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Summarized Administrative Review Board Detainee Statement

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

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

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

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

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

Designated Military Officer: 3.a.1. Prior to his arrival in Afghanistan, Detainee admits hearing Sheiks call for Muslims to take up the Jihad in Afghanistan.

Presiding Officer: Designated Military Officer, one moment please. He may have questions as we go through this since he did not provide that much information on the EC-a/b so I'm going to interject at certain points.

Designated Military Officer: Okay sir.

Presiding Officer: If I miss one of the stops just ask him (referring to the Detainee) to stop me. I have four spots where I think he's going to want to comment, if he has a comment ask him to stop me (speaking to the Translator).

Detainee: Should I swear now?

Presiding Officer: Actually, yes I will do that; simply because anything he says then will be sworn to.

The Presiding Officer explained the meaning and purpose of taking the oath to the Detainee.

The Designated Military Officer administered the Muslim oath to the Detainee.

Detainee: If I have something to say about the information can I say it?

Presiding Officer: Yes.

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The Designated Military Officer continued to read the Unclassified Summary of Evidence.

3.a.2 The Detainee stated it was his "duty" to travel to Afghanistan and fight with the Taliban forces who were fighting against the Northern Alliance.

Detainee: When I went to Afghanistan it wasn't in my will to go and fight for the Taliban. I went there to visit my brother. My brother called me from Afghanistan and tried to get to me to come to Afghanistan. He was talking to me about the Taliban but I didn't listen to him. But he came to me with sympathy because he likes me a lot and I like him a lot; my dad had passed away months before that. I missed my brother and I wanted to be with him. He said if I didn't want to come and fight with the Taliban, I could come and stay with him for four months. He said that if I wanted to go and fight with the Taliban, I would do that longer. The main reason was my brother, not the Taliban or the Northern Alliance. The most important thing was my brother. It doesn't make any difference to me who is the Taliban or who is the Northern Alliance.

3.a.3. Upon his arrival in Quetta, Pakistan, the Detainee entered a taxi and asked to be taken to the "Taliban Building," where he spent the night with other Arabs.

The Detainee stated that he wanted to go back and address the first bullet of the summary.

3.a.1. Prior to his arrival in Afghanistan, Detainee admits hearing Sheiks call for Muslims to take up the Jihad in Afghanistan.

Detainee: Me and others would listen to the radio stations for the Sheiks and they were talking about tearing down one of the statues there. I go to the mosque and I listen as others listen but he was talking about going to destroying one of the statues. When I was listening to these speeches, I could have went right away after listening to them but I didn't. My brother tried many times to bring me to Afghanistan. When he said just come over for four months and just sit with me; I agreed to go.

3.a.3. Upon his arrival in Quetta, Pakistan, the Detainee entered a taxi and asked to be taken to the "Taliban Building," where he spent the night with other Arabs.

Detainee: That was the only way for me to do it so I could see my brother.

3.a.4. The Detainee traveled in the summer of 2001 from Saudi Arabia to Pakistan then into Quetta, Afghanistan, where he sought out Taliban members.

Detainee: That's right because I could not get to my brother just through any other way.

3.a.5. While in Quetta, the Detainee told Taliban members that he was on his way to the "front line" in Kabul.

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Detainee: Yes. That is right because my brother was on the front line. He wasn't on the front line, but behind the front line.

Presiding Officer: Did he say secondary?

Detainee: The one behind the front line.

Presiding Officer: Okay.

Detainee: My brother was there and I met him and we went to the North.

3.a.6. Leaving Quetta the Detainee traveled with four other males, including at least one member of the Taliban, to Kabul, where he was then transported to the "secondary line" and met up with his brother. Later they were on the front line, where he was issued a weapon.

Detainee: I didn't get any weapon.

Presiding Officer: I'm sorry?

Detainee: I didn't get any weapon.

3.a.7. The Detainee surrendered in Mazar-E-Sharif and was put in Jenki prison where he was wounded in the prison uprising.

Detainee: Yes. I was in the same position (referring to the way he was sitting). I didn't fight. I was just sitting there, and I got injured.

Presiding Officer: Okay.

3.b.1. The Detainee traveled to Khawajaghar and received weapons training in the use of hand grenades.

Detainee: Yes.

3.b.2. The Detainee made a separate, earlier trip to Afghanistan to train on the use of a Kalashnikov.

Detainee: Right.

3.c.1. The Detainee admitted that one of his brothers had traveled to Afghanistan to fight with the Taliban forces.

Detainee: Yes.

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3.c.2. The Detainee's name and information was found on a list of Arabic names, aliases, and nationalities recovered from safe house raids associated with suspected al Qaida in Karachi, Pakistan.

Detainee: I trained on the Kalashnikov and hand grenades. Is that something I can do, or is that an accusation against me?

Presiding Officer: It's just a statement. Is that a question? That has nothing to do with being in Karachi, Pakistan right? It doesn't seem to have anything to do with what he just commented on.

Detainee: I just remembered something. You are right, it doesn't have anything to do with Karachi, Pakistan. I just went back.

Presiding Officer: We are going to have questions for you at the end and you can explain it at the end.

