

Summary of Administrative Review Board Proceedings for ISN 176

*The Administrative Review Board was called to order.*

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

*The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board, Exhibit EC-A, to the Administrative Review Board.*

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

*The Presiding Officer stated that the Detainee declined to participate in the Administrative Review Board.*

*The Assisting Military Officer stated that the Detainee was advised of his right to be present during all open sessions of the hearing; the Detainee appeared to understand the process; the Unclassified Summary of Information was read to the Detainee; a translator was used; and confirmation of same language was made.*

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

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

*The Designated Military Officer presented the FBI Redaction Memorandum, DMO-2, the CITF Redaction Memorandum, DMO-3, to the Administrative Review Board.*

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

Designated Military Officer: (3) The following primary factors favor continued detention. (3.a) Commitment. (3.a.1) The detainee stated that approximately one week after 11 September 2001 he left Saudi Arabia to fight in Afghanistan.

Designated Military Officer: (3.a.2) The detainee stated that he traveled by airplane from Saudi Arabia to Bahrain and then went to Qatar. From there the detainee went to Tehran,

Iran then crossed the border into Kandahar, Afghanistan and then to Kabul, Afghanistan. The detainee stated that he was assigned to the second line just north of Kabul.

Designated Military Officer: (3.a.3) The detainee stated that he was assigned as a guard at a watch center.

Designated Military Officer: (3.a.4) The detainee stated that after approximately two and one half months on the second line, fighting in Kabul intensified, and he was ordered to retreat. The detainee stated that he was apprehended in December 2001 crossing the Pakistani border.

Designated Military Officer: (3.b) Training. (3.b.1) The detainee stated that during the Gulf War he volunteered for the military and received training with pistols, rifles and grenades, but his reserve unit was never activated.

Designated Military Officer: (3.b.2) The detainee stated that he received training on the Kalashnikov rifle at a watch center in Afghanistan.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The detainee stated that one week prior to the attacks on 11 September 2001, he telephoned a prominent Saudi sheikh to discuss going to jihad in Afghanistan.

Designated Military Officer: (3.c.2) The detainee's name is on a list of Arab names recovered from safe house raids associated with suspected al Qaida in Pakistan.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The detainee stated that he has never owned a Casio watch.

Designated Military Officer: (4.b) The detainee stated that he has never been in an al Qaida guest house and has no ties to al Qaida at all.

Designated Military Officer: (4.c) The detainee denied an affiliation with Usama bin Laden or al Qaida, and states that he did not have any prior knowledge of the attacks on 11 September 2001.

Designated Military Officer: (4.d) The detainee stated that if he was returned home he would go to his family and get his previous job back.

***The Assisting Military Officer had the following comments on the Unclassified Summary of Evidence, Exhibit DMO-1.***

Assisting Military Officer: A paragraph was removed from the Unclassified Summary of Evidence under the factors favoring continued detention. After presentation to the detainee, the statement was identified as not adequately supported. I would like to read

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the paragraph that was removed. "The detainee is on a list of detainees with a Casio model F-91W watch. This model watch has been used in bombings that have been linked to al Qaida and radical Islamic terrorists improvised explosive devices." Like I said, Sir, this paragraph was removed.

Presiding Officer: This explained why the detainee stated that he never owned a Casio watch. We are going to leave that statement on the record because it has some potential exculpatory value.

Assisting Military Officer: Yes, Sir.

Presiding Officer: I would also like to comment that there is a typo in 4.c. "The detainee denied an affiliation with Usama bin Laden". The original source actually said "any affiliation" and that changes the sense of the statement. So I would like that to be corrected and entered into the record.

***The hearing did not pause for the Administrative Review Board Members to read through the Unclassified Summary of Evidence.***

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

***The Presiding Officer acknowledged the request.***

***The Assisting Military Officer stated that he had no additional information to submit on behalf of the detainee and read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.***

Assisting Military Officer: The detainee's ARB was conducted on 12 July 2006. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee stated he did not wish to attend, nor have the AMO present any written information on his behalf. The detainee was inattentive throughout the interview. At the conclusion of the interview, the detainee was offered both an English and Arabic translated Unclassified Summary of Evidence, but declined them.

Assisting Military Officer: Additional Comments: The detainee appeared at his interview wearing a tan uniform. When questioning the detainee why he did not wish to attend or participate in the ARB, the detainee was unresponsive.

***The Board Members had no questions for the Assisting Military Officer or the Designated Military Officer.***

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

*The Presiding Officer opened the classified portion of the session.*

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

**AUTHENTICATION**

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



**Summary of Administrative Review Board Proceedings for ISN 194**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

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

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

*The Presiding Officer asked the Detainee if he wished to make a statement under oath.*

*The Detainee declined taking the Muslim oath.*

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

Presiding Officer: I also want you to understand a very important point. We are not interrogators. Our only reason to be here is to determine your threat status, your intelligence value, and to recommend whether you should be detained here for another year, transferred to another country, or released. That is the reason the board is here. We are very pleased that you chose to come today because it makes the job easier for all of us.

*The Assisting Military Officer presented the Notification of the Decision of an Administrative Review Board Form, Exhibit EC-A, to the Administrative Review Board.*

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

*The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.*

Assisting Military Officer: The detainee's ARB interview was conducted on 24 April 2006. After reviewing the ARB's purpose and procedures, the Arabic Unclassified Summary of Evidence was read to the detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee stated he wished to attend and have the AMO present a statement on his behalf. The detainee was cooperative and talkative during the interview. Copies of both the

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English and Arabic translated Unclassified Summary of Evidence were offered to the detainee; he took the Arabic translated copy with him.

***The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Memorandum, DMO-2, the CITF Redaction Memorandum, DMO-3, and the Terrorist Organization Reference Guide, DMO-4, to the Administrative Review Board.***

***The Designated Military Officer stated that a copy of these exhibits had previously been 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 each item of information from the Unclassified Summary as it was presented.***

Detainee (*through translator*): This is correct because all I have said is already in the file. You can go to my file and read it.

Presiding Officer: [ISN 194], I will respect your wishes not to respond to these unclassified charges. Our DMO will read each one of the statements and it will be translated for you as it is read. I will pause and give you a chance, if you want, to say something relating to that statement. You do not have to respond if you do not wish. Before we start reading the charges, I want you to know that the board has reviewed your record and we understand that some of the things you said when you were first captured appear in these charges and we understand that that is not true. Do you understand what I am saying? If you wish, [ISN 194], you can just tell us whether something is true or not true when we read it. If that is all you want to say, that's okay.

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

Designated Military Officer: The detainee based his decision to go to Afghanistan on television and radio news reports as well as a fatwa issued by a Sheikh.

Detainee (*through translator*): No. The purpose of me leaving Libya was to go for Umrah in Saudi Arabia. That's where I heard about the new government in Afghanistan.

Presiding Officer: Very good. Umrah in Saudi Arabia is going to Mecca outside the Hajj season. Is that correct?

Detainee (*through translator*): Yes, that's correct. Why is Umrah now what we are talking about in this allegation?

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Presiding Officer: [ISN 194], you are actually clarifying it for us. Again, remember we understand that some of this information is inaccurate.

Detainee (*through translator*): You said that I left Libya by hearing the fatwa from a Sheikh and by what's going on in the television and the media.

Translator: I want to explain to him that this allegation does not say that you left Libya, all it says is that you went to Afghanistan. I need to clarify this.

Presiding Officer: [ISN 194], what it is really saying is that you were inspired to go to Afghanistan because of a fatwa issued by a Sheikh.

Detainee (*through translator*): No. I went because the Taliban government was Islamic and it accepted all the refugees.

Presiding Officer: I understand.

Designated Military Officer: The detainee did not tell his parents or friends about his trip. The detainee felt that they would worry that he would get killed conducting jihad in Afghanistan. Despite this fact, the detainee sold his business and took his life savings with him to Mecca, Saudi Arabia.

Detainee (*through translator*): This allegation has two points: One is true and the other is not. I went to Saudi Arabia in order to do the Umrah and I told my family. My parents are deceased.

Designated Military Officer: However, the detainee left Yemen and traveled to Jeddah, Saudi Arabia and then on to Mecca. The detainee stayed in Mecca and paid approximately 40,000 Yemen for the ticket.

Detainee (*through translator*): No.

Presiding Officer: [ISN 194], what this is really speaking to is whether you paid your own way to Saudi Arabia?

Detainee (*through translator*): I did not go to Yemen.

Presiding Officer: I understand you did not go to Yemen. You left Libya to go to Saudi Arabia. My question to you is, did you pay your own to go from Libya to Saudi Arabia?

Detainee (*through translator*): Yes.

Designated Military Officer: In Mecca, the detainee heard people talking about Afghanistan and jihad. The detainee heard that Afghanistan was the only place where the laws of God are being implemented. The sheikh talked about the necessity of jihad with the Taliban.

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Detainee (*through translator*): I heard that in Afghanistan that they were forming a government and I went, but I did not work with the Taliban.

Designated Military Officer: From Mecca, the detainee went from Jeddah to Karachi, Pakistan with a friend. The detainee and his friend paid for their own plane tickets, costing 3,000 Riyals each. The detainee carried 2,700 United States Dollars and 1,500 Saudi Riyals. The detainee stated that the money came from his business. The detainee did not maintain a bank account.

Detainee (*through translator*): There is some truth to this and there is also some that is not.

Presiding Officer: So just to help you [ISN 194], I understand you left Libya. You say you were concerned about persecution in Libya, so you left Libya to go to Saudi Arabia. So basically, what this infers for you [ISN 194] is that you took all of your money with you when you left Libya because you probably were not going to go back to Libya.

Detainee (*through translator*): I went to reside in Afghanistan.

Designated Military Officer: The detainee did not stay in Karachi very long. The detainee and his friend purchased tickets for 50 United States Dollars and went to Peshawar, Pakistan.

Detainee (*through translator*): Yes.

Designated Military Officer: An al Qaida and a Libyan Islamic Fighting Group facilitator was certain the detainee left the Libyan Islamic Fighting Group. The facilitator believed the detainee had a jihadist philosophy and wanted to die a martyr's death.

Detainee (*through translator*): No.

Presiding Officer: [ISN 194], before we read the next point, I just want to say something about it first: The next point just provides information about the Islamic Fighting Group and I do not expect you to say anything about it, however, if you want, feel free to do so.

Designated Military Officer: The Libyan Islamic Fighting Group emerged in 1995 among Libyans who had fought against Soviet forces in Afghanistan. The Libyan Islamic Fighting Group declared the government of Libyan leader, Muammar Qadhafi, un-Islamic and pledged to overthrow it. Some members of the Libyan Islamic Fighting Group maintain a strictly anti-Qadhafi focus and organize against Libyan Government interests, but others are aligned with Usama bin Laden's al Qaida organization or are active in the international Mujahedin network. The group was designated for asset freeze under E.O.13224 and U.N.S.C.R. 1333 in September 2001.

Detainee (*through translator*): What's the relation of this group that's from Libya with this point of the United Nation's Resolution?

Presiding Officer: [ISN 194], I am no expert on this issue, but after the 9/11 attacks on the United States, the United Nations designated various terrorist organizations in order for banks not to provide any money to those organizations. The Libyan Islamic Fighting Group was one of these organizations.

Designated Military Officer: Sources say the detainee was in Afghanistan in approximately 1991. The detainee had undergone military training at the al Farouq and Salman al Farisi camps. The detainee participated in several Afghan battles, including Lukar and Qardiz, but mostly in the battle of Jalalabad. In 1991 the detainee joined the Libyan Islamic Fighting Group and might have been supporting the military committee.

Presiding Officer: [ISN 194], there are a lot of things in this statement so maybe if we just take it sentence-by-sentence and allow you to respond. The first point is, [ISN 194], were you in Afghanistan in 1991?

Detainee (*through translator*): No.

Presiding Officer: [ISN 194], did you have any training at al Farouq or the Salman al Farisi camps?

Detainee (*through translator*): No.

Presiding Officer: Did you participate in any fighting in Afghanistan including Lukar, Qardiz or Jalalabad?

Detainee (*through translator*): No.

Presiding Officer: [ISN 194], in 1991 did you join the Libyan Islamic Fighting Group?

Detainee (*through translator*): No.

Presiding Officer: Where were you in 1991?

Detainee (*through translator*): In Libya.

Designated Military Officer: The detainee was in the possession of a Casio model F-91W watch. This model has been used in bombings that have been linked to al Qaida and radical Islamic terrorist improvised explosive devices.

Detainee (*through translator*): Sir, I had the watch with me, but I never used it for what they are saying. These watches are in all the markets. They captured me and I had that watch on. Is anyone who wears a watch that's an electronic one, is he involved in making explosive devices?

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Presiding Officer: That is a good question [ISN 194]. Of course, not everyone who possessed that watch was involved in explosives. However, many al Qaida [members] who were familiar with explosives did possess that watch. [ISN 194], you do not have to respond to this, I just want you to understand why this is in the charges.

Designated Military Officer: A senior al Qaida operative identified the detainee as a member of the Libyan Islamic Fighting Group.

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

Designated Military Officer: A senior al Qaida operative recognized the detainee. The operative said that the only time he met the detainee was in 2000 at the Kandahar airport camp in Afghanistan. The operative also added that the detainee was not at the camp, but simply, "sitting with the brothers." The operative said the detainee walked with a limp from a problem the detainee had when he was a baby, adding that the detainee was a simple person, who could not make explosives, and had bad security.

Detainee (*through translator*): It's not true about meeting the al Qaida operative in Kandahar.

Presiding Officer: It may help to read the whole statement because what is being said about you is that although you were seen at the Kandahar airport you were not training there, but simply with other people that were there. It also states you could not make explosives and you have bad security.

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

Presiding Officer: I understand. The important question for us is that, [ISN 194], you say it is not true that you were at the Kandahar airport in Afghanistan in 2000?

Detainee (*through translator*): No. They captured me at the Kandahar airport in 2002.

Designated Military Officer: A senior al Qaida operative said the detainee was arrested with him in Tora Bora, Afghanistan in December 2001. The operative said that the detainee was handicapped due to a childhood illness, and as such, he was of no benefit to any of the fighting groups in Afghanistan. As a result of the detainee's condition, he lived off the charity of others. He said the detainee had no relationship with al Qaida or the Libyan Islamic Fighting Group. In late 2001, as the Arabs were evacuating Jalalabad, the detainee collected money from several of the Arabs in order to get married. The detainee said that when arrested, many of the brothers had 50-100 United States Dollars in their possession, however the detainee had 1,000 United States Dollars, so the U.S. military assumed he was very rich.

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Presiding Officer: There is a lot in this particular statement, so it would be good to break this down into sections. I will go ahead and repeat those sections so that you can respond. [ISN 194], a senior al Qaida operative said that you were arrested with him in Tora Bora in December 2001.

Detainee (*through translator*): No.

