


Government personnel in order to protect the personal security of those individuals.¹ I have also redacted internee serial numbers because certain combinations of internee serial numbers with other information become classified under applicable classification guidance.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 21 Dec 04


James R. Cutsfield Jr.
CDR, JAGC, USN

¹ I have also removed a document (located in the original Tribunal Decision Report at pages 11 – 13 of exhibit R-5) written entirely in a foreign language because I do not have a translator to assist in redacting personally identifying information.



Department of Defense
Director, Combatant Status Review Tribunals

OARDEC/Ser: 0518
21 December 2004

From: Director, Combatant Status Review Tribunal

Subj: REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL FOR
DETAINEE ISN # [REDACTED]

Ref: (a) Deputy Secretary of Defense Order of 7 July 2004
(b) Secretary of the Navy Order of 29 July 2004

1. I concur in the decision of the Combatant Status Review Tribunal that Detainee ISN # [REDACTED] meets the criteria for designation as an Enemy Combatant, in accordance with references (a) and (b).
2. This case is now considered final and the detainee will be scheduled for an Administrative Review Board.

A handwritten signature in black ink, appearing to read "J. M. McGARRAH", is positioned above the typed name.

J. M. McGARRAH
RADM, CEC, USN

Distribution:

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4610

20 Dec 04

MEMORANDUM

From: Legal Advisor

To: Director, Combatant Status Review Tribunal

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL
FOR DETAINEE ISN # [REDACTED]Ref: (a) Deputy Secretary of Defense Order of 7 July 2004
(b) Secretary of the Navy Implementation Directive of 29 July 2004Encl: (1) Appointing Order for Tribunal #24 of 26 November 2004
(2) Record of Tribunal Proceedings

1. Legal sufficiency review has been completed on the subject Combatant Status Review Tribunal in accordance with references (a) and (b). After reviewing the record of the Tribunal, I find that:

- a. The detainee was properly notified of the Tribunal process and made a sworn statement at the Tribunal.
- b. The Tribunal was properly convened and constituted by enclosure (1).
- c. The Tribunal substantially complied with all provisions of references (a) and (b).
- d. The detainee did not request the production of any witnesses. He requested that several documents be produced. First, he requested a letter that he had written to President Bush in 2000. Neither the Tribunal, in its Decision Report, nor the detainee, in his Detainee Election Form, supplied amplifying information about the contents of this letter. In his testimony before the Tribunal, the detainee stated that an interrogator in Afghanistan told the detainee that he had read his letter to President Bush and that "9/11 would not have had to happen" if people had paid attention to it. The Tribunal President determined that the letter was not relevant to the Tribunal's decision. Since the President did not elaborate on his decision, it is difficult to know exactly why he did not think the letter was relevant. Significantly, however, the detainee also failed to elaborate on the letter when provided an opportunity to do so at the hearing. The letter is vaguely referred to at other points in the record of proceedings and it appears to relate to the detainee's view of conditions in Afghanistan pre-2001. Given the very narrow mandate of the Tribunal, I do not believe that the Tribunal President abused his discretion in determining that the letter was not relevant. In any event, it is extraordinarily unlikely that the detainee was prejudiced in any way for the Tribunal President's decision. The overwhelming evidence supporting the detainee's classification as an enemy combatant makes it extremely unlikely that *any* letter written by the detainee would have influenced the Tribunal's decision.

Second, the detainee requested a letter that he had written to the U.S. ambassador to Pakistan in 2003. According to the detainee, in the letter he expressed his willingness to

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL
FOR DETAINEE ISN # [REDACTED]

discuss his family's involvement in activities supposedly related to his son's detention in New York. The Tribunal President determined that the letter was not relevant to the issue before the Tribunal. In my opinion, the Tribunal President did not abuse his discretion in reaching this determination.

The detainee also requested a letter from "Bakhtiar Ahmad." Although the Tribunal Decision Report does not mention this request, a letter from Bakhtiar Ahmad was presented as evidence to the Tribunal on the detainee's behalf.

