the Mall Six Compound where Usama bin Laden housed, his four wives and respective families, and bodyguards and their families. The compound was reportedly used for meetings with al Qaida officials.
- 19) The detainee was reported to have gone to Afghanistan in late 1999 or early 2000 and joined the guard force circa 2001. The detainee was reported as having gone to Tora Bora, Afghanistan.
- 20) The detainee was reportedly in Kandahar and Kabul with Usama bin Laden security guards.
- 21) The detainee was reported as having been at the Madafa in Kandahar.
 - a.) Al Qaida maintained a safe house in Kandahar which was used as transit housing for individuals fighting with al Qaida or Taliban forces, as well as a residence for Arabs coming to Afghanistan to receive al Qaida training. The house was referred to as the Mudafa.
 - b) Training
 - 1) The detainee stated he received rifle training in Yemen and knew how to fire and field strip the weapon. The detainee did not receive grenade training until he reached the front line with the Taliban.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDU AHMED, MAJID M

- 2) The detainee stated he trained at the front lines with grenades. The detainee practiced the proper technique to handle and throw grenades and was given two live grenades to keep with him at the front lines.
 - 3) The detainee was reported to have received basic training at al Farouq Camp in 1999.
 - a.) The training at al Farouq was conducted in four phases. The phases of training included small arms, physical, map reading and topography, and explosive devices.
 - 4) The detainee's name is reportedly on an al Farouq training application captured by United States coalition forces during Operation Enduring Freedom. The application is signed and dated 2001.
 - 5) The detainee was reportedly at an al Qaida training facility at Derunta, Afghanistan. The detainee reportedly received training there.
- c) Connections/Associations
- 1) The detainee was reportedly a Yemeni al Qaida member who was in Afghanistan on 15 December 2001.
- d) Other Relevant Data
- 1) The detainee stated he retreated to Kabul from the Taliban front line north of Kabul when the Northern Alliance took over their positions. The detainee stayed in a Taliban guest house in the Wazir Akbar Khan neighborhood of Kabul. The detainee left Kabul with several other fighters and traveled to Khowst, Afghanistan.
 - a.) The Wazir Akbar neighborhood in Kabul was cleared of its residents by the Taliban in order to house high-level Taliban officials and Arabs.
 - 2) The detainee stated he escaped from Afghanistan to Pakistan using three Afghan guides. The trip to Pakistan was by foot and lasted approximately seven to nine days. When the detainee left the guest house the group traveling to Pakistan was small but grew to approximately thirty just outside Khowst.
 - 3) The detainee stated that when he reached the border of Pakistan he approached a border officer and requested he be taken to the Yemeni embassy. The detainee was taken into custody and turned over to United States forces.
 - 4) The detainee was transferred into United States custody on 26 December 2001 from Peshawar, Pakistan.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDU AHMED, MAJID M

- 5) The detainee stated he hated America and Americans and still hated America as he was unjustly incarcerated.
 - 6) The detainee stated he went to Afghanistan to fight with the Taliban and that previous stories told to interviewers were cover stories told so no one would know his true intentions in Afghanistan. The cover story was created during his escape from Afghanistan into Pakistan.
 - 7) The detainee stated all Americans are infidels and they will go to hell.
 - 8) The detainee stated Usama bin Laden is a sheikh and commander of all Muslims. Usama bin Laden is a good Muslim and fights against the unbelievers. The detainee stated he would be honored to meet Usama bin Laden.
 - 9) The detainee stated the attacks on Americans on 11 September 2001 were very small in scale and he wishes for greater destruction and torture to fall upon Americans. The detainee stated he hates Americans because they are all infidels and corrupt.
4. The following primary factors favor release or transfer:
- a) The detainee denied ever being trained to fight and stated if he was going to fight he would have joined the army in Yemen.
 - b) The detainee stated he felt the attack on the World Trade Center was wrong because Islam did not permit people to kill innocent people and it was wrong to declare war on innocent people.
 - c) The detainee stated he heard of Usama bin Laden's fatwa against the United States in the news and stated he never met Usama bin Laden. The detainee stated he had no association with al Qaida and never attended any training camps.
 - d) The detainee stated he had no association or affiliation with the Taliban or al Qaida.
 - e) The detainee stated he was not a bodyguard for Usama bin Laden and has never seen him.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

FROM: Director, OARDEC (U) *BS/rt/eb*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 043 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 3 Jul 2008 resulting in a ~~(b)(1),(b)(5)~~ recommendation to ~~(b)(1),(b)(5)~~ based on the following:

- Threat Assessment: ~~(b)(1),(b)(5)~~
- Intelligence Value: ~~(b)(1),(b)(5)~~
- Other Factors: ~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION ~~(b)(1),(b)(5)~~

~~(b)(1),(b)(5)~~ (Detain) *JU*
 Or Transfer _____ Release _____ *9-15-08*

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 043

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process. A copy of both the English and Arabic translated Unclassified Summary of Evidence were given to the detainee.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

Derived From: Multiple Sources

Declassify On: 25X1-Human

ISN 043

Enclosure (6)

Page 1 of 6

3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-44.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)




(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



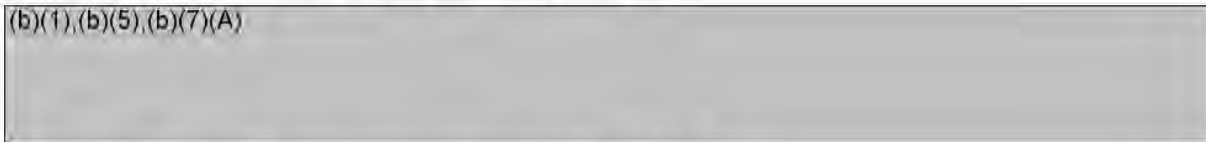
(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



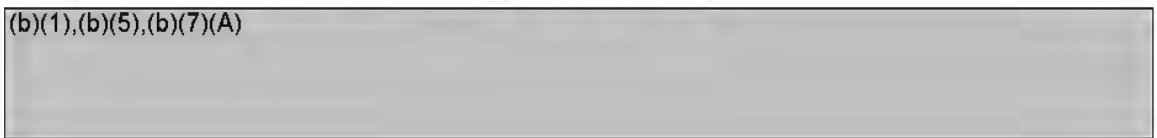
(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5),(b)(7)(A)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

[Redacted]

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

[Redacted]

6. (U) Additional Information

(b)(5),(b)(7)(A)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.**

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (6)
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(b)(5), (b)(7)(A)

(b)(1), (b)(5)

b. (S//NF) Intelligence Value.

(b)(1), (b)(5)

(b)(1), (b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1), (b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 043
Enclosure (6)
Page 5 of 6

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 043
Enclosure (6)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

25 June 2008

To: AL HASAN, SAMIR N

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL HASAN, SAMIR N

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he considered joining Jamaat-al-Tabligh during the time he attended a Mosque in Taiz, Yemen.
 - a) Jamat-al-Tabligh is a known supporter of Islamic terrorist groups in South and Southeast Asia, Pakistani terrorist organizations and the al Qaida network. Usama bin Laden has used Jamat-al-Tabligh to communicate instructions to his network of organizations.
 - 2) The detainee stated a childhood friend and neighbor, recruited him to go to Afghanistan. The detainee stated his recruiter offered him goods, pay, a house, a wife, and a good life if he would go to Afghanistan.
 - 3) The detainee stated his recruiter told him they could live a simple life in Afghanistan and make more money, so they decided travel to Afghanistan to fight in the jihad.
 - 4) The detainee stated he and his recruiter flew from Yemen to Karachi, Pakistan, and stayed for two days before they took a bus to Korta, Pakistan. Once in Korta, the detainee and his recruiter traveled by bus to Kandahar, Afghanistan. In Kandahar, the detainee stayed at a guest house.