Presiding Officer: Were you arrested in Tora Bora in 2001?

Detainee (*through translator*): No, in Pakistan.

Presiding Officer: This al Qaida operative also stated that you were handicapped due to a childhood illness and because of that, you were of no benefit to any of the fighting groups in Afghanistan. [ISN 194], it is not something you have to respond to other than telling us whether you fought with anybody in Afghanistan.

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

Presiding Officer: As a result of your condition you lived off the charity of others.

Detainee (*through translator*): No.

Presiding Officer: The operative also stated that you had no relationship with al Qaida or the Libyan Islamic Fighting Group.

Detainee (*through translator*): I did say that. It's true and I say it now. The senior al Qaida, that's my understanding.

Presiding Officer: This senior al Qaida operative is saying that you had no relationship with al Qaida or the Libyan Islamic Fighting Group.

Detainee (*through translator*): The points before about the senior al Qaida operative ...

Translator: I did point to number two in connections and associations and then he jumped and he said he doesn't have any relationship with any of those.

Presiding Officer: I understand, [ISN 194], that you are saying you have no relation with senior al Qaida personnel. I want you to understand that what we have is that somebody we know to be a senior al Qaida person is describing somebody who sounds very much like you. This person is saying that you were really not affiliated with al Qaida or the Libyan Islamic Fighting Group. The next things we are going to say is that it sounds like these are based on things that you have previously told us. In late 2001, as Arabs were evacuating Jalalabad, [ISN 194], you collected money from some of these Arabs in order for you to get married.

Detainee (*through translator*): No. I have my own money.

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Presiding Officer: When you were arrested, many of the brothers who were arrested with you had 50-100 U.S. Dollars in their possession. However you had 1,000 U.S. Dollars, so the U.S. military assumed you were a rich man. So my question to you is, did you have 1,000 U.S. Dollars when you were arrested?

Detainee (*through translator*): I had 1,800 Dollars.

Presiding Officer: Did you have all of this money because you were intending to get married?

Detainee (*through translator*): Yes.

Presiding Officer: The last point is, did you get this money because your brothers gave it to you in order for you to get married or was this money you had earned yourself?

Detainee (*through translator*): No, it was leftover from what I'd earned.

Designated Military Officer: The detainee lived in Jalalabad, Afghanistan, but traveled to Kabul, Afghanistan and Pakistan as a member of the Jamat-al-Tabligh for two years from 1999 to 2001.

Detainee (*through translator*): That's true. I was with the Jamat-al-Tabligh, but I was not a member.

Designated Military Officer: The detainee traveled and worked as a paid employee of the Jamat-al-Tabligh with an Islamic missionary group in Libya, Egypt, Yemen, Saudi Arabia, Pakistan, and Afghanistan.

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

Designated Military Officer: Jamat-al-Tabligh is a Pakistan based Islamic missionary organization used as a cover to mask travel and activities of terrorist, including members of al Qaida.

Presiding Officer: Before you respond to that, [ISN 194], I want you to understand that we know Jamat-al-Tabligh does do missionary work. However, the reason why we are concerned about it is that many terrorists use Jamat-al-Tabligh as a cover for their terrorist activities.

Designated Military Officer: The detainee stated he does not want to go back to Libya due to his association to the Libyan Islamic Fighting Group.

Detainee (*through translator*): Yes.

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Presiding Officer: [ISN 194], I would like to ask you a question about that. You have just told us that you do not want to go back to Libya because of your association with the Libyan Islamic Fighting Group, is that true?

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

Presiding Officer: [ISN 194], please tell us why you do not want to go back to Libya.

Detainee (*through translator*): Because of the oppression of the government. Anytime you are with a group or with some people, the government will accuse you of wanting to overthrow the government. If you are a Muslim, Islamic or non-Islamic, any person who was abroad and came back to Libya would be accused with this accusation. If you are in a Libyan opposition [group] that exists here in America, you cannot go back to Libya.

Designated Military Officer: The detainee said some brothers, whose identities he refused to reveal, helped him get a visa for Saudi Arabia and Pakistan from their respective consulates in Benghazi.

Detainee (*through translator*): I took the visa for Saudi Arabia and Pakistan.

Presiding Officer: Okay, [ISN 194], you got the visas from the consulates in Benghazi.

Detainee (*through translator*): I got the visa in Libya and I went on my own to Saudi Arabia.

Presiding Officer (*speaking to translator*): I do not quite understand the travel nuances so I will address you directly. So is he just trying to say that he got the visas from the Libyan embassy?

Translator: No, from the Saudi Arabian consulate in Benghazi in Libya, and he went to Saudi Arabia but he does not mention anything about these brothers that helped him.

Presiding Officer: So [ISN 194], what I just want to find out is, you got your visa to go to Saudi Arabia from the Saudi Arabian consulate in Benghazi and you got a visa to go to Pakistan from the Pakistani consulate in Benghazi. Is that true?

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

Designated Military Officer: When arrested the detainee had 1,800 United States Dollars, 1,500 Saudi Riyals, and an unknown amount of Afghan and Pakistan money in his possession. The detainee also had medicine, a spoon, and a watch he bought in the Jalalabad market.

Presiding Officer: What we are really trying to confirm is that you had 1,800 United States Dollars in your possession and some other Saudi, Afghan, and Pakistani money.

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

Designated Military Officer: The detainee originally lied about his true name and nationality because he was afraid of being sent back to Libya.

Detainee (*through translator*): That's true.

Presiding Officer: Before the DMO reads this, [ISN 194], I do not think you have an artificial leg. I think you are just crippled with polio, is that correct?

Detainee (*through translator*): Yes.

Presiding Officer: [ISN 194], I understand that what we are saying here is not right, because this says you have an artificial leg. I understand that is not correct.

Designated Military Officer: The detainee is handicapped with an artificial leg as a result of polio.

Detainee (*through translator*): I do have polio, but I don't have an artificial leg.

Presiding Officer: [ISN 194], how old were you when you got polio?

Detainee (*through translator*): Since I was a child. I can't remember the time, between two and three-years-old.

Presiding Officer: [ISN 194], do you ever remember not having crippled leg?

Detainee (*through translator*): No, I was little and since then I've had polio.

Designated Military Officer: 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.

Detainee (*through translator*): Yes, I do not know.

Designated Military Officer: The detainee was queried regarding any knowledge or planning of internal uprisings at the Guantanamo detention facility with negative results.

Detainee (*through translator*): Yes, correct.

Presiding Officer: [ISN 194], the next one is going to talk about you going to Yemen and I understand it's not Yemen, it's Libya.

Designated Military Officer: The detainee's plans were to go to a Majid, pray, do the Umrah, and return to Yemen. The detainee also thought about immigrating to Afghanistan, getting married, and settling down.

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

Translator: When I explained to him about going to Libya instead of Yemen, he was confused.

Presiding Officer: [ISN 194], I have a question for you just so I understand. Did you think you could return to Libya after you left Libya to go to Saudi Arabia, or did you think that you were leaving Libya for good?

Detainee (*through translator*): No, I left Libya and I wanted to reside in Saudi Arabia, Yemen, or Afghanistan.

Designated Military Officer: The detainee traveled to Afghanistan to teach the Koran and possibly meet a wife.

Detainee (*through translator*): This is not true because I can't read.

Presiding Officer: [ISN 194], you had told me before that you wanted to meet a wife in Afghanistan, is this correct?

Detainee (*through translator*): Maybe, maybe.

Designated Military Officer: When the detainee was living in Libya he considered himself an Islamist, but stated he did not belong to any religious groups that advocated the overthrow of the government and implementation of an Islamic state.

Detainee (*through translator*): Correct, correct, correct.

Designated Military Officer: The detainee advises that none of his material spoke of jihad or advocated any type of violence or rebellion.

Detainee (*through translator*): Correct.

Designated Military Officer: The detainee decided he wanted to get married, so he found an Afghan girl, whom he was supposed to marry after Ramadan.

Detainee (*through translator*): That's true.

Designated Military Officer: The detainee denied that he had ever fought or received any training on any type of weapons at any training camp.

Detainee (*through translator*): That's true.

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Designated Military Officer: About July 2001, the detainee was introduced to a woman who was 18 to 20 years old, and they were engaged. During his stay in Jalalabad, the source did not work and traveled two or three times a week to the Heart Shari Naw mosque in Kabul via taxi.

Presiding Officer: [ISN 194], there are two separate things in this charge, so we'll take the first one. In July 2001, [ISN 194], you were introduced to a woman who was about 18 to 20 years old and you became engaged to her, is that true?

Detainee (*through translator*): That's true.

Presiding Officer: You didn't work when you were in Jalalabad?

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

Presiding Officer: And you traveled to the Heart Shari Naw Mosque in Kabul about two to three times a week?

Detainee (*through translator*): Yes.

Presiding Officer: How were you paying for food and lodging? How were you paying for your living?

Detainee (*through translator*): I was staying in the mosque and there was a charity organization that helps people who want to memorize the Koran. This is how I was living.

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

***The Presiding Officer acknowledged the request.***

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

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

Detainee: I don't understand the difference between the tribunals and the ARB.

Assisting Military Officer: The CSRT determined you were an enemy combatant. The future ARB will examine if you continue to present a threat to the U.S. and its allies in the armed conflict against al Qaida and its supporters. This process affords you the opportunity to participate and to be heard. Any information you can provide to the board relating to this issue will be useful in assisting the board in making a decision. The

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United States officials will determine if there are other factors that could form the basis for continued detention.

Detainee: I want political asylum, what about asylum?

Assisting Military Officer: That statement is a high interest statement along with all the other statements you wish to present. If you attend the ARB, you will be able to discuss that comment, along with any others, personally with the board president.

Assisting Military Officer: Do you plan on attending the future ARB, present written statements, documents, or do you have oral statements to be presented on your behalf?

Detainee: Yes, I plan to attend, but I cannot read or write. I do have statements that I will summarize in regard to the information in the Unclassified Summary of Evidence. I left Libya because of the oppression against Muslims there, then went to Saudi Arabia where I stayed for 1-1 ½ months. Then I went to Pakistan, then to Afghanistan and resided there. They have all this information in my file. I have no letters. That's all I want to say to the board.

***The Presiding Officer gave the detainee an opportunity to provide any additional statements or comments on his behalf.***

Detainee (*through translator*): What's the final decision? To release or detain? If there is a final decision, then I can talk.

Presiding Officer: Unfortunately, there is no final decision. When this Board closes this afternoon, the board members will discuss your case. We will then make a recommendation that we will provide to somebody we call the Designated Civilian Official in Washington, D.C. Our recommendation goes to this person, and he is the one who actually makes the decision. It may take some time for him to make this decision.

Detainee (*through translator*): How long?

Presiding Officer: I honestly wish I could tell you how long. It may take weeks or it may take months. It probably took months for you to find out what the results from your first ARB were. I hope this decision does not take as long, however none of us in this room control that.

Detainee (*through translator*): It may take some weeks or some months, is that true?

Presiding Officer: That is true. It could be weeks or it could be months. I am not trying to play games with you. I honestly just don't know.

Detainee (*through translator*): I'm sitting here and I'm expecting to have a final answer and a final decision, so I can talk about my situation. If I don't have a final decision how

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can I talk about it if I want to have political asylum or be transferred or go to another country?

Presiding Officer: I can't change the fact that I can't tell you what the decision is at this moment. However, that should not stop you if you want to ask me about asylum. I will tell you what I can tell you about it. The fact that we cannot give you the decision now should not really have any bearing on whether you want to provide us any information. The information you provide us will help us make the recommendation in order to let the Designated Civilian Official make a decision. Do you wish to say anything to us?

Detainee (*through translator*): I don't have anything to say. I am waiting for the final decision.

Presiding Officer: [ISN 194], I will ask a question for you. "What about my political asylum request?" I want to make sure you understand how we respond to a political asylum requests. If the decision is for you to stay at Guantanamo, then there is no need for you to have political asylum because we are not returning you back to Libya. If the decision is to transfer you back to Libya or to release you to Libya, then we do have to address your request for political asylum. So, [ISN 194], you were correct a few minutes ago when you said that "I need to know what the decision is so I can understand about my political asylum." Do you understand?

Detainee (*through translator*): Yes, I understand.

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

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

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

Board Member: [ISN 194], you said that you were not a member of al Qaida. You also said you were not a member of the Taliban. I believe you also said you were not a member of the Libyan Islamic Fighting Group. Is that correct?

Detainee (*through translator*): Yes.

Board Member: I am somewhat confused because I understand that you said "Yes" when the statement was read that you that you did not want to go back to Libya due to your association with the Libyan Islamic Fighting Group?

Detainee (*through translator*): In Libya, anyone who dresses in traditional Muslim clothes or came from a foreign country like Afghanistan, any young man who dresses like a Muslim and goes to the mosque, they accuse him of being a member of the Libyan Islamic Fighting Group.

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Board Member: Okay, because you are Muslim and because you went to the mosque, you were believed to be a part of the group?

Detainee (*through translator*): No, they did not accuse me of that. I told you any person; any person, Muslim or non-muslim, who lived abroad that came, they believed he is trying to have a ...

Board Member: If you were released, you said that you would like to live either in Saudi Arabia, Pakistan, or Afghanistan.

Detainee (*through translator*): I prefer Saudi Arabia.

Board Member: If you lived in Saudi Arabia, what would you do? What are your plans?

Detainee (*through translator*): I would live like every other people live.

Board Member: For work?

Detainee (*through translator*): I would work like everyone in the commerce. It depends on what God gives me.

Presiding Officer: I remember that you said you were in Libya in 1991. When did you leave Libya to go to Saudi Arabia?

Detainee (*through translator*): 1999

Presiding Officer: How long were you in Saudi Arabia before you left to go to Afghanistan?

Detainee (*through translator*): For a short period.

Presiding Officer: One or two months?

Detainee (*through translator*): A short period.

Presiding Officer: You went to Pakistan and then to Afghanistan?

Detainee (*through translator*): Yes.

Presiding Officer: So you were in Afghanistan from 1999 until the end of Ramadan in 2001? I should say until you were captured at the end of Ramadan in 2001.

Translator: He said, "No I was in," and then he jumped and he said "Yes." "Yes, they captured me at the end Ramadan in 2001."

Detainee (*through translator*): Yes, in Afghanistan.

Presiding Officer: During the two years you were in Afghanistan, were you in Jalalabad the whole time or did you live in different places in Afghanistan?

Detainee (*through translator*): I moved from one place to another.

Presiding Officer: Can you give me an idea of the places that you lived in Afghanistan?

Detainee (*through translator*): It's a long story and the time is getting short. I have to pray. I don't want to talk about it.

Presiding Officer: When you lived in Afghanistan, did you work in Afghanistan or were you living from the charity you described for us earlier?

Detainee (*through translator*): I don't talk about that.

