

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.

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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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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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.

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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