Detainee: Do you want me to answer number two about my name?

Presiding Officer: If you like.

Detainee: This is the first time I have heard about it. Nobody uses real names. Maybe they found my name but I don't know anything about it. I don't know anything about this subject but if they wanted to know who I am and if my name was on this list, go back to those people who gave you this information and ask them.

3.c.3. The Detainee stayed in safe houses at Kandahar and Kabul, Afghanistan, which were used by the Taliban to process and lodge Arabs traveling in Afghanistan to participate in the jihad.

Detainee: All of the people who traveled had to go to the Taliban. Whatever you want to do you have to go through the Taliban. If they are going for jihad or not; I didn't have another way to go and see my brother.

Presiding Officer: Okay.

3.c.4. In early 2001, Detainee left weapons training at Melek Center in Kabul, Afghanistan, to return to Saudi Arabia for the Hajj. During this travel, he was detained with another Saudi Detainee at a Bahrain airport, questioned about their time in Afghanistan, and released. A tape of Bin Laden calling for jihad was confiscated from the accompanying Saudi Detainee by Bahrain customs agents.

Detainee: Yes, they arrested me in Bahrain and they asked me if I was in Afghanistan and I said yes. About that tape; I don't know anything about it. I heard this from you. The Bahraini people they know about this cassette more than me. I don't know anything about it.

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Presiding Officer: Okay.

3.d.1. Prior to departing for the frontlines, the Detainee was issued one Kalashnikov, three magazines and two hand grenades.

Detainee: Yes.

3.d.2. The Detainee was on the frontlines in Khawajaghar manning a foxhole for five months.

Detainee: My brother convinced me to go there and said that I wasn't going to do anything but sitting, eating, and chatting with others. They didn't let me be a guard. I spent all of my time with my brother on the frontline. There was no fighting.

3.e.1. The Detainee said his brother taught him how to use hand grenades.

Detainee: Yes.

3.e.2. The Detainee admitted that he had a Kalashnikov and some hand grenades when he surrendered at Mazar-e-Sharif.

Detainee: Yes.

4.a. The Detainee stated that, although he heard Imams talking about fatwa for Muslims to take up the jihad in Afghanistan, he went to Afghanistan to be with his brother, not to be part of the Taliban. The Detainee stated that he had an older brother who was already in Afghanistan and the Detainee wanted to go and stay with him for four months, then return to Saudi Arabia.

Detainee: Yes.

4.b. The Detainee stated that although his brother called him a few times from Kabul to try to convince him to go to Afghanistan, he does not have any knowledge of his brother (Abdul Rahman) recruiting for the Taliban in Saudi Arabia.

Detainee: Right.

4.c. The Detainee stated that if he were to be released, he would like to return to Taif, Saudi Arabia where he would attempt to go to college and continue his education. The Detainee explained that prior to traveling to Afghanistan, he was enrolled at a teacher's college for approximately two months. The Detainee stated that he was interested in pursuing a degree in religious studies. He added however, that if released, he would likely change his focus to studying the Arabic language, or perhaps Biology.

Detainee: Yes.

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4.d. The Detainee claims he was never associated with al Qaida and says he understands why the Americans are pursuing Usama Bin Laden and says that the actions of Usama Bin Laden and al Qaida have brought shame to the Islamic community.

Detainee: Yes.

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

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

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

Assisting Military Officer: Sir, in addition to the statements that the Detainee just made regarding the unclassified summary, he would like to address the board with an oral statement at the appropriate time.

Presiding Officer: I'm going to depart from the scenario and... Yusuf, you have already been sworn in so we are going to continue the process but since you are already sworn just as a reminder that what you will say is under oath.

Detainee: Yes.

Presiding Officer: You may begin your statement.

Detainee: I saw it in myself, if I wanted to be a trouble man I would have never surrendered myself. I don't have a problem with anybody and you can ask the Saudi government. I never saw an American military man in my life until they brought me here; in Kandahar. I don't have any problem with you. All that I did was go to visit my brother and that's what happened to me. When we heard that there was a problem with the U.S. I decided to leave. They said the roads were closed going to Pakistan on the borders. If you release me and let me go I will take care of myself and what I hope to do is like any young man wants to do with his life is to continue his studies and be with his brothers and start a family. I don't have a problem with you at all. But if you don't let me go and whatever you want to do with me, I don't worry. Through the fight a lot of people died and a lot of innocent people died. There are innocent people here (inaudible). I don't have a problem with you. I thought when I was going to come over here my life would be miserable and bad but it's not; I'm eating good and sleeping good and they are treating me good. Just like anybody else. I didn't find anything that I can complain about. I made a mistake because I left home to see my brother. If you want to punish me; it's enough because I have been here three years. I lost my school. I am far from my family my sisters and my

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brothers. I lost my dad. I have a lot of problems. That's all that I have and as I mentioned I don't have a problem with you. Ask the government of Saudi Arabia about me, I don't have any problems. I have never been in a police station. This is the first time when they brought me here I recognized what interrogation was; I never seen it before. I lost three years here. Please look at my age and I want to go to my life. That's all that I have to say.