Board Member: Were you captured in Tora Bora or Kandahar?

Detainee (*through translator*): I will not talk.

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

***The Presiding Officer opened the classified portion of the session.***

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

**AUTHENTICATION**

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



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Summary of Administrative Review Board Proceedings for ISN 197

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

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

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

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

*The Detainee declined taking the (Muslim) oath.*

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

*The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board, Exhibit EC-A, to the Administrative Review Board.*

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

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

Assisting Military Officer: The detainee's ARB interview was conducted on 27 September 2006. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee stated he would attend the ARB. The detainee was very cooperative and polite during the interview. A copy of the English and Arabic translated Unclassified Summary of Evidence, as well as writing templates, were provided to the detainee upon his request. The detainee's follow-up interview was conducted on 28 September 2006. When asked if he still wanted to attend his ARB, the detainee stated that he would attend the ARB. The detainee was still very cooperative and cordial during the follow-up interview and said that he would respond verbally to statements in the Unclassified Summary.

The detainee made the following oral statement in response to the spelling of his name in the Unclassified Summary of Evidence:

The detainee stated that the correct spelling and pronunciation of his name was Younis Chekkouri. The name Ahmad Addullah Al Wazan is a name that was assigned to him by the Pakistanis when he was initially detained and this is the name that appeared on his previous Unclassified Summary.

The detainee made the following general statement in response to paragraph 4 of the Unclassified Summary, "Primary factors favor release or transfer":

The detainee stated that there were factors missing from this Unclassified Summary that were included in the previous Summary that was read to him. 1) The detainee stated that the previous Summary stated that the detainee was a worker in a relief organization. The detainee also said that the summary indicated that a source knew the detainee as a relief worker and that the detainee was not a terrorist. 2) The detainee said that the previous Unclassified Summary stated that the detainee had no knowledge of any internal disturbances, riots or upheavals planned or intended for the camp.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, the CITF Redaction Memorandum, DMO-3, and the Terrorist Organization Reference Guide, DMO-4, to the Administrative Review Board.*

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

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

Detainee (through translator): I would like the board to call me Younis Chekkouri because my name is not Addullah Al Wazan.

Presiding Officer: We note that for the record; however, we are required to go with the name that we are given.

Detainee (through translator): That's fine. However it seems as though these allegations are presented against someone else. Many allegations on this Unclassified are false just as my name is false. In my last board, I had the assistance of a Farsi translator which again was an error because I do not speak Farsi.

Presiding Officer: We note that as well.

Detainee (through translator): Thank you. I would like to refute all the allegations on the Unclassified and now I would like to read to the board a paragraph that I wrote last year.

Presiding Officer: You will have an opportunity later in this hearing.

Detainee (through translator): Let us continue.

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

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment. (3.a.1) The detainee said that during 1990 he became active in Jamaat al Tabligh when he decided to travel to Afghanistan to participate in jihad.

Detainee (through translator): This paragraph is composed of two allegations. I consider these allegations questions because I am not a criminal and I did not commit any of these, but I would like to answer each one of them. The first part of this paragraph stated that in 1990 I became active in Jamaat al Tabligh. The second part stated that I decided to travel to Afghanistan to participate in jihad. Here is my answer. I have said it before and I will continue to say the same thing even if I am detained for 20 years, my answer will not change at all. I do not have any connection with Jamaat al Tabligh. I have never been an active member of this organization. However, I had a friend who belonged to this organization. It is a missionary organization that has no connection to terrorism. My friend and I used to socialize and talk about God. Jamaat al Tabligh is internationally known and it is not a terrorist organization. I reiterate that I am not a member of Jamaat al Tabligh. For the second part, I have traveled from Morocco to Pakistan to study. I have never been to Afghanistan. All my documents indicate that I went to the Embassy of Morocco and studied at the Islam University in Islamabad. I never said that I went on jihad in Afghanistan. I did not know what the word jihad meant.

Designated Military Officer: (3.a.2) The detainee said he was a founding member of a group identified as Jamat Mujahedeen Maroc. The group was founded during 1999 in Peshawar, Pakistan.

Detainee (through translator): This allegation is related to the first one under "Connections/Associations". Can you read them together since they are both connected?

Presiding Officer: You can answer this one and we will note the connection between the two when we get to the second one.

Detainee (through translator): I had never heard of the name Jamat Mujahedeen Maroc. I do not believe it exists. I had never heard of GIMC either. The allegation stated that this group was founded in 1999. In 1999 I was in Syria. I was working and I got married there. How can I be in Pakistan and Syria at the same time? There is a paradox between the second paragraph under "Commitment" and the first paragraph under "Connections/Associations". This group was founded in 1999 in Pakistan, but the second paragraph stated that it was founded in 1995 in Sudan. In 1995 I was studying at a university in Islamabad.

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Presiding Officer: Thank you.

Designated Military Officer: (3.a3) The detainee said he was called the Military Commander of al Mujahedin de Maroc, only due to him being bestowed the title by default by virtue of being one of the oldest of the group.

Detainee (through translator): There were many Moroccans in Afghanistan. I did not know all of them. Many of them were there for a long time before I was there. I went to Afghanistan for the first time in June or July 2001. I would like you to understand the situation. I lived in Pakistan from 1990 until 1996 for educational purposes. I also went to Yemen and stayed there for three months. I could not find anything in Yemen that I really liked, so I went to Syria because it was easier there. I remained in Syria where I found a job, and in 2001 I went to Afghanistan to look for a job with a relief organization. All the relief work organizations used to be found in Pakistan. However, in 1999 the Pakistani government sent the relief organizations to Afghanistan. While I was in Syria I decided to go back to Afghanistan hoping for an opportunity to work with a relief work organization. The second allegation stated that I was a military official. I have never heard that the oldest of the group automatically becomes a commander. As I said before, I have never had any type of military training in my life. I know nothing about combat training. My health does not permit such training either. I thank you for providing these medical shoes so that I am able to walk. Before I had these shoes, I would suffer every time I walked. I cannot even run or train. My weak health does not permit me to undergo military training. I have troubles in my knees, thighs, chest, hands, and throat. I do not understand how someone with such poor health can be subjected to military training. The bottom line is that I never received any military training and I was never responsible for any military official.

Presiding Officer: Thank you.

Board Member: What were some of your responsibilities in the relief organization that you were working for in Afghanistan?

Detainee (through detainee): Unfortunately, when I went to Afghanistan to work for the organization and help the orphans because my specialty is to work with orphans, I did not get that type of job. There were two relief organizations, but I did not get a job with either one.

Board Member: What were the names of these relief organizations?

Detainee (through translator: Wafa organization and Sanabil organization. There were two organizations in Afghanistan. I did not get a job with either one.

Board Member: Thank you.

Board Member: Did you ever tell anyone that you had been called a military commander?

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Detainee (through translator): To people, to interrogators, where exactly?

Board Member: Anywhere.

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

Board Member: Thank you.

Designated Military Officer: (3.b) Training. The detainee said members of his group participated in small arms training with Kalashnikov rifles. The training was conducted at a large complex outside of Kabul, Afghanistan, and included live fire training by shooting targets. The training was for fighting against the Northern Alliance when called upon by the Taliban. In exchange, the group was provided a house in Kabul, Afghanistan.

Detainee (through translator): As I said before I do not find the fighting of the Taliban to be legal. I did not participate in that fight anywhere because fighting between Muslim brothers is prohibited. It is an obligation, per the directives of Islam, for Muslim parties to consent. All of my friends believe the same. They believe that they will not fight with the Taliban or the Northern Alliance. The fact that the Taliban has provided the group a house in Kabul is not true at all. The Moroccan group used to pay a monthly rent for the house they resided in. They had no connection with al Qaida or the Taliban or any terrorist organization. The allegation that certain Moroccans have trained on the Kalashnikov, I did not have any authority over anyone. My authority was on my wife, my house, and myself. I have not received any training on the Kalashnikov or any other weapon. I cannot say the same for the other Moroccans because there were many Moroccans there. I cannot lie about that. I am speaking for myself, not for the other Moroccans.

Presiding Officer: Thank you.

Board Member: You mentioned a Moroccan group in the house, how many were there?

Detainee (through translator): It did not exceed 15. Sometimes 10, sometimes 7, and they were all studying.

Board Member: Did any of the Moroccan group members in that house receive any type of military training?

Detainee (through translator): I do not know. It was not my responsibility to ask other people. Even if a person had left the house for a month or so and came back, this person would probably not tell me the truth even if I asked. Our friendship was the only thing that kept us together because we were from the same country. We did not have any connection with al Qaida, the Taliban, the Libyan Fighting Group, or any other organization.

Board Member: Thank you.

Designated Military Officer: (3.b.2) The detainee said that during the summer of 2001, approximately eight members of his group wanted to train with weapons. In an effort to keep these members from going to one of the area training camps, the detainee obtained nine Kalashnikov rifles from the Taliban in Kabul, Afghanistan. The detainee had a local official write a letter of reference and then gave a bribe to a Taliban guard at a weapons warehouse.

Detainee (through translator): This statement is irrational for many reasons. First of all, bribery in Islam is prohibited because the Prophet has stated that God will banish the person who gives or receives bribes. Personally, I would never do such a thing. It is impossible. As far as the weapons go, they were available everywhere in Afghanistan. Anyone who had 100 dollars could afford to buy a weapon. This did not happen.

Designated Military Officer: (3.b.3) A source stated said that he attended training with the detainee at the Tarik Camp located near Bagram, Afghanistan. The source stated the detainee also fought along side the source's group near the front combat lines in the vicinity of Bagram, Afghanistan.

Detainee (through translator): I do not know where this source came from. I do not know him. I was asked the same question in the interrogations. I do not know where Bagram is located. I do not know the Tarik Training Camp either. I have not done any combat fighting in my life. When I went to Kabul for three months, there was no combat going on there, so where did this source fight? I did not have any group either.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) According to a source, the detainee was part of a small group of Moroccan Islamic leaders who formed the Group Islamique Combatant du Maroc, GICM, during 1995 in Sudan. The purpose of this organization is the overthrow of the Moroccan monarchy and to establish a religious state. The GICM was active inside Morocco, the United Kingdom, Italy, Syria, Turkey and France.

Detainee (through translator): This is the first time that I am hearing of GICM. All the terrorist organizations are known worldwide. You can read them on the newspaper or find them on the Internet, but I had never heard of this particular name before. Also I do not understand what the Moroccan Islamic leaders mean. Who are these Moroccan leaders are we talking about? What is my connection to Sudan in 1995? I was in Pakistan at the university. The most important part of this allegation is the fact that this organization was created to overthrow the Moroccan monarchy. Morocco has been an Islamic country since 13<sup>th</sup> century until today. I do not see why a person would say that Morocco is not a religious state if the king himself is named the prince of the believers.

Presiding Officer: Thank you.

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Designated Military Officer: (3.c.2) According to a source, during the bombings in Afghanistan, the detainee met with Usama bin Laden who supposedly gave Group Islamique Combatant du Maroc financial aid to undertake actions in Morocco.

Detainee (through translator): This statement is not true. I do not know this strange source. I do not know this organization called GICM and I do not know when, where, or how I met with Usama bin Laden. I know that this project happened between people from al Qaida and people from this particular group. If I do not agree with al Qaida and terrorists activities how can I accept these types of activities in Morocco especially if these types of activities will lead to the killing of perhaps any member of my family or any other innocent people? The Koran prohibits the killing of innocents. Whoever hopes for paradise and God's blessing and fear the judgment and punishment of God will not agree with these types of activities. It is impossible to agree with or be involved in these types of activities.

Presiding Officer: Thank you.

Board Member: Have you ever met Usama bin Laden?

Detainee (through translator): Never.

Board Member: Thank you.

Designated Military Officer: (3.c.3) The detainee and another person went to Jalalabad, Afghanistan early 1999 and convinced the leaders of Hizb I Islami Gulbuddin to give them a two-bedroom apartment for a Moroccan guest house.

Detainee (through translator): I would like to indicate that the third, fourth, and fifth point address the same thing, the Hizb I Islami. The third point is about the guest house, the fourth paragraph is a basic definition of Hizb I Islami and it is not an allegation against me, and the fifth one states that Hizb I Islami has trained the Moroccan combatants.

Presiding Officer: Do you have anything to comment on this particular point?

Detainee (through translator): In 1999 I was in Syria studying and working. The paradox in this allegation is that the city of Jalalabad was ruled by the Taliban, but there has been no existence of Hizb I Islami in Jalalabad since 1996. The group was eradicated and Hikmatyar was exiled from Afghanistan to Iraq. I do not know about the meeting between Hikmatyar and the leaders of the Hizb. They did not exist in that city.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.4) Gulbuddin Hikmatyar founded Hizb I Islami Gulbuddin, HIG, as a faction of the Hizb I Islami party in 1977, and it was one of the major Mujahedin groups in the war against the Soviets. HIG has long-established ties

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with Usama bin Laden. In the early 1990s, Hikmatyar ran several terrorist training camps in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. Hikmatyar offered to shelter Usama bin Laden after the latter fled Sudan in 1996.

Detainee (through translator): This is a general statement. This is not an allegation against me.

Presiding Officer: That is correct.

Detainee (through translator): I would like to treat it as an allegation. Who is Hikmatyar and what was he doing in Afghanistan, I think America knows all that. It was worldwide known that America was supporting the Islamic Party through monetary support and weapons. This has been known through newspaper because Hikmatyar was fighting against the Soviet Union. The connection between Usama bin Laden and Hikmatyar has nothing to do with me whether it was in 1977 or 1997 or any of the year that you have mentioned here. I have asked a few Afghans next to me from whom I have collected this type of information. When bin Laden was exiled from Sudan, the group had welcomed him was Youness al Khaliss not the Hizb I Islami. This is a wrong statement and I wanted to give you the correct information because the Hizb I Islami did not exist in Afghanistan at that time.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.5) According to a source, Hizb E Islami Gulbuddin provided Group Islamique Combatant du Maroc paramilitary training and infrastructure support.

Detainee (through translator): I have the same answer for this. I do not know the Moroccan training group. How could this even be possible if the Hizb I Islami did not exist then? It was a city ruled by the Taliban who was the enemy of the Hizb I Islami.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.6) According to a source, the Libyan Islamic Fighting Group provided Group Islamique Combatant du Maroc recruiting, indoctrination, logistic support, and paramilitary training.

Detainee (through translator): The sixth and seventh paragraphs are connected. The seventh paragraph is the definition of the Libyan Islamic Fighting Group. As I told you before, Moroccans in Afghanistan were many. I am sure there were Moroccans with the Libyan Group, but I do not know that. However, the opinions of the Moroccans I knew at the guest house differed completely from those of the Taliban, al Qaida, or the Libyan Group. There was hostility between the guest houses where the Moroccans and the Libyans lived because the Libyans were accusing the Moroccans of spying.