ISN 043
DMO Exhibit 01
Page 1 of 5

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HASAN, SAMIR N

- 5) The detainee was reportedly at a guest house in Kandahar, Afghanistan, where the detainee was responsible for food in the guest house.
- 6) The detainee was reportedly captured among a group of 30 al Qaida members.
- 7) The detainee was identified in a photo as a person at the Madafa guest house in Kandahar, Afghanistan.
- 8) The detainee stated he and his recruiter traveled from Kandahar to Kabul, Afghanistan. The detainee stated in Kabul, Afghanistan, he and his recruiter stayed at a house owned by the Taliban for approximately one week.
- 9) The detainee stated he and his recruiter traveled north of Kabul, Afghanistan, to a military camp approximately two miles from the front line fighting with the Northern Alliance. Upon their arrival at the camp, the detainee was issued a Kalashnikov rifle and provided a jacket that held ammunition and weapons.
- 10) The detainee stated he went to the front lines to stay in good with the Taliban.
- 11) The detainee stated he did not receive any training in Afghanistan and stated he went straight to the front line where he received a Kalashnikov.
- 12) The detainee stated he would stay on the front lines for five or six days at a time before returning to Kabul, Afghanistan.
- 13) The detainee was reported as having been in Afghanistan circa 1999 or 2000 and was also reportedly a bodyguard circa August 2001.
- 14) The detainee was reported as being from Tora Bora, Afghanistan, where the detainee was a front line fighter in Bagram, Afghanistan.
- 15) The detainee stated after the American bombing campaign started, he retreated to Kabul, Afghanistan and then to Khowst, Afghanistan.
- 16) The detainee stated he joined the Sadiq Unit in Afghanistan where he served as a foot soldier.
- 17) The detainee stated Sadiq Station was merely an encampment of approximately 10 to 15 Taliban fighters. There were a number of these stations all along the front lines, and each station had its own name.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HASAN, SAMIR N

b) Connections/Associations

- 1) The detainee was reportedly a soldier for the Taliban.
- 2) The detainee was reportedly a member of Usama bin Laden's guard force.
- 3) The detainee stated he worked in Afghanistan as a relief worker for the Islamic Relief Organization.
 - a) The International Islamic Relief Organization was identified as an Islamic humanitarian organization with headquarters in Mecca, Saudi Arabia, and is financed by Usama bin Laden.

c) Training

- 1) The detainee stated his recruiter trained the detainee on the Kalashnikov rifle prior to traveling to Afghanistan. The detainee stated every Friday for about four weeks, the detainee and his recruiter practiced static marksmanship specifically for the trip to Afghanistan. The detainee stated, based upon this training, the detainee stated he felt fully competent in going to the front lines in Afghanistan and it was unnecessary for the detainee to attend any training camps in Afghanistan.
- 2) The detainee was reported as having attended training at al Farouq, Afghanistan.
 - a) The al Farouq Training Camp in Afghanistan was funded by al Qaida and was more advanced than other training camps in Afghanistan. The training at al Farouq consists of two week periods of weapons training, a basic commando course, topography, and explosives.

d) Other Relevant Data

- 1) The detainee stated he traveled with an Afghan guide to Najar, Pakistan, and turned himself in at the Pakistan border.
- 2) The detainee was among a large group of Saudi and Yemeni nationals captured by Pakistani Army and Frontier Corps Forces, while attempting to escape from Afghanistan into Pakistan. Most of the prisoners were captured in the Northern Kurram Agency of Pakistan's Federally Administered Tribal Area, directly across the Pakistan border from the Tora Bora region.
- 3) The detainee was identified from a photograph as one of the thirty individuals who fled to Pakistan and surrendered to Pakistani authorities.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HASAN, SAMIR N

- 4) The detainee's name was found on computer media recovered during raids against an al Qaida associated safe house.
- 5) The detainee admitted that he lied in all of his previous interrogations and offered to recant his cover story.

4. The following primary factors favor release or transfer:

- a) The detainee stated he came to Afghanistan for employment and to start a family.
- b) The detainee stated when he gets released, he would like to return to Yemen and get his previous job back, which was working at a factory.
- c) The detainee stated he has never taken a bayat.
- d) The detainee stated he did not support the fighting between the Taliban and the Northern Alliance, because Islam prohibits Muslims from fighting each other.
- e) The detainee stated he never engaged in battle with Northern Alliance or American troops while in Afghanistan.
- f) The detainee denies making a statement about traveling to the front lines on a regular basis and being gone for five to six days at a time.
- g) The detainee stated he has never been to al Farouq training camp in Afghanistan and does not know anyone who attended the al Farouq camp.
- h) The detainee stated the Islamic Relief Organization was not affiliated with Usama bin Laden or al Qaida, nor did he have any knowledge of any organization who did sponsor them.
- i) The detainee stated he was not involved with al Qaida, and had not heard of it before his trip to Afghanistan.
- j) The detainee stated he was not a member of the Taliban.
- k) The detainee stated he is not willing to do anything for Usama bin Laden and stated he does not know Usama bin Laden.
- l) The detainee stated he has no enemies that he likes everyone, and he considers Americans his friends.
- m) The detainee stated he desired to return to Yemen, but his recruiter ignored the detainee's

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL HASAN, SAMIR N

request. The detainee stated he had no money to leave the country.

- n) The detainee stated he felt his recruiter used the money issue as leverage to try and convince him to fight for the Taliban. The detainee stated he would have received money for fighting with the Taliban, but since he did not believe in Muslims fighting each other, he could not bring himself to fight, and thus, he had no source of income to pay for his travel back to Yemen.
- o) The detainee stated that he doesn't have any problems with the United States.
- p) The detainee stated that, following his capture, he was beaten by the United States and had a gun pointed at him.
- q) The detainee denied he was a bodyguard for Usama bin Laden, stating that he had no training to be a bodyguard.
- r) The detainee was reportedly a fighter from Taiz, Yemen, but not al Qaida.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

RE
3 Feb 09

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: *[Signature]* Deputy Assistant Secretary of Defense for Detainee Affairs (U) *[Signature]*

FROM: Director, OARDEC (U) *[Signature]*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 044 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 4 Nov 2008 resulting in a (b)(1),(b) recommendation to (b)(1),(b) (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5) (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____

- o (U) Attachments:
 - Tab A OARDEC SJA Legal Sufficiency Review
 - Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 044

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee as uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation of delivery to the detainee from the JDG but the detainee did not accept delivery.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered


Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 044
Enclosure (7)
Page 1 of 7

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-44.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (8).