- e. The Tribunal's decision that detainee # [REDACTED] is properly classified as an enemy combatant was unanimous.
 - f. The detainee's Personal Representative was given the opportunity to review the record of proceedings and declined to submit comments to the Tribunal.
2. The proceedings and decision of the Tribunal are legally sufficient and no corrective action is required.
3. I recommend that the decision of the Tribunal be approved and the case be considered final.



JAMES R. CRISFIELD JR.
CDR, JAGC, USN



Department of Defense
Director, Combatant Status Review Tribunals

26 Nov 04

From: Director, Combatant Status Review Tribunals

Subj: APPOINTMENT OF COMBATANT STATUS REVIEW TRIBUNAL #24

Ref: (a) Convening Authority Appointment Letter of 9 July 2004

By the authority given to me in reference (a), a Combatant Status Review Tribunal established by "Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba" dated 29 July 2004 is hereby convened. It shall hear such cases as shall be brought before it without further action of referral or otherwise.

The following commissioned officers shall serve as members of the Tribunal:

MEMBERS:

[REDACTED] Colonel, U.S. Air Force; President

[REDACTED] Lieutenant Colonel, U.S. Air Force;
Member (JAG)

[REDACTED], Lieutenant Commander, U.S. Navy; Member

J. M. McGARRAH
Rear Admiral
Civil Engineer Corps
United States Navy



HEADQUARTERS, OARDEC FORWARD
GUANTANAMO BAY, CUBA
APO AE 09360

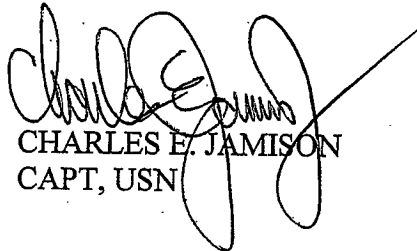
17 December 2004

MEMORANDUM FOR DIRECTOR, CSRT

FROM: OARDEC FORWARD Commander [REDACTED]

1. Pursuant to Enclosure (1), paragraph (I)(5) of the *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba* dated 29 July 2004, I am forwarding the Combatant Status Review Tribunal Decision Report for the above mentioned ISN for review and action.

2. If there are any questions regarding this package, point of contact on this matter is the undersigned at DSN 660-3088.


CHARLES E. JAMISON
CAPT, USN

(U) Combatant Status Review Tribunal Decision Report Cover Sheet

(U) This Document is UNCLASSIFIED Upon Removal of Enclosures (2) and (4).

(U) TRIBUNAL PANEL: #24

(U) ISN#: [REDACTED]

Ref: (a) (U) Convening Order for Tribunal #24 of 26 November 2004 (U)
(b) (U) CSRT Implementation Directive of 29 July 2004 (U)
(c) (U) DEPSECDEF Memo of 7 July 2004 (U)

Encl: (1) (U) Unclassified Summary of Basis for Tribunal Decision (U/FOUO)
(2) (U) Classified Summary of Basis for Tribunal Decision (S/NF)
(3) (U) Summary of Detainee/Witness Testimony (U/FOUO)
(4) (U) Copies of Documentary Evidence Presented (S/NF)
(5) (U) Personal Representative's Record Review (U/FOUO)

1. (U) This Tribunal was convened by references (a) and (b) to make a determination as to whether the detainee meets the criteria to be designated as an enemy combatant as defined in reference (c).
2. (U) On 8 December 2004 the Tribunal determined, by a preponderance of the evidence, that Detainee # [REDACTED] is properly designated as an enemy combatant, as defined in reference (c).
3. (U) In particular, the Tribunal finds that this detainee is affiliated with al Qaida, as more fully discussed in the enclosures.
4. (U) Enclosure (1) provides an unclassified account of the basis for the Tribunal's decision. A detailed account of the evidence considered by the Tribunal and its findings of fact are contained in enclosures (1) and (2).