Board Member: Who was in charge of this Moroccan guest house?

Detainee (through translator): The house was open to everyone.

Board Member: Who was the person responsible for paying the rent?

Detainee (through translator): We all contributed. Each one of us would pay a portion of the rent. The rent was cheap.

Board Member: Thank you.

Designated Military Officer: (3.c.7) The Libyan Islamic Fighting Group emerged in 1995 among Libyans who had fought against Soviet forces in Afghanistan. Declared the government of Libyan leader Muammar Qadhafi un-Islamic and pledged to overthrow it. Some members maintain a strictly anti-Qadhafi focus and organize against Libyan Government interests, but others are aligned with Usama bin Ladin's al Qaeda organization or are active in the international Mujahidin network. The group was designated for asset freeze in September 2001.

Detainee (through translator): As I said before, this statement is the definition of the Libyan Islamic Fighting Group. Their view on the Qadhafi government as you mentioned here in this statement and their connection to al Qaida have nothing to do with me because I am Moroccan not Libyan. I do not understand the perspective of these people and I do not agree with their ideologies. The Moroccan prince is not Qadhafi who perhaps did wrong things to his people. I have no connection to the Libyan Islamic Group or any terrorist network, local or international. I do not have any asset for you to freeze because I have lived a moderate life.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.8) A source said he saw the detainee at a guest house in Kabul, Afghanistan and heard he was a leader at the al Farouq Training Camp.

Detainee (through translator): I think I know this source. When they brought us here from Kandahar to Cuba, next to me was a person named Abdul Raheem al Suri. He was a mentally ill person and was detained because he was a spy in Afghanistan. I was astonished because this man spoke about me during his interrogations. The female interrogator that conducted his interrogation showed him a photo album and was somewhat torturing him by revealing her chest. When he saw my picture, he stated that he knew me and that I was a Tunisian named Abu Mohammed and that he saw me at al Farouq Training Camp. Of course, I do not know the location of that camp. I am sure that if you showed my picture to the many people here who have been at the al Farouq training camp, they will not recognize me as being at that camp. This man was detained in 1997. He does not know the area that well and I was not there either. That same man

stated that he would go back to the interrogators and tell them that he had not seen me at that camp. There were people next to us and they heard him say that.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.9) Another source said that he was told the detainee was very close to Usama Bin Laden, was in charge of the Kandahar camp and was head of the North African group of al Qaida fighters. The source was also told that the detainee had his own weapon, vehicle and guards.

Detainee (through translator): This source is speaking about a very famous man. America knows Usama bin Laden's friends. Their pictures have been on the newspapers. I have never been to a training camp at Kandahar and I do not even know where it is. It is not true that I was the head of the North African Group of al Qaida. I have never carried any weapon nor did I have any vehicle or guards. You can give me the car and take everything else. This is a false statement. Bin Laden's friends are here and you can ask them.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.10) An additional source said that the detainee was a military leader on the front lines near Bagram, Afghanistan, and also in Tora Bora, Afghanistan.

Detainee (through translator): I do not know where Bagram or the front lines are located because I have never been there. Many people here have admitted that they were on the front lines. You can perhaps ask them that question. I spent about two-and-a-half to three months in Kabul. I spent that time in my house with my family and I went to Jalalabad. I do not know where Tora Bora is located. I asked the people who have been in Tora Bora and they said it is the name of a mountain. Truthfully, I do not know what mountain they were talking about because there are only mountains between Jalalabad and the Pakistani border. I still do not know where Tora Bora is located. I told some of the detainees that I did not know the location of Tora Bora and they offered to tell the interrogators that they did not see me in Tora Bora.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.11) Another source identified the detainee from a photograph and said the detainee was an individual that was experienced with explosives and improvised explosive devices.

Detainee (through translator): I do not know this person who has seen my photograph and stated this. The interrogators have asked me about explosive devices many times. There was another person who carried the same name. In 1990 my name was Mohammed al Rassoul. I gave myself this name because it means lover of the Prophet.

They told me that the name was not acceptable, so I change it to Muhib Allah, which means love of God. I was told that it was not acceptable either, so I went back to my original name. However, during the interrogation when they saw Muhib Allah and since there was an Algerian named Muhib Allah, it seems like they got the two of us mixed up. The interrogators showed my picture to many Algerians who denied that I was Muhib Allah or that I trained on explosives. The person in question is Algerian. The Koran prohibits the training on explosives just like it prohibits the drinking of alcohol among Muslim believers. It is prohibited to even come close to alcohol. I had advised many of my friends against these types of activities, such as weapons and explosives trainings. I told them that it was prohibited and that they should not go down that path. It seems like four or five sources have been cited here. The first time I met with an interrogator, he said that he knew me. He told me that I was Cuba Gooding Jr., the American actor. I told him that I was not that actor. I told them that many people think that I resemble someone else. Of course this situation was fun, but at the same time I was afraid of it since I was mistaken for someone else. The next time I met that interrogator, he brought two pictures of Cuba Gooding Jr. When I looked at the pictures, I smiled because he really looks like me. The similarity was about 70%. If you want to draw a similarity between me and anyone, please draw it between me and the actor, not between me and a terrorist.

Presiding Officer: Thank you.

Board Member: You mentioned that in 1999 you changed your name and they did not like it, who are you referring to as they?

Detainee (through translator): My brother-in-law has a great understanding of the religion. In Morocco, we do not have a name that means father of. The prefix Abu means father of, but in Morocco it does not exist. In other countries, these types of names exist. When I was in Peshawar I wanted to change my name, but my brother-in-law did not accept it because it was a wrong name.

Board Member: So in 1990 you were in Pakistan?

Detainee (through translator): Yes. I was there from 1990 until 1996.

Board Member: Thank you.

Designated Military Officer: (3.d) Other Relevant Data. The detainee said when the bombing started in northern Afghanistan in November 2001 he planned to flee Jalalabad, Afghanistan. The detainee's wife obtained transportation to Peshawar, Pakistan while the detainee and his brother Radwan fled east into the Tora Bora Mountains. After crossing the border the detainee and his brother were turned over to Pakistan authorities.

Detainee (through translator): There is a mistake in this statement that I would like to clarify. When the bombing started in Jalalabad, the Northern Alliance entered the city

and began randomly killing people, especially the Arabs. They would go into houses and steal, so I fled with my brother Radwan. My wife had left the previous day to Peshawar. The next day my brother and I decided to follow her. We did not really take any of our belongings; we just fled the area in a car we found in Jalalabad. There was no direction. We did not know whether we were going east or west. Some people took us with them because they knew that we were Arabs fleeing the city. They took us to a mountainous area outside the city of Jalalabad. These people told us that there were other Arabs in a nearby area that fled from Jalalabad also, but I did not see any of them. My brother and I remained hidden in a man's house and it was during Ramadan. We decided to stay in the house for about 10 days until everything calmed down and then we would leave the area. The situation had gotten worse and it gradually became more dangerous. By the end of the Ramadan month, I told my brother that I was going to leave by myself since he was very sick. So I left. I did not go with my brother. No one captured us together. When I entered Pakistan close to Peshawar City, I was captured by the Pakistani authorities and they knew that I was Arab. They told me not to fear anything because they would take me to the Moroccan Embassy. The strange thing is that they turned me over to civilians and received money. Those civilians took me from there to a prison in Cohat City where there were many other Arabs. Three weeks later, they took us to an airport at night and turned us over to the Americans in Kandahar. They did not capture me carrying a weapon, wearing military uniform, or any of the allegations in the Unclassified. They captured me by myself, not with anyone else.

Board Member: What happened to your brother?

Detainee (through translator): My brother was captured inside Jalalabad and brought here to Cuba. He was released from the first tribunal, CSRT. Now he is in Morocco.

Presiding Officer: Thank you.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The detainee said he didn't have any knowledge of the attacks in the United States prior to their execution on 11 September 2001. The detainee also didn't have knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee (through translator): This is true. This is a very important statement in all the Unclassified because I was not captured until after the attacks of 9-11 and these attacks were a very hurtful event to Americans and to everyone. I already told you that I am not connected to al Qaida and that I have never seen or been near bin Laden. I am among those people who are against bin Laden and his terrorist activities. What happened in 9-11 was a surprise to me. When I heard the news the second day that the twin towers were destroyed, I did not quite understand what happened. I did not know what the World Trade Center meant. I heard that two buildings were destroyed; I did understand it was a terrorist act because in the Arabic world buildings with weak foundation are destroyed all the time. The war started and I went to the city of Jalalabad. I knew that the Americans were coming to Afghanistan and it was normal news for me because I knew that if

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Americans came to the city, they would not capture innocent people. I was a normal person living in Afghanistan and this is not a crime. Afghanistan was not among those countries accused of terrorism like Libya or Iraq. There was no restricted travel to and from Afghanistan or to and from America or any other country. However, when the Northern Alliance came to Jalalabad and started killing innocent people, I thought it would be safe to leave the city. In summary, I did not have any knowledge of this before. I do not agree with these types of activities.

Presiding Officer: Thank you.

Designated Military Officer: (4.b) The detainee claims no connection to Moroccan Islamic Combatant Group.

Detainee (through translator): This is the first time I am hearing about this group. I have no connection to it. Again, Moroccans in Afghanistan were many.

Designated Military Officer: (4.c) The detainee said he had no involvement with al Qaida and would never swear bayaat to Usama bin Laden.

Detainee (through translator): This is a true statement. I was against Usama bin Laden and I advised people not to follow him or his organization.

Presiding Officer: Thank you.

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

***The Presiding Officer acknowledged the request.***

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

***The Assisting Military Officer (read the Detainee Comments from the Enemy Combatant Election Form) OR (stated that he had no additional comments).***

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

Detainee (through translator): The strange thing is that I have attended about 300 interrogation sessions and I have given truthful statements, but I have not seen any of them in this Unclassified. The second thing is the fact that I am called an enemy combatant. You have given me that name. I am not an enemy. I am not an enemy of America or of any other country or individual. I am not a combatant. I have never been a combatant. I am asking where did I ever fight you, when, how, and why would I ever fight you. Usama bin Laden is fighting against America because he is Saudi. Those who have participated in the 9-11 attacks are Saudis also. I am Moroccan and I have no

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hostile feeling or any bad perspective toward Americans before or after the attacks. I always ask myself what type of threats I pose to the Americans. This statement is very surprising to me because America is the most powerful country in the world. How can a person with my health situation ever pose a threat? I asked you whether I pose a threat to America or any part of the world before 9-11. I am telling you these simple things so you can know exactly who I am. I have been detained here for five years and you can also investigate my behavior through my file and see that I have never mistreated the guards by throwing feces or urine at them. For five years I have not committed any bad activities here in this detention facility. This should convince you that I am not a threat to anybody. I would like to read a summary of what I wrote last year: I am the undersigned and my name is Younis Chekkouri. I lived happily in Morocco. I learned from my parents to love people and to do good deed. I traveled to Pakistan and I have participated in charitable work through many organizations. I have felt the need to help poor people and I was very happy to participate in these organizations. I still feel the same. Anyone who is not feeling well needs help and companionship. My purpose in this life is to love and help people and I will do everything possible to accomplish that. That is my true happiness. I thank God that the time I have spent here in detention did not affect me; instead, it has increased my love for charity. It also increased my feelings for the poor and for the people who are mistreated in the entire world, especially the innocents of the terrorists' attacks. The woman who loses her husband; the son who becomes an orphan; the mother who loses her son; they all deserve love and companionship, and this is my purpose in this life.

Presiding Officer: Thank you. Does this conclude your statement?

Detainee (through translator): Yes.

Presiding Officer: Thank you.

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

Assisting Military Officer: What do you plan to do if you are released or transferred to your home country?

Detainee (through translator): This question involves very deep feeling to answer it. There are people who have been deprived from me for five years and I have been deprived from them for five years. Treating these types of wounds is not an easy task. My wife and I have been deprived from each other for about five years. I was living a very happy life and all of the sudden I find myself deprived from it. I hope to go back to my family to make them forget about what happened. I wish to return to Morocco. I miss my brothers and my family. I also miss my big family which is all the Moroccans. When I left Morocco, I was very young. Now my opinion has changed about Morocco and I would like to go back. Birds migrate anywhere, but they always go back to their own nest. This is what I would like to do.

Presiding Officer: Thank you.

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

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

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

*The Presiding Officer opened the classified portion of the session.*

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

AUTHENTICATION

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



**Summary of Administrative Review Board Proceedings for ISN 200**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

Presiding Officer: Good afternoon, sir. Do you pronounce your name Sa'd Muhammad Husayn Qahtani?

Detainee: Yes.

Presiding Officer: Can I address you as Mr. Qahtani?

Detainee: Say it again.

Presiding Officer: Can I address you as Mr. Qahtani?

Detainee: Yes.

Presiding Officer: I heard that you speak English fluently.

Detainee: Yes.

Presiding Officer: We will read a paragraph and, if you understand it, say that you understand. If you don't and you need to use the linguist, go right ahead.

Detainee: Yes.

Presiding Officer: Welcome.

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

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

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

*The Presiding Officer asked the Detainee if he wishes to make his statement under oath.*

*The Detainee took the Muslim oath.*

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

*The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board Form, Exhibit EC-A, to the Administrative Review Board.*

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

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

Assisting Military Officer: The Detainee's ARB interview was conducted on 17 August 2006. At the request of the Detainee, the interview was conducted in English with the assistance of the translator. After reviewing the ARB's purpose and procedures, the Detainee read the Arabic translated Unclassified Summary of Evidence. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he would attend the ARB, and wanted to speak directly to the board. The Detainee was polite, attentive, and cooperative during the interview. Both the English and Arabic translated versions of the Unclassified Summary of Evidence were provided to the Detainee, who accepted the Arabic version.

Presiding Officer: Do you understand?

Detainee: Yes.

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

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

Designated Military Officer: (3.a.1) The Detainee wanted to go to Chechnya to lend relief support or fight on behalf of his Muslim counterparts.

Detainee: That was my plan before I left Saudi Arabia.

Presiding Officer: Sorry. You have to speak up.

Detainee: That was my plan before I left Saudi Arabia. My plan was to assist in Chechnya. It doesn't have to be fighting. My plan was to do anything I can to help or support the Chechnyan people.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.2) The Detainee contacted relief organizations such as the Islamic Relief Organization and the Haramin Organization. The Detainee's intention was to join a relief organization because those entities would offer him a way to get into Chechnya, whose borders were closed at the time. Once there, the Detainee would be free to leave the relief organization and join the fighting.

Detainee: That's not exactly what I wanted to do. I went to these two organizations to ask if there was any way to get to Chechnya. I was not planning on ripping them off, or to join them, or take them as a way to go to Chechnya. I was fine to go by myself and I asked them if there was a way. We had Saudi TV and the media were talking about Chechnya. They were mentioning that they needed support by money or anything after the war had happened in Chechnya.