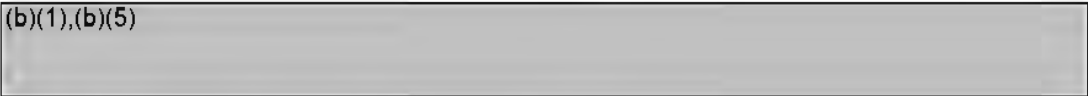
(1)(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



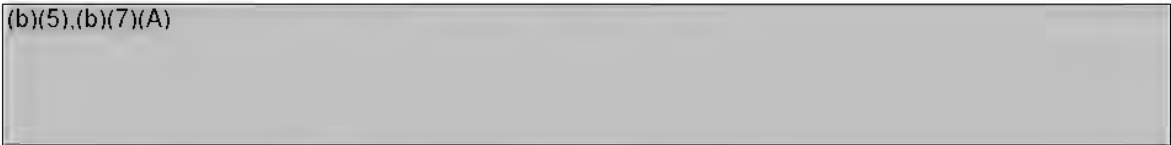
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



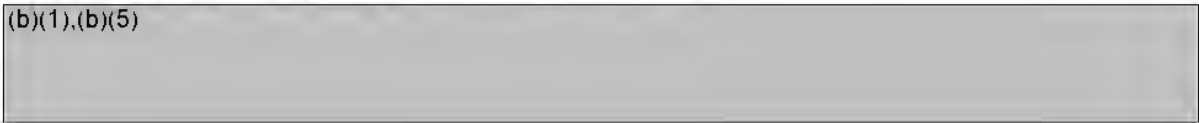
(4) (U) Criminal Investigation Task Force (CITF)

(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.


(b)(1),(b)(5)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 044
Enclosure (7)
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(b)(1),(b)(5)

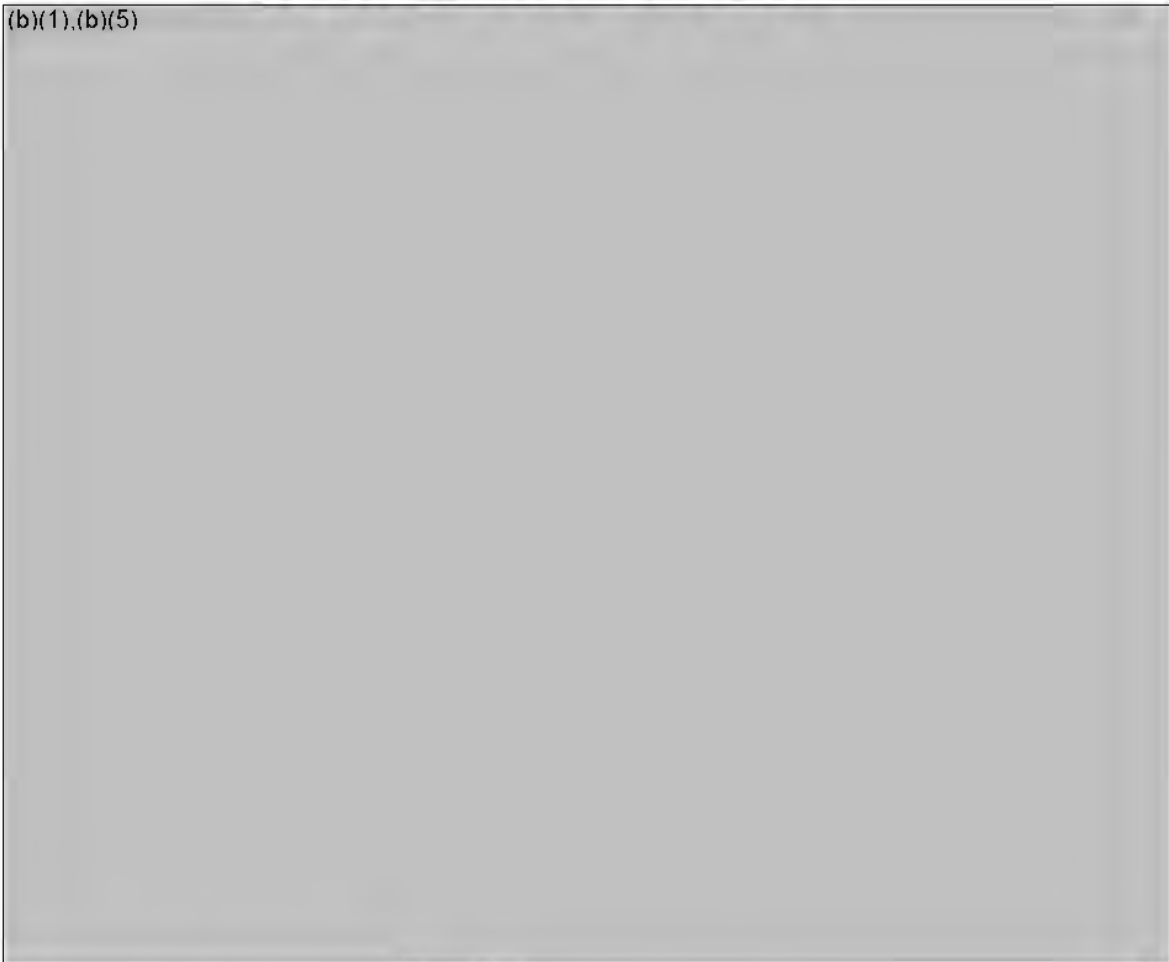


Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (7)
Page 4 of 7



(b)(1),(b)(5)



b. (S//NF) Intelligence Value.

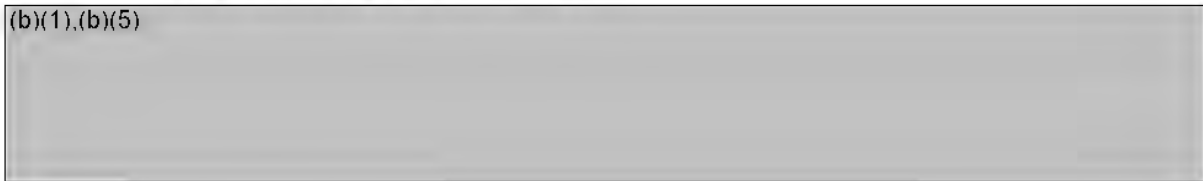
(b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (7)
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(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (7)
Page 6 of 7

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) **Board Members' Voting Results**

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, USN
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

24 October 2008

To: ABU GHANIM, MOHAMMED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABU GHANIM, MOHAMMED

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he was recruited while in Sanaa, Yemen to work for the al Wafa Al Igatha Islamia humanitarian relief organization by an individual that later recruited the detainee to work for al Wafa in Kabul, Afghanistan. The recruiter paid for the detainee's travel expenses.
 - a. Reportedly, the al Wafa offices in Kabul, Khowst and Kandahar, Afghanistan, were controlled by the al Wafa office in Karachi, Pakistan. While al Wafa claimed to be a humanitarian Islamic charity organization, they reportedly funneled money and supplies to al Qaida and the Taliban, including medical equipment and weapons.
 - 2) The detainee stated he traveled from Sanaa, Yemen to Bosnia in 1994 or 1995 via Syria, Turkey, and Croatia.
 - 3) The detainee stated he funded his travel to Bosnia from the sale of items obtaining while fighting in the Yemeni civil war. He traveled with his brother-in-law and others.
 - 4) Reportedly, the detainee was in Bosnia in 1995 and came back to Yemen in 1996. He reportedly remained in Yemen until after the United States Ship Cole bombing in

ISN 044
DMO Exhibit 01
Page 1 of 4

UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABU GHANIM, MOHAMMED

October 2000 then traveled to Afghanistan in February or March 2001 in order to avoid being arrested.