[REDACTED]

Colonel, USAF

Tribunal President

UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL DECISION

(Enclosure (1) to Combatant Status Review Tribunal Decision Report)

TRIBUNAL PANEL: _____ #24

ISN #: _____

1. Introduction

As the Combatant Status Review Tribunal (CSRT) Decision Report indicates, the Tribunal has determined that this Detainee is properly classified as an enemy combatant because he was affiliated with al Qaida. In reaching its conclusions, the Tribunal considered both classified and unclassified information. The following is an account of the unclassified evidence considered by the Tribunal and other pertinent information. Classified evidence considered by the Tribunal is discussed in Enclosure (2) to the CSRT Decision Report.

2. Synopsis of Proceedings

The unclassified summary of the evidence presented to the Tribunal by the Recorder indicated that the detainee is affiliated with al Qaida. The summary asserts that the detainee met and associated with high-level al Qaida operatives including Usama Bin Laden, held large amounts of al Qaida money, researched investment possibilities for al Qaida money, helped locate homes for al Qaida members, and used his media facilities to translate extremist materials into Urdu. The detainee also proposed the use of nuclear weapons against U.S. troops and suggested a source for such weapons and discussed plans to smuggle explosives and chemicals into the borders of coalition members. The Recorder provided several letters that praised the detainee's character. The detainee provided a written statement and the detainee testified under oath. He testified in English. A translator was present in the event the detainee needed assistance, but the translator was not needed. The detainee initially denied each allegation except that he noted that he had met Usama bin Laden on two occasions. He later testified that he did provide assistance to Pakistanis who might have been al Qaida, but he noted that it was not possible to determine who was al Qaida. He admitted that he received \$500,000 from a Pakistani, but the funds were for use in a media venture. He returned the money when the venture didn't pan out.

3. Evidence Considered by the Tribunal

The Tribunal considered the following evidence in reaching its conclusions:

- a. Exhibits: D-a and D-b, and R-1 through R-14.
- b. Testimony of the following persons: None.
- c. Written Statement of the detainee.
- d. Sworn statement of the detainee.

4. Rulings by the Tribunal on Detainee Requests for Evidence or Witnesses

The Detainee requested no witnesses; therefore no rulings regarding witnesses were required.

The Detainee requested additional documentary evidence be produced, specifically, two letters he had written to U.S. officials. The first was a 2000 letter to President Bush and the second was a 2003 letter he wrote to the United States ambassador to Pakistan. The Tribunal president ruled that these letters were not relevant; however, the president did indicate that he would revisit his ruling if, after seeing all the evidence, he felt the requested information might be relevant. After reviewing all the evidence, the President determined that there was no need to revisit his earlier finding.

5. Discussion of Unclassified Evidence

The Tribunal considered the following unclassified evidence in making its determinations:

a. The recorder offered Exhibits R-1 through R-5 into evidence during the unclassified portion of the proceeding. Exhibit R-1 is the Unclassified Summary of Evidence. While this summary is helpful in that it provides a broad outline of what the Tribunal can expect to see, it is not persuasive in that it provides conclusory statements without supporting unclassified evidence. Exhibits R-2 through R-5 are various witness statements that provide favorable character assessments for the detainee. These exhibits provided no evidence to support R-1, accordingly, the Tribunal had to look to classified exhibits (as well as the detainee's statement) for support of the Unclassified Summary of Evidence.