Presiding Officer: So your purpose was humanitarian?

Detainee: I was planning to support them by whatever way. If they need me to collect money, I would collect money for them. If they need support by going there and living there, I would do it. That was my plan in the beginning. This was what I was thinking of.

Presiding Officer: Supporting the mujahedin there?

Detainee: Not just mujahedin. It was all of Chechnya, like what happened in Bosnia or what happened in Kosovo. Every time, when something happens to the Muslims, we would find people from Saudi Arabia or from Muslim countries to come and support them. It doesn't have to be fighting. It can be by any other way.

Presiding Officer: But it could be supporting the fighters also?

Detainee: It could be.

Presiding Officer: Thank you.

Detainee (*through translator*): Did you understand?

Presiding Officer: I understood.

Designated Military Officer: (3.a.3) The Detainee traveled to Karachi, Pakistan from the United Arab Emirates in the eleventh month of the Islamic Hijri calendar, 1999.

Detainee: No, that's not true. The date is wrong. It was like 1420. We have a different calendar.

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Presiding Officer: We understand.

Detainee: I left Saudi Arabia in 2000. I think in the beginning of the second month.

Presiding Officer: February 2000?

Detainee: Yes. If you don't mind, I want to explain something to the translator.

Presiding Officer: Sure.

Detainee (*through translator*): It was during Ramadan that year. It was in February.

Detainee: The 1st of 2000 was not Ramadan; the 24th was Ramadan. I left after a month and twelve days from the beginning of the New Years; from the beginning of 2000. It could be February 2000.

Presiding Officer: Sure. We understand.

Designated Military Officer: (3.a.4) In Karachi, Pakistan, the Detainee met with an individual, who arranged for the Detainee to travel to Lahore, Pakistan. Once in Lahore, the Detainee went to the Raywan Center.

Detainee: That's right.

Presiding Officer: Could you describe the Raywan Center to me? What was it's purpose?

Detainee (*through translator*): It's a place we called Jamat-al-Tabligh. That means people got announced things.

Assisting Military Officer: Are you familiar with that?

Presiding Officer: Sure.

Member: Yes, we are.

Presiding Officer: Very good. Do you want to explain more?

Detainee: I went to Karachi. I met with one of the officials. He's a teacher or official at Daar al Al Eloom University. I asked him if he could help me to go to Kashmir. He told me that he would help me to go to Kashmir. He sent me to Raywan, and from, there they helped me to go to Kashmir.

Presiding Officer: And the focus in going to Kashmir?

Detainee: Just to have training.

Presiding Officer: To do what?

Detainee: Training.

Presiding Officer: What kind of training?

Detainee: Military training.

Designated Military Officer: (3.a.5) The Detainee traveled from Lahore, Pakistan and eventually arrived at a training camp name Quba. The Detainee spent approximately three months at the camp.

Detainee: It's not three months. It was two and a half months.

Presiding Officer: And what did you train on?

Detainee: There's one paragraph that explained everything when I was in Kashmir.

Designated Military Officer: (3.a.6) In May 2000, the Detainee left Camp Quba and returned to his home in Saudi Arabia.

Detainee: I don't know about the date but I went back to Saudi Arabia. I don't know about the date, but I don't think it was in May when I returned back to Saudi Arabia.

Designated Military Officer: (3.a.7) The Detainee returned to Saudi Arabia because he fulfilled his goal of preparing to fight, as every Muslim should. The Detainee remained in Saudi Arabia for approximately two months.

Detainee: Exactly how much or how long, I don't know how to explain it.

Presiding Officer: Do you believe every Muslim should prepare to fight?

Detainee: This is what we have learned from the scholars. This is what we have been taught. It's not just fighting. Everybody has to be ready to protect his family and protect his country and nation. This is what we have been taught since we were very young.

Member: I think it was mentioned a minute ago when you talked about Camp Quba. It was asked what you trained on in there. You mentioned about a paragraph. What I was looking for was the training. There is a paragraph here that talks about training.

Detainee: I went to train on land navigation.

Member: Okay.

Designated Military Officer: (3.a.8) The Detainee consulted with religious leaders, who issued him a fatwah that instructed him to return to Pakistan and provide aid to the Taliban but not to actually participate in any fighting.

Detainee: No, that's wrong. This happened in my third trip. In the second trip, I went back to Pakistan. We heard a lot about Taliban. I was trying to see what's going on there. My plan was not, in the second trip, to fight because I didn't have the fatwah that time.

Presiding Officer: You didn't have what at that time?

Detainee: The fatwah.

Presiding Officer: Got it. Understood.

Detainee: Sir, I'm sorry.

Presiding Officer: Go ahead.

Detainee: The fatwah was not at this time. It was later a little bit.

Presiding Officer: Understood.

Designated Military Officer: (3.a.9) The Detainee traveled from Saudi Arabia and finally to Kashmir, Pakistan.

Detainee: You mean the second time? Yes, I went there. I went the same way I went the first time to Kashmir. Then from Kashmir, I took a phone number and I went to somebody. One of the paragraphs talked about the phone number. The name of that person was Tariq. He sent me to Camp Khalden.

Presiding Officer: Who was facilitating all your travels? Were you paying for all this?

Detainee: You mean, with money?

Presiding Officer: Right.

Detainee: Yes, I was paying for myself.

Designated Military Officer: (3.a.10) The Detainee returned to Camp Quba and then traveled to Afghanistan where there was fighting.

Detainee: No, I went to Camp Khalden before I went to Afghanistan.

Presiding Officer: Say that again.

Detainee: I'm sorry. I said, when I went to Afghanistan, it was to go to Camp Khalden. It was not to go to Taliban or anything at that time because I didn't know what the deal was with the Taliban. I didn't know what was going on with them at that time.

Presiding Officer: You still were going there for training?

Detainee: Yes, I was.

Presiding Officer: Military training?

Detainee: Yes.

Presiding Officer: Why would you go to Afghanistan for military training if you weren't planning on fighting?

Detainee: Say it again.

Presiding Officer: Why would you go to Afghanistan for military training if you weren't planning on fighting?

Detainee: Okay. I don't know how to explain this because I explained it before and I was surprised that it was misunderstood or something like that. But from what we learned from our culture, we have to be ready to protect our family, nation, all of these things. It doesn't have to be military training. We have to be ready to defend.

Presiding Officer: I understand, sir, but you traveled a long ways to receive this military training.

Detainee: I don't know what to say, honestly.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.11) The Detainee states that he had a short stay at a safe house with a senior al Qaida operative.

Detainee: When I went there, I didn't know that he was from al Qaida. I know because I took his phone number. I went to him and he was known by the name Tariq.

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Presiding Officer: How do you spell it?

Detainee: Tariq. I didn't know he was from al Qaida or from what. All I know is that he was the one who was helping me to get to the training camp. Then I found out later, when I got there, that his name was Abu Zubaydah, one of the Muslim fighters.

Presiding Officer: How did you find this safe house?

Detainee: I had the phone number. I called him and he told me to go to Rawalpindi, near the capital of Pakistan. He told me to go to a certain place and he would come to take me from there.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.12) The Detainee, after a short stay at the safe house in Rawalpindi, Pakistan, departed and traveled to Jalalabad, Afghanistan and stayed at an unidentified safe house. The Detainee was then picked up and taken to Camp Khalden.

Detainee: That's fine.

Presiding Officer: And what kind of camp was Camp Khalden?

Detainee: It's a training camp.

Presiding Officer: What did you train on out there? I know it's later in the paragraph.

Detainee: You'll find out in the paragraph.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.13) The Detainee states that he went to the front lines north of Kabul, Afghanistan.

Detainee: That's fine.

Presiding Officer: And the purpose of going to the front lines?

Detainee: At that time, during my second trip, there was no certainty. It's not for fighting. But later, I had a fatwah that I can support it.

Presiding Officer: What was the time line? Do you remember the approximate date when you were at the front lines?

Detainee: I was there for maybe like two or three months.

Presiding Officer: No, what year?

Detainee: Maybe after 2000, if I'm not wrong; maybe at the end of 2000.

Presiding Officer: So there was fighting going on?

Detainee: No, there was no fighting at that time.

Presiding Officer: No fighting at that time?

Detainee: Yes.

Designated Military Officer: (3.a.14) The Detainee, while in Kabul, Afghanistan, joined the Taliban forces against the Northern Alliance. The Detainee spent much of his time in Kabul, Afghanistan on the front lines.

Detainee: In Kabul, yes, but not in the front lines. I went to the front lines many times, but not all in the front lines.

Presiding Officer: Did you join the Taliban forces?

Detainee: Yes and no. I went there. I was with the Pakistanis. I spent most of the time with them either in the front lines or in the city of Kabul.

Presiding Officer: And what did you do in the front lines?

Detainee (*through translator*): Just guard or something like that. I don't know. Security.

Presiding Officer: Security? Like a guard or security?

Detainee: Yes.

Presiding Officer: Thank you.

Detainee: After the Russians left Afghanistan, there was fighting between the mujahedin by themselves. Then the Taliban came up in 1994 or something like that. Afghanistan, from what we heard, was in need of support to stay in peace. There were millions and millions of people either dead or didn't have houses. They wanted to live in peace. Sometimes they need to use force, like what's going on now, to make peace.

Presiding Officer: I understand.

Detainee: So the goal was not to just fight. The goal was to help them for what happened to them.

Presiding Officer: But you were supporting the Taliban forces?

Detainee: Yes.

Designated Military Officer: (3.a.15) The Detainee, while on the front lines, claimed he did not take part in any of the fighting since there still was not a fatwah that would allow him to do so.

Detainee: That was in my second trip.

Designated Military Officer: The Detainee performed security work behind the lines.

Presiding Officer: You have already explained that.

Designated Military Officer: (3.a.16) The Detainee left Afghanistan in the eleventh month of the Islamic Hijri calendar to return to Saudi Arabia.

Detainee: I do not remember the date exactly but I think it's at the end of it.

Designated Military Officer: (3.a.17) The Detainee left Saudi Arabia around April 2001. The Detainee was influenced to travel by a fatwah from Sheikh Hammoud al-Oqla that gave specific religious approval for fighting on behalf of the Taliban against the Northern Alliance in Afghanistan.

Detainee: The fatwah was not just from him. There were many sheikhs or scholars in Saudi Arabia. They gave fatwah to support the Taliban. It's not just from him alone.

Designated Military Officer: (3.a.18) Sheikh Hamud al Uggla was a Saudi Mufti, who issued a fatwah calling for jihad in Afghanistan. Al Uggla condoned the 11 September 2001 attacks on the United States. Al Uggla helped raise money for Usama bin Laden until his death in Saudi Arabia in 2001.

Detainee: I don't know what he was doing or whom he was supporting. The only thing that I know about Hamud al Uggla is that he was a well-trusted scholar. He is one who knows all about the region and what is going on.

Presiding Officer: What are your feelings concerning the attacks on 9/11/2001?

Detainee: I told them I didn't know anything about it before.

Presiding Officer: What are your feelings about what happened?

Detainee: I didn't agree with it, especially when it affected many Muslims.

Presiding Officer: So you disagree with it?

Detainee: I disagree with it. I am saying this honestly. If somebody was asking for a fight, it has to be man to man.

Presiding Officer: So the men, who flew the aircraft into the towers, you do not consider them martyrs?

Detainee: What does it mean, "martyrs"? I knew two of them; they are from my city. One of them studied with me. The other one is my neighbor. I didn't expect them to do it.

Presiding Officer: Do you think they are martyrs?

Detainee: I don't know. I can't say honestly "yes" or "no".

Presiding Officer: Thank you.

Designated Military Officer: (3.a.19) The Detainee traveled from Saudi Arabia to Kabul, Afghanistan. The Detainee then traveled to Kher Khana, Afghanistan where he got into a Taliban car that brought him to a point called Karagagh. From there, the Detainee walked to the front lines.

Detainee: That's fine.

Presiding Officer: You spend a lot of time in the front lines. What did you do on the front lines this time?

Detainee: Say it again.

Presiding Officer: What did you do on the front lines this time?

Detainee: This was the third time. I had a fatwah that I can support them so I went to the front lines. There were no fighting that time, but I spent time as security or guarding post.

Presiding Officer: What if there was fighting? You would have participated in combat operations?

Detainee: I don't know.

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Designated Military Officer: (3.a.20) The Detainee got his weapon, a Kalashnikov, and ammunition from a commander on the front lines.

Detainee: If you want to consider him as a commander, we can say commander. We called him the guardian of that post.

Detainee (*through translator*): Like a commander but he is like a prince.

Presiding Officer: Someone above you gave you a weapon.

Detainee: Exactly.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.1) At Camp Quba, the Detainee was trained on land navigation, celestial navigation, and religion. The Detainee received instruction and training with weapons, including the Kalashnikov rifles, PK machine guns, hand grenades, and rocket-propelled grenades.

Detainee: Yes, but I did not have any religious studying there. There was nothing about it.

Presiding Officer: But you agree you trained on all these weapons?

Detainee: Yes.

Designated Military Officer: (3.b.2) The Detainee trained in small arms weapons, large caliber weapons, mortars, and combat tactics at Camp Khalden. The Detainee then went to a Taliban armory in Khowst, Afghanistan where he received training on Soviet tanks.

Detainee: (Nodded his head).

Designated Military Officer: (3.b.3) The Detainee states that he trained at Camp Khalden near Khowst, Afghanistan between May and July 2000.

Detainee: I do not know about the date, as I told you. I think it's closer to be two months.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.4) The small arms training at Camp Khalden consisted of assembling and disassembling AK-47, RPK machine guns, PK machine guns, and range training. On the large caliber weapons, the Detainee was instructed on how to

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operate the DSHK-38 12.5mm gun and the ZPU-2 14.5mm gun. The Detainee then received 88mm mortar training. The last portion of training consisted of simulated attacks, regrouping, patrol, hand signals, and ambush training.

Detainee: Some of the numbers are wrong, but it's okay. It's all there.

Presiding Officer: But the weapons and the tactics are correct?

Detainee: Yes.

Designated Military Officer: (3.b.5) The Detainee, while at Camp Khalden, has stated that he received basic weapons training on the 7.62mm RPK rifle, the 7.62mm PK rifle without the tripod, the RPG-7, and the 9mm Makarov pistol. The artillery training the Detainee received was on the 38 AGS-17. Training was also conducted on the SPG-9 73mm gun.

Detainee: I had training, but I don't know these names.

Detainee: But I'm not going to be strict about it because the names will not change anything. I'm sorry.

Presiding Officer: All these weapons that you were trained on, did you ever use them in a combat situation?

Detainee: No.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.1) The Detainee, in May 2000, received a phone number to a senior al Qaida operative, who the Detainee believed was someone who could help others receive military training.