- 5) The detainee stated six months prior to Ramadan, he traveled from Sanaa, Yemen to Karachi, Pakistan and then to Afghanistan. He stated a relative gave him \$400.00 for his ticket to Karachi, because the relative supported jihad and approved of the Taliban regime.
 - 6) The detainee stated he traveled from Karachi, Pakistan to Quetta, Pakistan to Buldak, Afghanistan to Kandahar, Afghanistan then to Kabul, Afghanistan. He stayed at the Gutaiba guest house in Kabul, Afghanistan for one day then hitched a ride with a truck that was headed to the front lines with supplies.
 - a. Reportedly, the Kotaiba house was one of four safe houses in Kabul, Afghanistan owned by al Qaida and used by al Qaida members from Saudi Arabia, Yemen, Iraq, and Libya.
 - 7) The detainee stated after he finished his training in Bosnia, he traveled to the northern part of Bosnia and fought with the mujahedin fighters under the support of the Bosnian army.
 - 8) The detainee stated when he arrived into Afghanistan; he joined the mujahedin fighters and fought under the Taliban government.
 - 9) The detainee stated he was at the Duserag, Afghanistan front line for six to seven months and then left to another position called Garabal, Afghanistan, where he stayed for eight months.
 - 10) The detainee stated he fought with the Taliban while in Afghanistan and he observed the United States Forces bombing campaign in November of 2001.
 - 11) The detainee stated he stayed on the front lines for one year and left the frontlines when the Americans started attacking.
- b) Connections/Associations**
- 1) The detainee stated he had joined the Taliban.
 - 2) The detainee stated he fought with an individual while in Bosnia and the individual is currently in jail for his connection to the United States Ship Cole bombing.
 - 3) The detainee was a body guard for Usama bin Laden.

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DMO Exhibit 01
Page 2 of 4

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UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABU GHANIM, MOHAMMED

- 4) The detainee was a member of al Qaida's guardship.
- 5) The detainee's name was listed on a document recovered from safe house raids associated with suspected al Qaida members in Karachi, Pakistan.
- 6) Reportedly, the detainee was a member of Hizballah who operated in Iran.
 - a. Hizballah (Party of God) is known or suspected to have been involved in numerous anti-United States and anti-Israeli terrorist attacks, including the suicide truck bombings of the United States Embassy and United States Marine barracks in Beirut in October 1983 and the United States Embassy annex in Beirut in September 1984.
- 7) Reportedly, the detainee was normally with Usama bin Laden.

c) Training

- 1) The detainee stated he received basic training from the Yemeni Army.
- 2) The detainee stated during his time in Bosnia, he trained in basic infantry skills, using the Kalashnikov rifle, the rocket propelled grenade, and the PK. He trained less than a month while in Bosnia.

d) Intent

- 1) The detainee stated he had knowledge of a future terrorist action involving a lethal serum. The lethal serum when injected into humans causes deterioration of muscle tissue and death within six months. The detainee stated this was just the beginning. He stated if he were free, no one would be able to stop him from doing what I want to do.

e) Other Relevant Data

- 1) The detainee stated he fought in the Yemeni Civil War for 2 years.
- 2) The detainee stated he did not need any additional training before joining the mujahedin fighters in the north because of his experience in the Bosnian conflict.
- 3) The detainee stated the interviewers should embrace Islam otherwise he would be their enemy for life. He will never give full cooperation to interviewers because they are non-believers. The detainee stated God has decreed that Islam is the only religion and non-believers are hated by Muslims.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABU GHANIM, MOHAMMED

- 4) The detainee stated that once he goes back to Yemen, it would be very simple to find Usama bin Laden's whereabouts. He stated that some of Usama bin Laden's trusted individuals would approach the detainee to inquire about his and others' imprisonment with the Americans. The detainee stated he is sure that he would be taken to or put in contact with Usama bin Laden and would relay the information to the Federal Bureau of Investigation.
4. The following primary factors favor release or transfer:
- a) The detainee stated he did not join al Wafa.
 - b) The detainee denied ever meeting or even seeing Usama bin Laden.
 - c) The detainee stated he did not swear allegiance to anyone while in Afghanistan.
 - d) The detainee denied any involvement in the United States Ship Cole bombing.
 - e) Abu Ghanem explained that a perfect example of the confusion is when during a recent interview he told investigators that he is aware that some intelligence organizations have the capability of injecting individuals with a type of serum that would end somebody's life after a few months, the investigators understood him to be talking about a serum to be used by Al-Qaeda in their future attacks against the U.S.
 - f) The detainee stated he was not a part of any groups, governments, or organizations. He was a mujahed, a holy warrior, fighting under the banner "There is but one God, Allah, and Mohammed is his Prophet."
 - g) The detainee stated he never engaged in close combat.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The Assisting Military Officer is not an advocate for or against continued detention, nor may the Assisting Military Officer form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

*RE
31 Jan 09*

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: *Deputy* Assistant Secretary of Defense for Detainee Affairs (U) *[Signature]*

FROM: Director, OARDEC (U) *18/12/09*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 045 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 21 Nov 08 resulting in a (b)(1),(b) recommendation to (b)(1),(b)
(b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value:
- Other Factors:

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
(b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *2-2-09*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 045

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation of delivery to the detainee from the JDG.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

Derived From: Multiple Sources
Declassify On: 25X1-Human

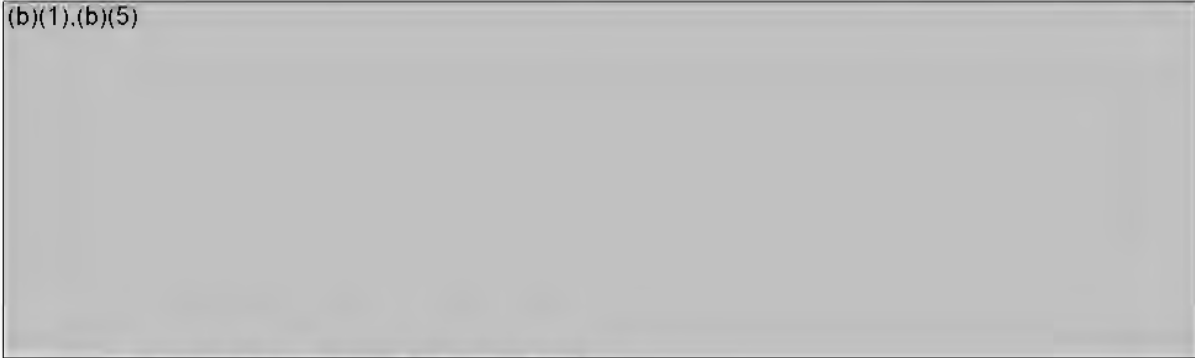
ISN 045
Enclosure (5)
Page 1 of 6

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-42.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (6).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



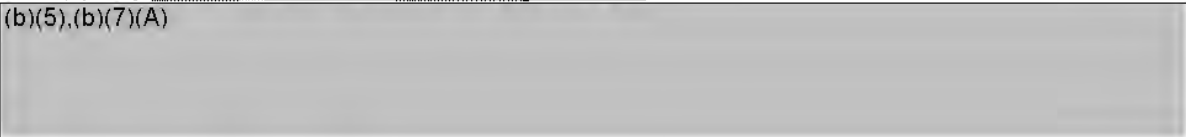
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



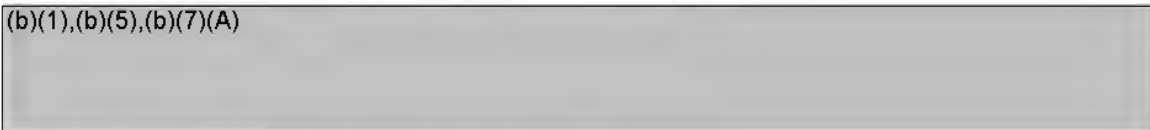
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