Presiding Officer: Yusif, does that conclude your statement?

Detainee: Yes.

Presiding Officer: Assisting Military Officer, do you have any questions for the Detainee?

Assisting Military Officer: Do you have any questions that you would like to ask the board?

Detainee: To be trained on how to use weapons, is that something that you accuse someone of doing?

Presiding Officer: The question originally was that he had training in grenades and the Kalashnikov and it was just to verify if he acknowledged whether he did or didn't. It's not something that is right or wrong, we just wanted to see what his answer was. Any additional questions for the Detainee?

Assisting Military Officer: No.

Presiding Officer: Designated Military Officer, do you have any questions for the Detainee?

Designated Military Officer: No sir.

Presiding Officer: Do any Administrative Review Board members have any questions for the Detainee?

Administrative Review Board members' questions

- Q. One of the statements you made in front of us was I did not get any weapon. There is a statement in here and I'm going to read it again and it says, "The Detainee admitted that he had a Kalashnikov and some grenades when he surrendered at Mazar-E-Sharif." You answered to that yes. My question is if you did not get any weapons, how did you have a weapon when you surrendered?
- A. I didn't get any weapons when I went to visit my brother on the front line. That is what I meant.
- Q. When did you get weapons?
- A. When I left Kabul with my brother going to the North. That's when they gave me weapons. In Kabul I didn't have any weapons.

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Q. The brother you went to see in Afghanistan, where is he today do you know?
A. He died. He was killed in a castle.

Q. This brother was a member of the Taliban?
A. Yes.

Q. Do you know what he did in the Taliban?
A. While I was with him, he was eating and sleeping with me. He was a guard. He was just a guard.

Q. When you were detained in Saudi Arabia with your friend and your friend had a tape, how long had you been traveling with that friend when you were detained in Saudi Arabia?
A. I met him in Pakistan in the hotel. We left the hotel to the airport so it was a few days. We didn't stay that long in Pakistan.

Q. Do you agree that you received extensive training on how to use the Kalashnikov rifle and on how to use hand grenades?
A. I spent one week in Malik (ph) Training Center for the Kalashnikov and my brother taught how to throw the grenades.

Q. Do you agree that you were issued a Kalashnikov and grenades at some time when you were seeing your brother, you were given a rifle and grenades?
A. I didn't like to go with my brother to the front, but my brother convinced me that there was no fight. He said we just sit there and eat and sleep. If I wanted to go with him, I had to have a weapon with me. It was hard for me to leave my brother living on the front line area different from how I was; I had to go. I came just to see him, so I wanted to be next to him. I asked my brother to stay away from the front line; I said here it is better. He said no don't worry about it. We'll go to the front, nothing is happening and we'll just sleeping, chatting, and eating.

Q. You spent five months in a foxhole with your brother?
A. I didn't spend all of that five months in that foxhole. We would go to a village to shower, eat, and wash. It was about six months and most of it was in the morning.

Q. Can you elaborate on if he didn't spend five months in the foxhole? Can you elaborate about the showers and the village? How much time in the two places, on the frontline or in the village or vise versa?
A. Me, my brother, and the others we never spent all that time in that hole. If we spent one week in that foxhole, we spent two weeks in the village. I cannot say exactly but that's approximately the time.

Presiding Officer: That is fine.

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Administrative Review Board member: (speaking to the translator) Does foxhole translate easily?

Translator: I had to ask one of the officers to explain it to me. (Laughter)

Presiding Officer: Explain why we are laughing (speaking to translator).

Detainee: I don't know why you call it foxhole. (Laughter)

Q. After you graduate from college what do you plan to do?

A. I will keep getting degrees. I will marry and stay with my family.

Q. What do you plan to do for a career after you get out of college?

A. I will keep getting degrees but I will be a teacher. If I can't find a job as a teacher, I will work for the government. If I don't get a degree and can't work as a teacher I will find a job with the government.

Detainee: Can you help me to get married? (Laughter)

Presiding Officer: At least he has a sense of humor.

Q. How many sisters and how many brothers do you still have surviving?

A. I have five brothers and six sisters.

Q. You mentioned you have a lot of problems. Is that in relation to your injury from the prison?

A. Yes, I got injured in Jenki.

Q. You mentioned you were never arrested, I'm assuming other than that time in Saudi Arabia when you were arrested going home... Bahrain.

A. Yes.

Q. When you say you were arrested there, were you taken into custody?

A. They took me on the side, and talked to me in the airport. I don't know where they took the other person. They asked me where I had been, and I said I was training in Afghanistan. It didn't take that long, sir.

Q. And then they let you go?

A. Yes, they let me go.

Q. And you didn't see the other guy again?

A. We were together. They took him on the side and I didn't know what they did with him. But when we left the airport we left together.

Q. So they talked to you separately?

A. Yes.

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Presiding Officer: Thank you.

The Presiding Officer confirmed that all unclassified information had been presented to the Administrative Review Board and closed the open session of the hearing.

The Presiding Officer explained the remainder of the Administrative Review Board process to the Detainee and adjourned the open session.

AUTHENTICATION

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


Colonel, U.S. Marine Corps
Presiding Officer

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