Detainee: That is what I was told when he was in Kabul and Kashmir. There was an Egyptian guy, who gave me a phone number to contact Tariq. He's the one who helped me to go to Camp Khalden.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.2) The Detainee's name was part of a list of al Qaida mujahedin on a computer media that was recovered during various raids against al Qaida-connected safe houses in Pakistan.

Detainee: I did not know about this. Maybe when we were in Kohat, they transferred all of us that were there with the Pakistanis. When we got to the Pakistani government, they

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came and took pictures of everybody. It was kind of secret. There was an official who came and took pictures of everybody. He took names and phone numbers of our families. I didn't know what he wanted.

Presiding Officer: This was when you were captured?

Detainee: No, when we were with the Pakistani government, in jail

Member: After you were captured then?

Detainee: Yes.

Presiding Officer: Yes, that's what I said, after you were captured.

Detainee: Yes.

Presiding Officer: Do you consider yourself an al Qaida mujahedin?

Detainee: No. I'm sorry. There's something I don't know here. I don't know how to explain it. The name "al Qaida" was not known in Saudi Arabia until maybe 2001. We knew Usama bin Laden, who was against Saudi government. There are some people in Saudi Arabia that are against the government for many things. But by the name of "al Qaida", if you ask the Saudis, they will tell you, "We have not heard of al Qaida."

Presiding Officer: Thank you.

Designated Military Officer: (3.d.1) In September of 2001, when the Americans and Northern Alliance troops began dropping bombs on the Detainee's Taliban position, the Detainee and the Taliban fighters around him began to retreat. The Detainee and some others headed towards the Pakistan border.

Detainee: That's fine.

Presiding Officer: So you experienced the bombing?

Detainee: What?

Presiding Officer: You experienced the bombing?

Detainee: Yes. When I went to one of the cities, there was bombing. They were bombing some places. You would be surprised. I can't say it. For me, when I saw some places, I was like, "Wow." I was surprised why they bombed these places.

Presiding Officer: Thank you.

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## UNCLASSIFIED//FOUO

Designated Military Officer: (3.d.2) The Detainee was captured by the Northern Alliance forces in late December 2001. A short time after his capture, he was turned over to the American military.

Detainee: That is not right. I went to the police first in Pakistan. I told them that I wanted to go to my Saudi Embassy.

Presiding Officer: But the date, December 2001, is correct?

Detainee: It was the 18th of December 2001.

Presiding Officer: So you were fighting against the Northern Alliance after 9/11?

Detainee: It wasn't the Northern Alliance. It was the Pakistani government.

Presiding Officer: You were fighting for the Taliban after 9/11; is that correct?

Detainee: Say it again.

Presiding Officer: You were fighting for the Taliban after 9/11?

Detainee: I was not in the front line, even before 9/11.

Presiding Officer: Did you ever consider, after 9/11, going home?

Detainee: I was planning to.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.3) The Detainee was transferred to United States custody on 31 December 2001 from Kohat, Pakistan.

Detainee: Kohat.

Designated Military Officer: Kohat. Sorry. (3.d.4) The Detainee has been identified as being in Khost, Afghanistan by a senior al Qaida operative. The Detainee was acquiring ammunition and arms to take to Kabul, Afghanistan with others. The Detainee was also identified as someone who had volunteered to be a suicide bomber and was ready to martyr himself for jihad.

Detainee: I do not know about this part, honestly.

Presiding Officer: Either you would volunteer to be a suicide bomber or you would not.

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## UNCLASSIFIED//FOUO

Detainee: I do not remember discussing this with anybody, that's all.

Presiding Officer: Would you ever consider being a suicide bomber?

Detainee: No. I disagree with it. I know that, if I want to fight, I would be bombing people from farther away. I disagree with it.

Presiding Officer: So the improvised explosive devices in Iraq that killed Muslims, you find that wrong?

Detainee: Yes.

Detainee: How can I explain it? I spoke with many people not in Saudi Arabia but outside of Saudi Arabia. I was arguing with some people, even here in the camp, about suicide bombs or suicide attacks.

Presiding Officer: Like car bombs?

Detainee: Yes. I was arguing with them and I told them, "Okay, you say it's for Allah. And you say to go and ask to do it. Show me where it is. I want to see it. Is it in the Koran or in the Hadith?" I was arguing with many people, even here in the camp, back in Saudi Arabia, and even in Afghanistan.

Detainee (*through translator*): The purpose doesn't justify the way.

Presiding Officer: The means, right?

Assisting Military Officer: The end does not justify the means?

Detainee (*through translator*): Right.

Detainee: I don't know how to explain it. All I know is that I'm not suppose to just bomb myself and get killed. In a fight, you don't fight to kill people; there is a reason behind that fight. Like, if somebody attacked your home and you fight him that means you want to protect your home. And when you are all done, that's it.

Presiding Officer: Do you regret having gone to Afghanistan in 2001?

Detainee: Say it again.

Presiding Officer: Do you regret having gone to Afghanistan in 2001? Would you do it again?

Detainee: Either Afghanistan or another place.

Presiding Officer: You would have stayed home?

Detainee (*through translator*): I would have stayed.

Designated Military Officer: (3.d.5) The Detainee admits to having met two of the hijackers from the 11 September 2001 attacks on the United States.

Detainee: One of them was my uncle's neighbor and one of them studied with me. In the beginning, I couldn't say no. I didn't think they would do something wrong. That's not something I did. I am not responsible for something they did. When they asked me, "Do you know these people," I told them, "Yes, I know them."

Presiding Officer: Thank you.

Designated Military Officer: (4.a) The Detainee did not go to Afghanistan with the intention of joining the Taliban. The Detainee's main purpose was to see the accomplishments of the Taliban.

Detainee: That's fine, sir. That was during the second time.

Presiding Officer: Do you agree with a Taliban-type of government or Al Sharie'a law?

Detainee: I agree with Al Sharia'a law.

Presiding Officer: What about the Taliban government?

Detainee: I know that it is not like it was before Taliban. If you know about Afghanistan, you will find many things about Taliban. I saw many things that were unjust and unfair. I saw with my own eyes. But at the same time, it is better than it was before.

Presiding Officer: Let me understand this. Do you think Afghanistan is better off with the current Karzai government or do you think it was better off under the Taliban government?

Detainee: I do not know what is going on with Karzai government.

Detainee: I do not know what is going on there. Since we got here, there's no news about what is going on in Afghanistan.

Presiding Officer: In Afghanistan and Iraq, do you consider the United States an invader or liberator?

Detainee: I don't know.

Presiding Officer: Okay. That's fine.

Designated Military Officer: (4.b) The Detainee states that, if he were released, he would like to return to his home in Saudi Arabia and complete his studies.

Detainee: That's fine.

Designated Military Officer: (4.c) The Detainee stated that, if he were released, he would not return to Afghanistan, Pakistan, or any other country for the purpose of taking up arms against the United States or any of the United States allies. The Detainee simply wants to return to Saudi Arabia and see his family.

Presiding Officer: Are you in contact with your family?

Detainee (*through translator*): I don't know how I can answer. The mail has been suspended since August 2004. My letters have been suspended.

Member: Does that mean that you haven't gotten any or you can't send any?

Detainee: No, I sent a lot and my family sent a lot, but someone, somewhere, I don't know where, is suspending my letters. They don't want to give them to me. My lawyer made a motion to the judge, asking the government to give me my letters. My family told me, through the lawyer, that they sent a lot of letters to me. I didn't receive anything.

Detainee: Also, he told me yesterday that I could bring any letter from my family that can help me to prove that I'm innocent. I told him I don't have any letters that would either help me or not help me.

Presiding Officer: I understand. AMO, can we check on his letters that were suspended?

Assisting Military Officer: I can look into that, sir.

Presiding Officer: Thank you.

Assisting Military Officer: During the interview, I informed the Detainee that he could provide letters of character, if he wishes to, and he said that he didn't have any. At the time, he didn't mention that he wasn't receiving any or that his mail may have been stopped for any reason. We can look into that.

Presiding Officer: If you were released or transferred back to Saudi Arabia, how do you think you will be treated by the Saudi Arabian government?

Detainee: I don't know because I have never been in jail before. But from what I heard from other Detainees, through the interrogators, there's no mistreatment of the people that were released to the Saudi government.

Detainee: I think they are treating them good. I heard this from some people that had been released. It will be good because I don't have anything against my country. I didn't do anything that was illegal.

Presiding Officer: Right. Thank you.

Designated Military Officer: (4.d) The Detainee stated that he was never a member of al Qaida and adds that he does not know if he ever met or fought with al Qaida forces.

Detainee: That's fine.

Presiding Officer: You do not know if you ever fought with al Qaida? Either you do or you don't.

Detainee: No, but I will tell you something. Some of the interrogators told me that, "If you were with the Taliban, that means you were with al Qaida because the Taliban is the cover-up for al Qaida." I told them that I didn't know about this part, but I know that I was not a member of al Qaida. I don't know a lot of things about al Qaida. All I heard is the same that you heard from the media and that's it.

Presiding Officer: Thank you.

Designated Military Officer: (4.e) The Detainee stated that he has never met Usama bin Laden.

Detainee: I saw him but I didn't. I'm sorry.

Presiding Officer: Where did you see him?

Detainee: On TV.

Designated Military Officer: (4.f) The Detainee has denied swearing bayat to Usama bin Laden or to any terrorist organization.

Detainee: That's true.

Designated Military Officer: (4.g) The Detainee stated that he would never be involved with an organization, militia, or otherwise, whose purpose was to commit terrorist acts. The Detainee also stated that he would not involve himself with a group, which would act as the aggressor in a military campaign.

Detainee: (Nodded his head).

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

Detainee: Yes.

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

Detainee: Yes.

Designated Military Officer: (4.j) The Detainee has denied any knowledge or planning of internal uprisings at the Guantanamo Bay, Cuba Detention Facility.

Presiding Officer: True?

Detainee: Yes.

Designated Military Officer: That completes the Unclassified Summary.

Detainee: Honestly, when I came here, I didn't know how I could prove that I'm not a threat to the Americans. I don't know how I could secure resources or anything like that because there's nothing in my hand. I can't change anything. I can't bring anything that can help me to show you that I'm not a threat. I can't prove to you that I'm not a big country like Russia or China. I don't have that kind of power to be a threat. There are a lot of things that I do not know how to prove.

Presiding Officer: You are going to get an opportunity to make a final statement before we conclude. So you will be given that opportunity. We will just go through this process.

***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.***

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

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

Detainee: Honestly, I don't know what to say. I don't know how to prove or what I can say to tell you that I'm not a threat to the Americans. I have nothing against the Americans. I have never fought against the Americans. I never had any problems with the Americans until I got here to Guantanamo. Yes, maybe I'm upset from being here and being held for four and a half years, but I think being home, my mother will make me forget everything. Other than that, I don't know what I can say.

Presiding Officer: So after 9/11, you were in Afghanistan fighting against U.S. and coalition forces?

Detainee: I was in Afghanistan before 9/11 or before anything. My plan was not to go fight against the Americans. I was there and then the Americans came to attack us. I don't know what to say about it.

Presiding Officer: I'm concerned about all the training that you received. You received an extensive amount of training that can be used against the U.S.

Detainee: You think it is something big but, if you think about it, no. Everybody in Saudi Arabia knows about the Kalashnikov. My sister can shoot the Kalashnikov.

Presiding Officer: Well, you trained from rifles to armored tanks.

Detainee: Because I was honest with interrogators, I told them everything I know. They asked me, "Do you know this?" I told them, "Yes." They asked me, "What else do you know?" I told them everything that I know. So was it a mistake to tell them and being honest? If you think about it, all of these things will not help no one or anything. I don't know what I can say. If you didn't know me, you will think that I can't be a General. I don't know what to say, to be honest with you.

Presiding Officer: I understand. Does that conclude your statement?

Detainee (*through translator*): Yes.

***The Assisting Military Officer did not have any questions for the Detainee.***

***The Designated Military Officer did not have any questions for the Detainee.***

***The Administrative Review Board had the following questions for the Detainee:***

Member: What do you say for your own self and for your future if you were released? If the Board made a recommendation, and it was accepted in Washington, and you were released, what would you do for your future?

Detainee: I want to continue my study. I will try to start building my future, have a family, stay with my mother and my family. That's generally what I would do. I have a very good family that I would like to be with.

Member: When was the last time you got letters or heard from your family? Are you only hearing from them through your lawyer?

Detainee: The last letter, I guess, was in August 2004. The letter had been sent a long time before that, but I received it August 2004. When I saw my lawyer in June, it was the first time I made contact with my family. They called my family and told them that I'm doing good and told me that my family was doing good. My last communication with my family was through the lawyers.

Member: Until you completed your studies, how would you support yourself if you were released to Saudi Arabia?

Detainee: I have my family.

Member: Your family?

Detainee: Yes.

Detainee (*through translator*): A very close-knit family.

Presiding Officer: And what would you study if you went back to the university? Is it a university that you are going back to?

Detainee: I was studying in Islamic law.

Presiding Officer: Well, you seem like a very intelligent and articulate young man. I wish you went home when you were supposed to.

Detainee: When I was supposed to? Okay.

Member: I would like to say that I do appreciate you coming today. We do a lot of these and not a lot of people come. I know that it can be difficult in the camp. A lot of people say don't come, but I do appreciate you taking the time and coming today to be in front of the Board.

Detainee: They don't know. Yesterday, when I told them I'm going to attend this Board, they asked me, "What are you going to say?" Most of the Detainees believe that they can't change anything. Most of them believe that it's a politics thing. It's not what's in

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the paper or what's going on, but they think it's a politics thing, when the government wants to release you, or there's an agreement with the government, or something like that.

Presiding Officer: It has nothing to do with that.

Detainee: Yes. This is what most of the Detainees think.

Presiding Officer: This is an independent review board. We look at all relevant data, listen to you, and we make a recommendation whether to continue detention, transfer you, or release you. So there's no politics involved at all.

Detainee: No, I'm not saying that, but I'm saying that that's what most of the Detainees think.

Presiding Officer: I understand. Is there anything further?

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

*The Assisting Military Officer did not have further exhibits or information to be presented on behalf of the Detainee to the Administrative Review Board.*

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

*The Presiding Officer opened the classified portion of the session.*

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

AUTHENTICATION

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



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**Summary of Administrative Review Board Proceedings for ISN 230**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

Presiding Officer: Good morning, sir. Do you pronounce your name "Hamud Dakhil Hamud"?

Detainee (*through translator*): Yes.

Presiding Officer: Can I address you as Mr. Hamud today?

Detainee (*through translator*): Yes.

Presiding Officer: Welcome, sir.

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

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

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

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

*The Detainee declined to take the Muslim Oath.*

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

*The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board Form, Exhibit EC-A, to the Administrative Review Board.*

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

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

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Assisting Military Officer: The Detainee's ARB interview was conducted on 10 October 2006. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he wanted to attend the ARB. The Detainee was very cooperative, attentive, and polite throughout the interview. Copies of both the English and Arabic translated Unclassified Summary were provided to the Detainee, who declined to accept the documents.