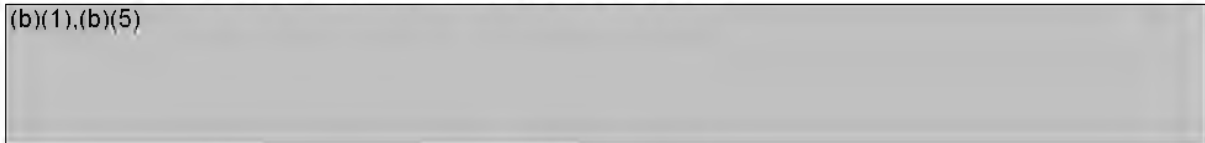
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



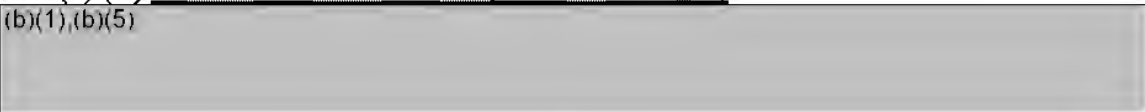
(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 045
Enclosure (5)
Page 2 of 6

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.** (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 045
Enclosure (5)
Page 4 of 6

(b)(1),(b)(5)

[Redacted]

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 045
Enclosure (5)
Page 5 of 6

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, USN
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

6 November 2008

To: AL RAHIZI, ALI A

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL RAHIZI, ALI A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - 1) The detainee stated he met a Yemeni in 1997 in the Jama al Dawa Mosque in Taiz, Yemen. He stated the Yemeni spread support for the jihad at the Jama al Dawa Mosque. The detainee stated in 1999, he was approached by the Yemeni and told he needed to go to Afghanistan to teach the Koran.
 - 2) The detainee stated the Yemeni paid for his travel to Afghanistan and gave him approximately 450 United States Dollars. He gave his passport to the Yemeni a few weeks prior to leaving Yemen. He stated the Yemeni returned the passport to him along with a Pakistani visa stamp.
 - 3) The detainee stated he traveled from Yemen to Karachi, Pakistan. After several days, he traveled to Quetta, Pakistan, and went directly to the Daftar Taliban office in Quetta. He stayed the night at the Daftar Taliban office and met an Afghan man who took him to a village outside of Kandahar, Afghanistan.
 - a. Reportedly, the Taliban office called Daftare Taliban in Quetta, Pakistan; provide Arabs different means to cross the border into Afghanistan and lodging while traveling. The Daftare Taliban informs travelers of different lodging options in Afghanistan cities according to travel plans.

ISN 045
DMO Exhibit 01
Page 1 of 3

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL RAHIZI, ALI A

- 4) Reportedly, the detainee traveled with a combat group from Kabul, Afghanistan to Mazar-e-Sharif, Afghanistan in March 2001. After arriving in Mazar-e-Sharif, they were bussed to Taloqan, Afghanistan. In Taloqan, the weapons and equipment were waiting at the Ansar guest house.
 - 5) Reportedly, the detainee stayed at a guest house on the front lines. The detainee reportedly moved back to Kandahar, Afghanistan to work with an individual sometime between May-July 2001. This individual was reportedly the leading facilitator for al Qaida and other mujahedin coming into Afghanistan and also operated the al Qaida guest house in Kandahar. The detainee reportedly had no certain job but would help out by running errands and doing administrative duties.
 - 6) Reportedly, the detainee ran a guest house for Usama bin Laden.
 - 7) Reportedly, the detainee was in charge of the al Nibras guest house, which was an al Qaida guest house.
 - a. Reportedly, the Nebras Arab guest house in Kandahar, Afghanistan, was used by Usama bin Laden and fighters heading to the al Farouq Training Camp. Arabs bound for training at al Farouq would gather at Nebras until about 25-30 were in the group and then they were transported to al Farouq. Usama bin Laden would come to Nebras to greet the fighters before they went to training.
 - 8) Reportedly, the detainee was present at the Qutaiba mudafah.
 - a. Reportedly, the Kutaiba guest house was one of three Arab guest houses in Kabul, Afghanistan, controlled by a senior al Qaida member. The guest houses were financed by both Taliban and al Qaida sources. Many of the wounded from the front lines were brought to the Kutaiba guest house.
- a) Connections/Associations**
- 1) Reportedly, the detainee was a Usama bin Laden bodyguard and is associated with a group of thirty men.
- b) Training**
- 1) Reportedly, the detainee attended basic training at al Farouq and also attended an advanced class for instructors.
 - a. Reportedly, the al Farouq training camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL RAHIZI, ALI A

Farouq reportedly consists of two week periods of weapons training, a basic commando course, topography, and explosives.

c) Other Relevant Information

- 1) The detainee stated he had no prior military service.
- 2) The detainee stated even though he taught for two years at the Abu Bakur al Sadiq Mosque in Shurandam, Afghanistan, he couldn't remember any of his student's names. He didn't earn any wages and lived off the 350 United States Dollars he brought with him from Yemen.

4. The following primary factors favor release or transfer:

- a) The detainee stated he did not go to Afghanistan to fight but to teach the Koran.
- b) Reportedly, the detainee was not al Qaida.
- c) The detainee stated he has heard of al Qaida and Usama bin Laden but denied any affiliation with either one.
- d) Reportedly, the detainee was not a Usama bin Laden body guard.
- e) The detainee stated he had never been at the al Farouq Training Camp and had never stayed at a guest house in Kandahar, Afghanistan.
- f) The detainee stated he never received any type of military training or weapons training. The only weapon he knows how to use is the AK-47, which he learned, in Yemen, when he was young.
- g) The detainee stated he taught the Koran to Afghanistan children for two years at the Abu Bakur al Sadiq mosque in Shurandam, Afghanistan.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)
THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJA*
FROM: Director, OARDEC (U) *AS 10/20/08*

(b)(5)

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND
 RECOMMENDATION ICO ISN 078 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 17 OCT 2008, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* 1-2-09

Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 078

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings


a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation of delivery to the detainee from the JDG, indicating the detainee accepted the translated version and refused the English version.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 078
Enclosure (4)
Page 1 of 6

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-40.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)




(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)



(b)(1),(b)(5)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.**

(b)(1),(b)(5)

[Redacted]

(b)(1),(b)(5)

[Redacted]

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 078
Enclosure (4)
Page 4 of 6

(b)(1),(b)(5)

[Redacted]

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 078
Enclosure (4)
Page 5 of 6

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

COLONEL, USMC
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 078
Enclosure (4)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

2 October 2008

To: ABDULLAH SALEH, MOHAMMED A

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABDULLAH SALEH, MOHAMMED A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) **Commitment**

- 1) The detainee stated he left home and went to Afghanistan fully intending to fight for the Taliban and die for his God.
- 2) The detainee stated that he did not go specifically to fight the Northern Alliance, but to fight anyone who threatened Islam in Afghanistan.
- 3) The detainee stated that while at a mosque in Yemen, he read a paper on the wall that requested men in Afghanistan to fight. The detainee stated that reading the paper gave him the vigor to participate. The detainee believes jihad is allowed in Islam so that one can keep one's honor.
- 4) The detainee stated he bought a cassette tape by Sheikh Muqbil al Wadi'i. On the tape, the Sheikh discussed Afghanistan being a true Islamic state and the necessity for Muslims to be there. The detainee stated he concluded from the cassette tape that Afghanistan was more of an Islamic society than Yemen.
 - a. Sheikh al Wadi has been identified as a supporter of the Taliban and jihad.