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

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

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

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

Designated Military Officer: (3.a.1) The Detainee acted on fatwas issued by two Sheiks. After learning of the fatwas, the Detainee traveled to Chechnya.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.a.2) The Detainee stated that he was recruited by his brother to fight jihad in Chechnya circa September 1999.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.a.3) The Detainee stated that, at the Chechen training camp, he purchased an AK-45 for 1,000 United States Dollars and was given a backpack and a Chechen uniform.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.a.4) The Detainee stated that, if the Muslim people were still fighting in Afghanistan, he would go fight with them, even if it meant fighting against Americans.

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Detainee (*through translator*): I never mentioned this.

Presiding Officer: The United States intervention in Afghanistan, do you consider the United States an invader or liberator?

Detainee (*through translator*): Help. I consider it help.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.5) The Detainee stated that he was in the middle of Chechnya when the mafia took him to the border of Chechnya and Dagestan. The Detainee stated that he traveled from Dagestan through Azerbaijan, United Arab Emirates, and Yemen to arrive at Jeddah, Saudi Arabia, and then later to Afghanistan.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.a.6) The Detainee stated he traveled to Afghanistan on two separate occasions. The first time was immediately after leaving Chechnya approximately in 1999 or 2000. The Detainee stated, sometime between 2000 and 2001, he returned to Afghanistan in accordance with the fatwas.

Detainee (*through translator*): Yes.

Presiding Officer: Was the purpose to fight against the Northern Alliance?

Detainee (*through translator*): Yes.

Designated Military Officer: (3.a.7) The Detainee stated that, upon completion of training at the Camp Malik in Afghanistan, he was transferred to the second fighting line near Bagram, Afghanistan. The Detainee stated he was given an AK-47 rifle, four magazines of ammunition, and a number of hand grenades.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.a.8) The Detainee stated he was an Emir in Tora Bora, Afghanistan.

Detainee (*through translator*): I never said that.

Designated Military Officer: (3.b.1) The Detainee stated that he participated in AK-47, rocket propelled grenade, machine gun, mortar, hand grenade, other small arms, and guerrilla operations training at the training camp in Chechnya.

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Detainee (*through translator*): What was the last thing you mentioned?

Designated Military Officer: The last thing I mentioned was guerrilla operations training.

Detainee (*through translator*): I never did guerrilla operations training.

Presiding Officer: Let me ask one question. Were you in Tora Bora?

Detainee (*through translator*): Yes.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.2) The Detainee stated that he received approximately six weeks of training at the al Farouq training camp. The Detainee received two weeks of training on Kalashnikov rifle, PK machine gun, M-16, RPG, Uzi submachine gun, and Makarov pistol. The Detainee received one week of explosives training, including grenades, mines, dynamite, C-3, and C-4. The Detainee received ten days of camouflage training, movements, and tactics. The Detainee also received eight or nine days of topography and physical training.

Detainee (*through translator*): The time I spent at the camp was three weeks and not six months.

Presiding Officer: I think it says six weeks.

Detainee (*through translator*): I stayed three weeks. Only three weeks. I never finished the entire training there.

Presiding Officer: But all the items listed here, did you train on these weapons?

Detainee (*through translator*): Not all of it.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.3) The Detainee stated that he learned how to extract the explosive element from the landmines in order to make other explosive devices.

Detainee (*through translator*): I never said that.

Presiding Officer: Were you ever trained in the manufacturing of improvised explosive devices?

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Detainee (*through translator*): What I mentioned to the interrogators was that I saw people and how they would explode landmines. That was it.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.4) The Detainee stated that, at the Malik Camp, he received training on anti-aircraft weapons, grenade launchers, and how to disassemble and reassemble various weapons.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.b.5) The Detainee stated that, near Kabul, Afghanistan, he was provided training on the ZU-23 and SA-7.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.b.6) A source stated the Detainee claimed to be an explosives expert.

Detainee (*through translator*): Lies.

Designated Military Officer: (3.c.1) The Detainee's name and the contents of his trust account were on a list of al Qaida Mujahedin accounts recovered from computer media seized during raids against al Qaida associated safe houses.

Detainee (*through translator*): I do not know anything about this.

Presiding Officer: Have you ever stayed in al Qaida guesthouses?

Detainee (*through translator*): I left all my belongings in one of the guesthouses in Afghanistan. Maybe after Afghanistan fell, my belongings were taken and given to those people. I do not know for sure.

Presiding Officer: Why did you leave your belongings at that guesthouse?

Detainee (*through translator*): I was at the second front line. I could not bring my passport and my belongings with me. I was afraid that I would lose them.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.2) The Detainee stated that, while he was at the front lines, Usama bin Laden joined the Detainee, along with several other Mujahedin, for dinner at an abandoned house they had occupied.

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Detainee (*through translator*): I never said that.

Presiding Officer: Have you ever met Usama bin Laden?

Detainee (*through translator*): I saw him visiting al Farouq camp twice.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.3) The Detainee knows people who swore allegiance to Usama bin Laden and those who killed Americans. The Detainee also knows a leader of al Qaida in Saudi Arabia.

Detainee (*through translator*): I never said that.

Presiding Officer: What are your feelings concerning bin Laden?

Detainee (*through translator*): A man who holds a lot of wrong ideas and ideology.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.4) The Detainee stated that, while waiting for a fraudulent passport, he was taken to a house that was an al Qaida meeting place in Sanaa, Yemen. The Detainee stated that the men there told him of their affiliation with al Qaida. The Detainee stated members in the Yemeni group prepared the explosives for the USS Cole bombing.

Detainee (*through translator*): Lies.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.1) The Detainee stated that he was born a Muslim but did not become a dedicated Muslim until he was in his twenties, which was when he decided to quit his job and follow the calling to join the jihad.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.d.2) The Detainee stated that he follows the teaching of Sheik Abdul Aziz bin Bazz of Saudi Arabia, whom the Detainee said was popular in Saudi Arabia.

Detainee (*through translator*): Yes.

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Designated Military Officer: (3.d.3) A source, who went to Afghanistan for jihad, stated that Sheik Abdul Aziz bin Bazz was a Mufti for all Arab nations and encouraged people to fight jihad against Christians and Jews.

Detainee (*through translator*): Yes.

Presiding Officer: So you believe in jihad against Christians and Jews?

Detainee (*through translator*): It was an old idea.

Presiding Officer: Do you believe in jihad against Christians and Jews or not?

Detainee (*through translator*): No.

Presiding Officer: Thank you.

Designated Military Officer: (3.e.1) The Detainee was in possession of a Casio watch at the time of his capture. This model has been used in bombings that have been linked to al Qaida and radical Islamic terrorist improvised explosive devices.

Detainee (*through translator*): That is not true. They are lies. I was arrested with my watch and they have my watch with my belongings. They can go check my watch if they would like to.

Presiding Officer: Thank you.

Designated Military Officer: (3.e.2) The Detainee stated that, while at Tora Bora, Afghanistan, he saw an American airplane approaching. The Detainee watched as the bombs fell in the area. The Detainee stated that one came so close that, even though he hid in a ditch, the impact threw him several feet into the air.

Detainee (*through translator*): Yes.

Designated Military Officer: (3.e.3) The Detainee stated that he saw chemical weapons in Afghanistan and Chechnya, Russia. The Detainee saw and can describe how chemical weapons were made in Chechnya and saw a training facility for making chemical weapons in Afghanistan. The Detainee also saw where improvised explosive devices were manufactured in Afghanistan and said he will tell everything he knows about the USS Cole bombing.

Detainee (*through translator*): Lies.

Presiding Officer: You have no information on the USS Cole bombing?

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Detainee (*through translator*): No.

Presiding Officer: And you do not know the location of this chemical or explosives manufacturing facilities in Afghanistan?

Detainee (*through translator*): No.

Presiding Officer: Thank you.

Detainee (*through translator*): The only thing I mentioned was that, when I was in Chechnya, I saw a movie about the Chechen Mujahedin. The movie was showing Russian airplanes bombing gases against the Chechen fighters.

Presiding Officer: Thank you.

Designated Military Officer: (4.a) The Detainee stated that the only person he had ever met that had openly admitted to being al Qaida was Usama bin Laden.

Detainee (*through translator*): I do not understand. Could you repeat it?

Designated Military Officer: The Detainee stated that the only person he had ever met that had openly admitted to being a member of al Qaida was Usama bin Laden himself.

Detainee (*through translator*): That is what I know; the only thing I know.

Designated Military Officer: (4.b) The Detainee stated he feels that al Qaida is against all Muslim beliefs.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.c) The Detainee stated that he attended a training camp that was funded by Usama bin Laden, but he was not loyal to bin Laden. The Detainee stated he did not receive orders from bin Laden or from anyone, who said that they were speaking on bin Laden's behalf.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.d) The Detainee stated that, even after hearing Usama bin Laden's speeches, he felt no hatred for the United States nor did he ever consider taking up arms or attacking Americans.

Detainee (*through translator*): Yes.

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Presiding Officer: What are your feelings concerning the 9/11/2001 attacks on the United States?

Detainee (*through translator*): It was a tragedy. It hurt the whole world, not just the United States.

Presiding Officer: Thank you.

Designated Military Officer: (4.e) The Detainee stated that he never swore nor would he ever swear bayat to Usama bin Laden.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.f) The Detainee went to the training camp specifically to learn how to use weapons to defend and fight for Muslims.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.g) The Detainee stated that, while at Tora Bora, Afghanistan, he was never involved in any kind of firefight, although he could hear gunfire at a distance. The Detainee stated that he has never had to engage or shoot at the enemy.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.h) The Detainee stated radical Muslims are the ones who bomb and kill innocent people and claim that they are doing this in the name of God. The Detainee stated that he does not agree with the actions of these radical Muslims.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.i) The Detainee stated that he did not fight against the Northern Alliance.

Detainee (*through translator*): No.

Presiding Officer: So you did fight against the Northern Alliance?

Detainee (*through translator*): That was my intent, but I did not have the chance.

Presiding Officer: So you went to Afghanistan to fight against the Northern Alliance, but never had the opportunity to do so?

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Detainee (*through translator*): Yes.

Presiding Officer: Thank you.

Designated Military Officer: (4.j) The Detainee stated that he never fought Americans while in Afghanistan.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.k) The Detainee stated that he only went to join the jihad for the purpose of being a good Muslim, not to be a member of the Taliban or al Qaida networks. The Detainee stated that he has no hatred towards the United States and that, if he is ever released back to his country, he will never take part in another jihad.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.l) The Detainee stated that he has learned a valuable lesson and has decided to learn the true meaning of Islam by going to the university in Saudi Arabia.

Detainee (*through translator*): Yes.

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

***The Presiding Officer acknowledged the request.***

***The Assisting Military Officer did not have further exhibits or information to be presented on behalf of the Detainee to the Administrative Review Board.***

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

***The Detainee declined to make an oral statement.***

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

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

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

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Detainee (*through translator*): To get married.

Presiding Officer: Anything else?

Assisting Military Officer: No, sir.

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

***The Administrative Review Board members had the following question for the Detainee:***

Member: Mr. Hamud, what did you do in Tora Bora?

Detainee (*through translator*): It was the only way and only path to escape from Afghanistan. I was escaping.

Member: Mr. Hamud, why did you not complete your training at the al Farouq training camp?

Detainee (*through translator*): I had injured my knee and I decided to leave the camp.

Member: Why did you train in anti-aircraft weapons?

Detainee (*through translator*): They told me I could not go to the front lines until I advanced myself with that training.

Member: So everyone went through the anti-aircraft training?

Detainee (*through translator*): The majority, according to what I know.

Member: Mr. Hamud, you stated that you went to training camps specifically to learn how to use weapons to defend and fight for Muslims. Who are you defending the Muslims from?

Detainee (*through translator*): Any enemy doing assaults.

Member: Thank you. No more questions.

Presiding Officer: If you are transferred to your host country, how do you think you will be received by the Saudi Arabian government?

Detainee (*through translator*): They will be just with me. They will be right with me.

Presiding Officer: Are you in contact with your family?

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Detainee (*through translator*): It has been two years since I received letters from them.

Presiding Officer: Are you married now?

Detainee (*through translator*): No.

Presiding Officer: If you could do it over again, would you still have gone to Afghanistan?

Detainee (*through translator*): Never.

Presiding Officer: Thank you very much.

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

***The Presiding Officer opened the classified portion of the session.***

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

**AUTHENTICATION**

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



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Transcript of ISN 252—withheld from release under  
Exemption (b)(6)

2170-2181

**Summary of Administrative Review Board Proceedings for ISN 258**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

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

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

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

*The Detainee declined taking the Muslim oath.*

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

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

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

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

Assisting Military Officer: The detainee's ARB interview was conducted on 27 February 2006 and lasted 57 minutes and on 28 February 2006 and lasted 15 minutes, respectively. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee stated he would attend the ARB, and wished to respond to each statement of the information in the Unclassified Summary of Evidence after it was presented. The detainee was very cooperative, attentive, and cordial throughout the interview. A copy of the English and Arabic translated Unclassified Summary of Evidence were provided to the detainee upon his request.

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

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

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

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

Designated Military Officer: (3.a.1) The detainee attended a lot of mosques in Saudi Arabia. When it was time to pray, he would stop at the nearest one. An imam named Ibnothermin told the class the detainee was attending and that they should be the ones going to Afghanistan to fight for jihad. A student gave the detainee 4,000 riyals to go to Afghanistan.

Detainee (*through translator*): Not True.

Designated Military Officer: (3.a.2) The detainee left Saudi Arabia via bus to Kuwait. The detainee then flew to Syria. The detainee then flew to Iran and then took a bus to Afghanistan. The detainee paid for the trip with the funds he received from the student at the mosque.

Detainee (*through translator*): True.

Designated Military Officer: (3.a.3) The detainee met with a man who was in charge of the Arab guesthouse in Kandahar, Afghanistan. The man told the detainee that he had to go to camp for training prior to participating in jihad. He took the detainee's passport.

Detainee (*through translator*): True.

Presiding Officer: I have a question. Why would you give someone your passport?

Detainee (*through translator*): He asked me to have my passport so that he can keep it in a safe place so I would not lose it.

Presiding Officer: Why would you give up your passport?

Detainee (*through translator*): If I was going to the training then I might have lost it during training. If there was a Saudi Embassy I would have gone and handed it over to them.

Presiding Officer: Isn't the safest place to keep your passport in your pocket?

Detainee (*through translator*): When I was issued a passport in Saudi Arabia they asked

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me to do two things. I had to keep it in a safe place or hand it to over to the Saudi embassy.

Presiding Officer: I'm just curious as to why these passports would have different people's pictures on them.

Detainee (*through translator*): I did not do that.

Presiding Officer: Did you ever see your passport again?

Detainee (*through translator*): No.

Presiding Officer: Did you give it to him knowing that it was probably going to be used as a tool for terror?

Detainee (*through translator*): He deceived me.

Presiding Officer: You were lied to?

Detainee (*through translator*): Yes.

Presiding Officer: Thank you.

Detainee (*through translator*): The guy told me that it was not only me who gave up my passport, everyone that comes to the camp has to give up there passport.

Presiding Officer: What would have happened to you if you said "No I am not going to give you my passport"?

Detainee (*through translator*): Nothing would have happened.

Designated Military Officer: (3.b.1) The detainee went to al Farouq, Afghanistan for about 15 days. The detainee received training on the Kalashnikov rifle, PK machine guns, and rocket-propelled grenade systems. The detainee said that he received training only on these weapons.

Detainee (*through translator*): Not True.

Designated Military Officer: (3.b.2) The detainee knew that al Farouq, Afghanistan belonged to Usama Bin Laden, and the detainee realized upon arrival that al Farouq was a terrorist training camp with political motivations, not religious goals.

Detainee (*through translator*): True.

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Designated Military Officer: (3.b.3) After the detainee left al Farouq, Afghanistan he proceeded to the Moroccan camp in Jalalabad as the detainee thought the Moroccans could assist him to get to Peshawar, Pakistan, and then into Saudi Arabia. He stayed for three months at the Moroccan camp in Jalalabad. At this camp he observed individuals talking about artillery training but did not observe any weapons.

Detainee (*through translator*): True.

Designated Military Officer: (3.b.4) On the matter of the Moroccan training camp, the detainee first denied having any such training, then admitted to maybe training for one or two days on mortars. However, the detainee stated he did not complete the training their either.

Detainee (*through translator*): Not true.

Designated Military Officer: (3.c.1) An individual identified the detainee as being present at the city tactics course.

Detainee (*through translator*): How do you want me to answer this question when I do not know this guy?

Presiding Officer: Then this is false?

Detainee (*through translator*): False.

Designated Military Officer: (3.c.2) The detainee stated that he was injured in the Moroccan camp by a United States air strike. The detainee suffered injuries to his face, arms, hands, thigh and ear, which still bother him. He was taken to Afghanistan hospital in Jalalabad, where he remained in a coma for a while.

Detainee (*through translator*): True.

Designated Military Officer: (3.c.3) At one point in an interview, the detainee became angry and accused the interviewers of torture. He then related a dream he had which he described as a vision from the prophet Mohammed. In this vision the prophet appeared to him and told him that Mohammed saw all that is happening and all those responsible for keeping the detainee in Cuba are going to burn in a big fire in hell with the devil and will suffer forever. He also said that Jesus agreed with Mohammed.

Detainee (*through translator*): Not True.

Designated Military Officer: (4.a.) 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.

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Detainee (*through translator*): True.

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

Detainee (*through translator*): True.

Designated Military Officer: (4.c.) The detainee explained that jihad is not killing innocent women and children or stealing. The detainee said that terrorism and jihad are two different things.

Detainee (*through translator*): True.

Designated Military Officer: (4.d.) When the detainee found out that the goal of al Farouq was to train persons for suicide and terrorists missions, it was not the detainee's style or his goal and it was his time to leave the camp. The detainee began arguing with his instructors and told them that he wanted to leave the training.

Detainee (*through translator*): True.

Designated Military Officer: (4.e.) The detainee said that he wanted to participate in jihad for religious purposes and to help people in need of food distribution. The detainee said this would strengthen his relationship with God. The detainee said that his goal was to help for two months and then return home.

Detainee (*through translator*): True.

Designated Military Officer: (4.f.) The detainee was told that another individual identified him as being present during the City Tactics course outside of Kandahar, Afghanistan. The detainee was asked if he received this training. The detainee said that he was not present at this training and the other detainee must be mistaking him for someone else.

Detainee (*through translator*): True.

***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.***

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***The Presiding Officer had the Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form, Exhibit EC-B.***

Assisting Military Officer: The detainee requested that the media not be present during the ARB due to "leaks" during last year's process. The detainee was told that the press would not be present during his ARB. Additionally, he requested a specific female translator, as "she understood him." The request for the female translator was denied for unspecified reasons.

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

Detainee (*through translator*): I would like to say something about my behavior, which depends on two things: The first, my comments on the basics, that does not change and number two has changed. For example, the basics of my religion. My religion is Islam.

Presiding Officer: Wait, hold on. You are supposed to be making a statement about whether you should be detained, transferred or released. That does not have anything to do with Islam.

Detainee (*through translator*): What I am saying relates to releasing me.

Presiding Officer: How?

Detainee (*through translator*): I want to explain that I am no longer causing a threat to anyone.

Presiding Officer: Then that is all you have to tell me.

Detainee (*through translator*): Okay.

Presiding Officer: Is your statement going to be because you believe in Islam you are not going to be a violent person?

Detainee (*through translator*): The basics, as I said is related to religion. I am a Muslim and that has not changed. The thing that has changed is traveling. I will travel for jihad or something else if I need to. That thing about travel will change from time to time. It is not in my belief to travel always, but I travel sometimes. Some things now will stop me from traveling. Things like taking care of my parents; that is one of the basics to me. Education is another basic. Traveling is not one of my basics. When I traveled in the past that was something inside of me, sympathy. It was what I wanted to do. The wisdom I have to do something good. I traveled the last time because of emotion, because I saw a picture of a little baby that had dirty clothes and her hair was not combed or cut.

Presiding Officer: Was this baby in Afghanistan?

Detainee (*through translator*): She was next to a hut/house in a desert in Afghanistan. Something came out of that emotion when I saw the picture. Something that was inside of myself made me cry.

Presiding Officer: On a scale of one to ten, ten being the best there is and one being the lowest, how well do you speak English?

Detainee (*through translator*): Four.

Presiding Officer: Can you write?

Detainee (*through translator*): Arabic or English?

Presiding Officer: Yes, English.

Detainee (*through translator*): Four.

Presiding Officer: Okay. On a scale of one to ten, how well do you write Arabic?

Detainee (*through translator*): Ten.

Presiding Officer: Would you go to Afghanistan again if you knew what you know now?

Detainee (*through translator*): No.

Presiding Officer: What would you do if you went back to your country?

Detainee (*through translator*): I would build my future, the one that was destroyed.

Presiding Officer: Do your parents know that you are here?

Detainee (*through translator*): Yes.

Presiding Officer: What do your parents have to say?

Detainee (*through translator*): They just pray for me.

Presiding Officer: Whose fault is it that you were taken as a prisoner?

Detainee (*through translator*): A lot of people.

Presiding Officer: Let's talk. Tell me, who is to blame?

Detainee (*through translator*): I took advice from an imam. He didn't ask me to, but I went and asked him for advice. He told me if I wanted to help someone else then I could go. The student that was with me in the mosque, I asked him for advice also and he said if you can go, then you can go. I didn't ask him for help, but he helped me. The person

that took my passport in Afghanistan, he twisted my leg and took me to al Farouq. I didn't know about al Farouq.

Presiding Officer: Do you like Usama bin Laden? Do you like what he stands for?

Detainee (*through translator*): I don't like somebody. I work on mistakes.

Presiding Officer: What does that mean?

Detainee (*through translator*): I don't like Usama bin Laden and somebody else.

Presiding Officer: Who else?

Detainee (*through translator*): Some people like Usama bin Laden.

Presiding Officer: Do you like him?

Detainee (*through translator*): No.

Presiding Officer: What about Mullah Omar?

Detainee (*through translator*): I don't like him.

Presiding Officer: Do you believe in the slaughtering of innocents?

Detainee (*through translator*): No.

Presiding Officer: Is there anything that anyone could say to you that could convince you, if we release you, to go back and fight jihad against the United States?

Detainee (*through translator*): Never.

Presiding Officer: What do you want to do when you get out of here?

Detainee (*through translator*): To continue my education.

Presiding Officer: What do you want to study?

Detainee (*through translator*): I have two years left to finish high school.

Presiding Officer: Do you have a particular trade that you are interested in?

Detainee (*through translator*): That would depend on my dad.

Presiding Officer: What can you tell me to convince me that you are not putting on a show here and that when you get out of here you are not going to go back to fighting? Convince us. Speak to us from your heart.

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Detainee (*through translator*): It is not from my basics. I left because of emotions when I saw that picture, now I will never do that again. I will never fight again. Islam is not just jihad. To take care of my parents is better and more important to me than jihad.

Presiding Officer: What do you think of Abu Musab al-Zarqawi?

Detainee (*through translator*): I don't know him. I heard of him here.

Presiding Officer: He blows people up. He kills children, women ... He likes to kill people. He blows up bombs all the time all over Iraq.

Detainee (*through translator*): You asked me about Usama bin Laden. I read a lot about him here. I don't know about Abu Musab al-Zarqawi.

Presiding Officer: Okay. What do you think about al Qaida?

Detainee (*through translator*): The group of Mujahedin, they have some mistakes.

Presiding Officer: A little more than mistakes wouldn't you say? Like some big mistakes.

Detainee (*through translator*): Yes, they have problems and the consequences are big.

Presiding Officer: Yes, very good. Where were you from May through September 2001? What were you doing? I am a little sketchy about that reading through your file. What were you doing?

Detainee (*through translator*): I was in Afghanistan, but I don't know what I was doing. I don't remember that was four years ago.

Presiding Officer: Yes, it was four years ago, but I am very uncomfortable releasing you or you leaving GTMO until I know what you were doing. So take a minute to collect your thoughts. Do your best.

Detainee (*through translator*): At that time, if I had a passport, I would have left Afghanistan. I didn't have a passport, so I couldn't move.

Presiding Officer: Why did you want to leave Afghanistan?

Detainee (*through translator*): You know that.

Presiding Officer: No.

Detainee (*through translator*): I was in the wrong place.

Presiding Officer: We are recording all of this. I want to get your side of the story. Why were you in the wrong place? What was going on all around you?

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Detainee (*through translator*): I was in the wrong place because I was like a ... in a net. In a trap. They hunted me.

Presiding Officer: Who hunted you?

Detainee (*through translator*): The terrorists.

Presiding Officer: The terrorists were hunting you? Why were the terrorists hunting you? Al Qaida? Why?

Detainee (*through translator*): Al Qaida or the Taliban.

Presiding Officer: Why were they hunting you?

Detainee (*through translator*): At the beginning, I was there for help. Not to be one of them or any group. Not because of the Taliban government but because of the poor people of Afghanistan. The procedures of entering the country made me go to the Taliban or the terrorist. That is the reason why they hunted me.

Presiding Officer: Did you ever shoot at an American soldier?

Detainee (*through translator*): I didn't see any Americans at all. They weren't there.

Presiding Officer: Do you have any other statements you would like to make?

Detainee (*through translator*): I want you to look at my behavior for the last four years. I don't have any problems. I don't spit on anybody or throw things. The interrogators took off my shackles before, two years ago, if I wanted to be a threat I could have been. I could have done whatever I want, but they know that I don't pose a threat.

Presiding Officer: How are you treated here at Guantanamo?

Detainee (*through translator*): If I respect the soldiers, they respect me. The interrogators are something else.

Presiding Officer: Why, what happened?

Detainee (*through translator*): All they want is to collect information. They don't care about me. They don't respect me. They do whatever they want to do. I have a hard time through most of the interrogations I went through.

Presiding Officer: How?

Detainee (*through translator*): For example, there was a female interrogator ...

Presiding Officer: Where?

Detainee (*through translator*): On the other block, camp one, yellow. She asked me about the name of the high school that I went to. I refused to answer her and she started like psychologically hurting me. She hit me in the chest more than once. Something like that.

Presiding Officer: She hit you?

Detainee (*through translator*): I know the styles that they use in the interrogations.

Presiding Officer: Did she hurt you?

Detainee (*through translator*): No. I don't care about what happens to me in the interrogations.

Presiding Officer: So, she did not hurt you?

Detainee (*through translator*): No.

Presiding Officer: Okay, is that it?

Detainee (*through translator*): That's why I can handle anything that happens in the interrogation, because this is something that happens through the interrogations.

Presiding Officer: So were there any other incidents other than the female hitting you in the chest that didn't hurt you?

Detainee (*through translator*): There was another one before I came here to detention. I know that the interrogators have the right to do these things because he wants the information.

Presiding Officer: What interrogator?

***The ARB went into a brief recess so that the translator could get some water.***

Detainee (*through translator*): There was not another incident.

Presiding Officer: Do either of the board members have any questions?

Board Member: Have you ever visited Kabul, Afghanistan?

Detainee (*through translator*): Yes.

Board Member: What did you do while in Kabul?

Detainee (*through translator*): I went to fix my ... (*inaudible*).

Board Member: And how long did that take?

Detainee (*through translator*): Three weeks.

Board Member: And after that, where did you go?

Detainee (*through translator*): Jalalabad.

Board Member: Okay. That is all the questions I have.

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

***The Designated Military Officer had the following questions for the Detainee.***

Designated Military Officer (*addressing the Presiding Officer*): Sir, I have a question from the detainee's statement.

Designated Military Officer (*addressing the Detainee*): In your statement, when you were asked who is to blame, I believe you said a couple of people in a mosque helped you to leave Afghanistan? I assume they were the ones that helped you with a contact to get you started once you got into Afghanistan.

Detainee (*through translator*): When I was in the mosque, I asked for advice from the imam, just privately. The imam asked me if I was going to Afghanistan to help the people for a religious concern, because I am going to a country where there is conflict. I am the one who asked him for advice, not the imam.

Designated Military Officer: Did they set you up with a point of contact? A way to get started once you arrived in Afghanistan, a place to go, a person to contact?

Detainee (*through translator*): No. They didn't.

Designated Military Officer: How did you know where to go once you got to Afghanistan?

Detainee (*through translator*): I went and asked the country.

Designated Military Officer: So, just by chance you ran into this man who took your passport and directed you toward a camp?

Detainee (*through translator*): At the border, there were some officials from the Taliban regime and they asked me why I wanted to get inside Afghanistan. I told them that I wanted to give a little help to the poor people for two months and then I would leave. The one who met me at the border took me to the guest house and they would then tell me what to do.

Designated Military Officer: Did you think it was "fishy" that you were asked to go to a camp simply to learn how to pass out food?

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Detainee (*through translator*): I went to the Arab guest house and they told me I was in a conflict area. You can defend yourself so you have to go to learn how to use the weapons to defend yourself. I didn't know that these people were from Usama bin Laden. I thought they were people that worked for the government and this was the procedure. I thought that anybody who went to the border would go through the same thing. He asked me to go for a short period of time to learn how to use the weapons and then leave and go anywhere to help people.

Designated Military Officer: Thank you.

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

*The Presiding Officer opened the classified portion of the session.*

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

AUTHENTICATION

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



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