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DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDULLAH SALEH, MOHAMMED A

- 5) The detainee stated he met a man named Mu'amar Sa'ed at a mosque in Zungbar, Yemen, and discussed the cassette tape with Sa'ed. The detainee stated Sa'ed encouraged him to go visit Afghanistan.
- 6) The detainee stated that Mohamed Said Dayan is a teacher of the Koran and convinced the detainee that he should go fight with the Taliban.
 - a. Dayan reportedly facilitated travel for Yemeni men to Afghanistan for training and served as a senior leader at the front lines North of Kabul, Afghanistan.
- 7) The detainee stated he made the decision to go to Afghanistan with the idea of exploring the culture and country and to see if it was a true Islamic State. The detainee stated that Sa'ed paid for the detainee's passport and accompanied him on his trip.
- 8) The detainee stated that upon receiving his passport, he traveled from Zungbar, Yemen, to Sanaa, Yemen. From Sanaa, the detainee stated he flew to Dubai, United Arab Emirates, where he changed planes and traveled to Karachi, Pakistan. The detainee stated he stayed in Karachi for a week wandering around and shopping. From Karachi, the detainee took a bus to Quetta, Pakistan and went to a religious center.
- 9) The detainee stated that in Quetta, Pakistan, he stayed in a Taliban guest house.
- 10) The detainee stated that from Quetta, Pakistan he traveled to Buldak, Afghanistan.
- 11) The detainee stated he traveled to Buldak, Afghanistan, where he stayed in another Taliban guest house that housed Afghans and Pakistanis.
- 12) The detainee stated that from Buldak, Afghanistan, he traveled to Kandahar, Afghanistan. The detainee stated he spent four to five days at a Taliban house in Kandahar, Afghanistan.
- 13) The detainee stated that during his travel to Kandahar, Afghanistan, he stayed at third Taliban guest house.
 - a. Reportedly, the Taliban office in Quetta, Pakistan, helped Arabs cross the border into Afghanistan by coordinating travel and lodging for a fee.
- 14) The detainee stated that after spending sometime in Kandahar, Afghanistan, he went to Kabul, Afghanistan, where he stayed at another guest house. While at this guest house, the detainee was visited by a Taliban soldier who told him the Taliban needed people to fight up north.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDULLAH SALEH, MOHAMMED A

- a. Reportedly, the safe house in Kabul, Afghanistan, was a staging area for the transportation of Taliban fighters to the front lines of Kabul and Konduz, Afghanistan.
- 15) The detainee stated he flew from Kabul to Konduz, Afghanistan, and from there went to Taloqan, Afghanistan, and eventually arrived at the Khawaja Ghar area of Afghanistan.
- 16) The stated he spent seven to eight months at Khawaja Ghar, working guard duty initially then went to the front line.
- 17) The detainee stated that he fought with the Taliban voluntarily.

b) Connections/Associations

- 1) The detainee admitted to being a member of the 55th Arab Brigade.
 - a. The 55th Arab Brigade was Usama bin Laden's primary formation supporting Taliban objectives against the Northern Alliance and Coalition Forces.
- 2) The detainee identified the General of the non-Afghan Taliban troops who were positioned on the front line. The detainee stated that the General would visit the troops once to twice a week depending on the current situation.
 - a. The General is reportedly a senior al Qaida member and former commander of the Arab Brigade.
- 3) The detainee stated he saw Usama bin Laden in Tora Bora. Usama bin Laden spoke to his group for three to four minutes.
- 4) The detainee stated he rode on the bus with a number of Taliban and Jamat-al-Tabiligh members.
 - a. Jamat-at-Tabiligh has been supporting Islamic terrorist groups in south and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.
- 5) The detainee stated that one of the Jamat-al-Tabiligh members instructed him to proceed to another Jamat-al-Tabiligh house in Kandahar, Afghanistan where he stayed for two to three days.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDULLAH SALEH, MOHAMMED A

c) Training

- 1) The detainee stated he was not trained on weapons in Afghanistan because he already knew how to operate a Kalashnikov AK-47 and to handle hand grenades from when he lived in Yemen.

d) Intent

- 1) The detainee stated that his beliefs and his calling are to continue his fight for Islam and that the work will never be complete until the whole world is Islamic.
- 2) The detainee stated he considers himself a fighter and did not plan to stop fighting unless he was killed or there was no more enemy to fight. The detainee stated that the point of jihad is to defend Islam, not necessarily to die defending Islam.

e) Other Relevant Data

- 1) The detainee was as an administrator on the front lines and was injured in his arm and stomach during the retreat from Takhar to Konduz, Afghanistan.
- 2) The detainee was identified as a person who fought in Northern Afghanistan and fought with an Arab unit.
 - a. The Arab unit reportedly fought on the front line North of Kabul, Afghanistan. The Taliban supported the Arab unit by providing food, drinks, ammunition and one pick-up truck for the group. Al Qaida also supported the fighters by providing a place for rest and relaxation as well as other logistical support.
- 3) The detainee was reportedly on the front line carrying a Kalashnikov rifle.
- 4) The detainee reportedly drove a white Toyota pickup truck, which he used to pick up supplies from the market and the al Wafa charity organization. The detainee delivered the supplies to the fighters on the front lines.
 - a. Executive Order 13224 lists al Wafa as a Specially Designated Global Terrorist Entity.
- 5) The detainee was reportedly captured with a Kalashnikov rifle.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDULLAH SALEH, MOHAMMED A

4. Factors Favoring Release or Transfer:

- a) The detainee stated that he was never a member of al Qaida or a supporter of Usama bin Laden and never fought on behalf of either.
- b) The detainee stated that he had not heard much about al Qaida until he got to Guantanamo Bay, Cuba and heard it from the interrogators. The detainee stated he fought with the Taliban and was not exposed to any al Qaida fighters.
- c) The detainee stated he decided to go to Afghanistan to see if Afghanistan was a true Islamic State. He had no intentions of going to Afghanistan to fight.
- d) The detainee stated that the Taliban forced him to be a soldier and claimed that he did not support the Taliban, but was unable to leave.
- e) The detainee readily admitted to having fought with the Taliban, but noted that it was never his intention or desire to fight against the United States.
- f) The detainee stated that he did not take a Bayat or oath.
- g) The detainee stated he knows no Tabligh members and could provide no information on the financial structure of the Tabligh.
- h) The detainee stated he had never seen Usama bin Laden and did not know the Taliban supported al Qaida and he views the attack on the United States Ship Cole as a criminal act.
- i) The detainee stated he felt the attack on the World Trade Center was wrong because Islam did not permit the killing of innocent people and it was wrong to declare war on innocent people.
- j) The detainee stated that when he is released, he hopes to go back to Yemen and get married, then go to school to become a history or geography teacher.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *4/10/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 081 (Sudan)

o Subject ARB was held on 07 Mar 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5) (Transfer)

[Handwritten Signature]
4-18

Or Detain _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 081

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)

(b)(1),(b)(5)

[Redacted]

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

[Redacted]

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

[Redacted]

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

[Redacted]

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

[Redacted]

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

[Redacted]

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

(b)(5)

[Redacted]

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(b)(5)

a. (U) Recruitment

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. (U) Travel

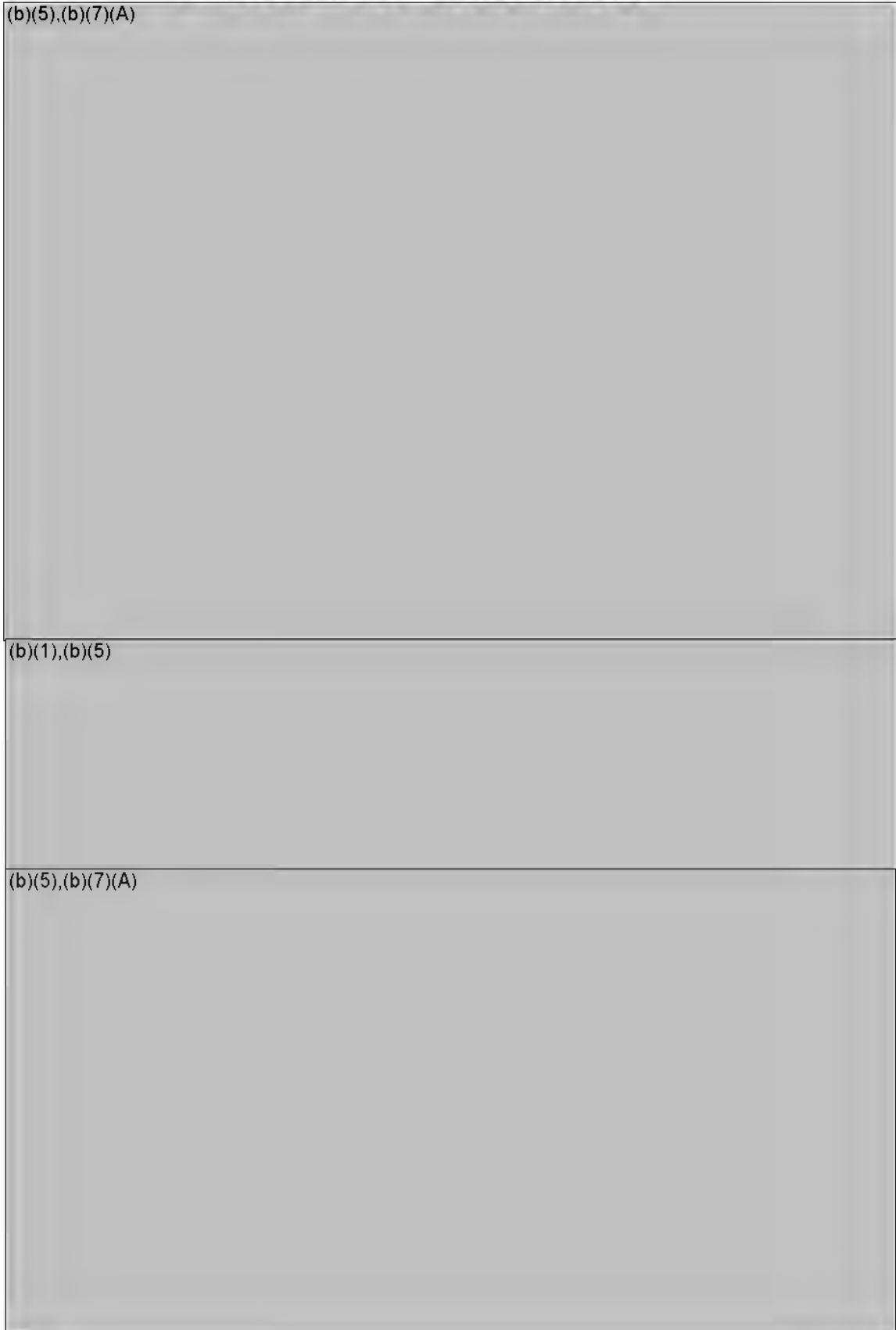
(b)(5),(b)(7)(A)

c. (U) Training

(b)(5),(b)(7)(A)

d. (U) Operations, Combat and Capture

(b)(5),(b)(7)(A)



(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

e. (U) Organizational Affiliations

(b)(5)

f. (U) Individual Affiliations

(b)(5)

g. (U) Behavior

(b)(1),(b)(5)

h. (U) Other Information

(b)(1),(b)(5)

i. (U) Factors in Support of Release

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

b. (S//NF) Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

c. (S//NF) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (S//NF) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3): 10 USC §130b.(b)(6)

Colonel/U.S. Army //
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

07 February 2008

To: ALLI, WALID MUHAMMAD HAJ MUHAMMAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF HAJ, WALID

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated that he traveled via airplane from Saudi Arabia to Pakistan in February or March of 2001. While at a small mosque in Lahore, Pakistan the detainee met a Saudi Arabian man who tried to convince the detainee to go to Afghanistan, where people had wrong thoughts about Islam. The Saudi man told the detainee that the detainee needed to teach people "the correct" Islam.
 - 2) The detainee stated he went to Quetta, Pakistan and stayed in a house next to a mosque for about thirty days. Many Afghans in this house had broken arms, legs, and other wounds. The detainee understood this was a recovery house for the Taliban.
 - 3) The detainee stated that while at Konduz, Afghanistan, the Saudi Arabian man gave the detainee two choices: either to stay in Konduz for da'wa or to join the Saudi Arabian man and the Saudi Arabian man's followers to fight in the front line against the Northern Alliance. The detainee chose to join Saudi Arabian man and the others.
 - 4) A big truck arrived and picked up the detainee, Saudi Arabian man and the others. The truck was full of Pakistanis, Arabs and Uzbeks, all with weapons. The detainee stated they were Taliban fighters. The detainee stated that he and some Arabs went to a bunker

ISN 081
DMO Exhibit 1
Page 1 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HAJ, WALID

area on the second line while the Taliban fighters went to the front line.

- 5) The Saudi Arabian man was an al Qaida recruiter who enticed Saudi youth into seeking military training similar to that taught at the al Farouq training camp.
 - 6) The detainee stated that many fighting men of different nationalities stayed at the house and that vans transported the fighters back and forth from the guest house to the front lines.
 - 7) The detainee stated that he and others were transported to a bunker area on the second line, while the Taliban fighters went to the front line.
 - 8) The detainee stated he remained a guard for several months until the American bombing started. The detainee ended up briefly on the front line in the hills. When it was time to withdraw, the detainee and others stayed at a house in Konduz, Afghanistan. The Taliban reached an agreement with General Dostum's forces allowing the Pakistanis and Arabs to withdraw through Mazar-e-Sharif, Afghanistan. The detainee went to Mazar-e-Sharif and surrendered his weapon. The detainee and others got on a truck unarmed and went on their way to Herat, Afghanistan, led by a vehicle from General Dostum's forces
 - 9) The detainee stated that he and the others arrived at a castle called al-Janki. The detainee spent the night in the basement of the castle. The following morning after the detainee was taken out into the yard, an explosion took place in the building. The guards at the castle started randomly shooting and many prisoners were killed. The detainee stated he ran away from the building, but was shot in the back.
 - 10) Al Janki is an Afghanistan castle outside the city of Mazar-e-Sharif, Afghanistan.
 - 11) The detainee stated he was shot in the hip during the uprising and fled to cover under a tree. The detainee went to the basement and stayed in one of the chambers for eight days. The Northern Alliance forced the detainee and others out of the basement with hand grenades, gasoline and water.
- b) Training
- 1) The detainee stated he received about a half hour of training on the Kalashnikov rifle and became a guard of the bunker area, which was about two or three kilometers from the front line.
 - 2) The detainee stated he fought on the Khvej Ghar frontlines outside of Konduz, Afghanistan. The detainee received training on the AK-47 at Khvej Ghar. The detainee guarded underground trenches that were used for sleeping and storing weapons. The

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detainee was able to visually identify the 7.62mm AK-47, 7.62mm PK, 7.62 RP-46, RPG-7, and the 7.62mm SKS/Type 56. The detainee stated he had seen them in Afghanistan.

- c) Other Relevant Data
- 1) The detainee stated he left Sudan in 1997 to work in Saudi Arabia. The detainee worked from job to job over a period of four and a half years. The detainee felt called to spread the message of Islam (da'wa) in other countries and later decided to follow his feelings regarding da'wa.
 - 2) The detainee was shown the Mazar-e-Sharif video. The detainee was underground and therefore missed a lot the action that took place within the fortress. The detainee stated he felt sad about watching his brothers die. However, he was interested in knowing who the American was who was killed and was interested in watching the video clip of the twin towers burn. The detainee showed excitement when watching the fight and stated he would very likely return to his country and raise arms against the United States again.
 - 3) An alias of the detainee's name was found on an al Qaida affiliated document recovered from an al Qaida safe house in Pakistan.
4. The following primary factors favor release or transfer:
- a) The detainee stated he did not have any knowledge of 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.
 - b) The detainee stated that he began providing guidance on Islam approximately five years prior to his capture and traveled to Pakistan to guide Pakistani Muslims on how to pray, to fast, and how to pray at a cemetery.
 - c) The detainee stated he never met Usama bin Laden or any high-ranking members of the Taliban or al Qaida. The detainee never heard of any fatwa against America. The detainee does not know of anyone that trained for or was asked to participate in a martyrdom mission.
 - d) The detainee stated he did not attend any formal training camp, and has no knowledge of specific training with explosives or chemical, biological, and nuclear materials.
 - e) The detainee stated he believes that Islam is not a religion of fighting.
 - f) During an interview on 22 August 2005, the detainee stated he felt like he was being punished for being honest. The detainee stated he told the first Administrative Review Board

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that he would kill Americans if they invaded his country. He went on to say that he believes this statement is keeping him incarcerated at Guantanamo Bay. The detainee stated if released, he would not go to Iraq to kill Americans and his only desire is to return to Sudan, marry, and start a family. He added, after his experience in Afghanistan, he would never return there.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *10/5/10/08*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
ICO ISN 089 (Azerbaijan)

o Subject ARB was held on 18 Apr 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION (b)(1),(b)(5)
 (b)(1),(b)(5)
 (b)(1),(b)(5) (Detain) *[Signature]*
5-19

Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 089**

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. These comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-33.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



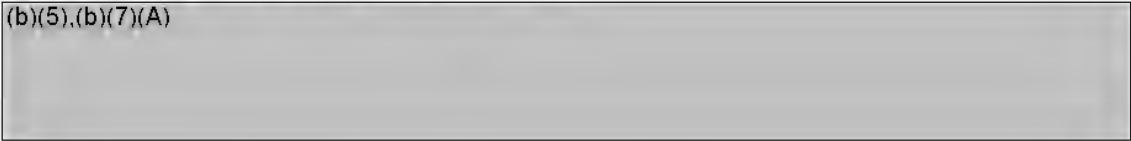
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



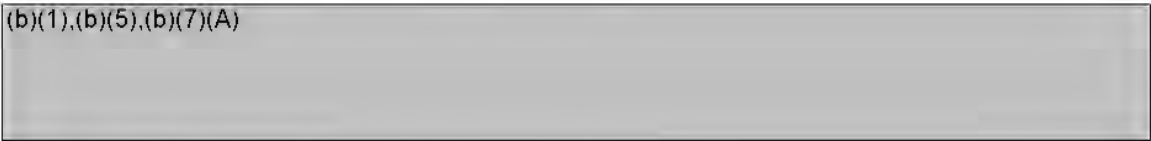
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

b. (S//NF) Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel // U.S. Army
Presiding Officer

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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

07 April 2008

To: TSIRADZHO, POOLAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF TSIRADZHO, POOLAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated that after serving a year and a half in the Army, he left for Afghanistan to learn Arabic, study the Koran, and find the Taliban. The detainee chose Afghanistan over Iran and Pakistan because Afghanistan had an Islamic government.
 - 2) The detainee stated he saw on television that there was a war in Afghanistan. The detainee then went to Afghanistan to study and look for the Taliban. Upon arriving in Herat, Afghanistan, the detainee met with a Taliban officer who sent him to Kandahar, Afghanistan, to see an individual. After meeting the individual, the detainee ended up on the front line in Kandahar.
 - 3) The detainee was identified as having served on the northern front lines.
 - 4) The detainee admitted to attending the Lezgi Mashid Mosque in Baku, Azerbaijan, every Friday.
 - i) Following the collapse of the Soviet Union and the subsequent influx into Azerbaijan of Wahabist missionary groups, the Lezgi Mosque in Baku, Azerbaijan, became known as one of the more extremist mosques where radicals congregated.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF TSIRADZHO, POOLAD

b) Training

- 1) The detainee stated he joined the Azerbaijani Army in 1998. In the army, the detainee was taught how to kill with a Kalashnikov. The detainee did not receive training on any other weapons.
- 2) A month after the meeting with the leader of the Islamic Movement of Uzbekistan, the detainee was sent to al Farouq training camp in Kandahar, Afghanistan.
 - i) The al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq consists of two week periods of weapons training, a basic commando course, topography, and explosives.
- 3) The detainee was identified as having attended basic training at the al Farouq training camp in Kandahar, Afghanistan, which included a topography course.
- 4) The detainee, while in Kabul, Afghanistan, was issued an AKM-762 rifle. The detainee never received any training for this weapon and he never used this weapon. He was initially provided with 120 rounds of ammunition and was instructed to only use it when directed.

c) Connections/Associations

- 1) The leader of the al Qaida Kavkaz terrorist group came into contact with the detainee in Kandahar and Kabul, Afghanistan in 2001.
- 2) The detainee was arranged housing in Kabul, Afghanistan where individuals associated with the Islamic Movement of Uzbekistan were living, including an al Qaida militant leader.
- 3) In 2001, the detainee was brought from Kandahar to Kabul, Afghanistan, where the detainee met with the leader of the Islamic Movement of Uzbekistan.
- 4) The detainee stated he was in Khojahar, Afghanistan, in Aug 2001, when he met some Taliban members at a food market. The detainee then joined the Taliban as a guard, guarding food supplies.
- 5) The detainee stated that his commander was in charge of approximately 500-1000 Pakistani men and there were Arabs and Uzbeks serving in units nearby.

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- 6) The detainee's name was on a list recovered during a raid on a safe house in Karachi, Pakistan. This safe house was suspected of being associated with al Qaida.
- d) Intent
 - 1) When asked if he would return to Afghanistan to fight against America, the detainee stated, "What has America ever done for me?"
 - 2) The detainee stated the United States runs the entire world and has corrupted other societies with its blasphemies, citing television and homosexuality as examples.
- e) Other Relevant Data
 - 1) The detainee stated that while in Khojahar, Afghanistan, he was injured in his right arm during an artillery attack by Northern Alliance Forces. The detainee then went to Konduz, Afghanistan, in September 2001 and remained there until November 2001. The detainee stated he surrendered to General Dostum in November 2001.
 - 2) The detainee initially stated the 9/11 attack was not justified, but then went on to justify the attack by saying the Koran allows for Muslims to take revenge on a one on one basis. The detainee later stated he did believe the 9-11 attack was justified.
4. The following primary factors favor release or transfer:
 - a) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001. The detainee also denied knowledge of any rumors or plans of future attacks on the United States or United States interests. The detainee denied any knowledge or planning of internal uprisings at the Guantanamo Bay, Cuba, detention facility.
 - b) The detainee claimed he did not have any knowledge of the Islamic Revolutionary Groups or their activity in Azerbaijan.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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