b. The Tribunal considered an unsworn written statement from the detainee. The unsworn statement is attached as exhibit D-b. The detainee also provided sworn testimony that encompassed all the significant points in the unsworn statement, but in much greater detail. A summarized transcript of the detainee's sworn testimony is attached as CSRT Decision Report Enclosure (3). In sum, the detainee began his testimony with a general review of his ideology and feelings toward the United States. He was not happy with his arrest and the months of isolation. He had sent a letter to the FBI about his son and that letter indicated that he was available to meet. However he was abruptly and roughly arrested when he arrived in Bangkok and felt that he didn't have to be arrested in that manner. He stated that he has never supported Taliban or al Qaida. He is not philosophically aligned with al Qaida or Taliban. He admitted to meeting Usama Bin Laden (UBL) since he was part of a 18 to 20 people Trazim Islami delegation. He provided his business card because he was interested in producing a program comparing Christianity and Islam and he felt that UBL had very nice things to say and was very impressive. UBL provided the card to an individual named Mir who approached him about media projects. The detainee provided more detail on issues that arose in his review of the unclassified summary of evidence. The detainee stated he never associated with high-level al Qaida, never recommended nuclear weapons and never located homes for al Qaida. He stated he did show Mir, a fellow Pakistani, some residential neighborhoods because Mir was interested but unfamiliar with Karachi. He did not hold money for al Qaida. He was the Chairman of a charity. Mir wanted to open a bank account. With the detainee's assistance, Mir put \$15,000-\$20,000 in the account. The detainee admitted he deposited \$500,000 from Mir as part of a

contract to buy rights to a television show. He noted that the amount was not exorbitant because the rights and the show would cost many times more than that. The bank provided him a \$3,000,000 credit line. He denied that he provided translation services. He said he owned a newspaper, Universal News Private Ltd. If a news item were brought to him, it would be translated as news. He noted that he does not discriminate. His business partner in the US is Charles Anteby, a white American Jew. As far as offshore accounts, he may have researched this area in order to avoid the Pakistan 5% flat rate. He recalls seeing an article in Newsweek Magazine about offshore accounts and passing the article along to Mir. The detainee reviewed the various business areas he has interests in and claimed that none were used for Terrorist purposes. Regarding his son, who was also detained, the detainee stated that they met Majid Khan, who had lived in Baltimore, in a Pakistan ice cream parlor. Ammar Baluchi was also there. He and his son had met him through Mir. Majid Khan had an immigration problem and asked the detainee's son to keep his US bank account active which the detainee agreed to do.

The Tribunal also relied on certain classified evidence in reaching its decision. A discussion of the classified evidence is found in Enclosure (2) to the Combatant Status Review Tribunal Decision Report.

6. Consultations with the CSRT Legal Advisor

No issues arose during the course of this hearing that required consultation with the CSRT legal advisor.

7. Conclusions of the Tribunal

Upon careful review of all the evidence presented in this matter, the Tribunal makes the following determinations:

- a. The detainee was mentally and physically capable of participating in the proceeding. No medical or mental health evaluation was deemed necessary.
- b. The detainee understood the Tribunal proceedings. He asked a few questions regarding the law that would apply and the authority of the United States to hold the hearing. The Tribunal president informed the detainee that the President directed the Tribunal and provided the authority for his detention. He was told that he would later be informed of other options that might be available to him, including access to the United States courts. Prior to adjournment, the President informed the detainee of the Administrative Review Board process.
- c. The Detainee is properly classified as an enemy combatant and was affiliated with al Qaida.

8. Dissenting Tribunal Member's Report

None. The Tribunal reached a unanimous decision.

Respectfully submitted,



Tribunal President

Colonel, USAF

Summarized Sworn Detainee Statement

Upon completion of the swearing in of Tribunal Members and Personal Representative, the Tribunal President addressed the Detainee.

Tribunal President: For the record, I understand you comprehend and wish for this Tribunal to be conducted in English. If you have any questions about any statement made in English, please don't hesitate to ask your translator.

Detainee: Thank you, sir. Is it possible to loosen my handcuffs?

Tribunal President: It is standard practice in this situation [to wear handcuffs]. You may be assisted in reading any documents by your Personal Representative, but this is standard practice for all Tribunals.

Detainee: Thank you, sir.

The Tribunal President read the Hearing Instructions to the Detainee, and confirmed that he understood the Tribunal process, and had no questions concerning the process.

The Recorder submitted Exhibits R-1 (Unclassified Summary of Evidence), and Exhibits R-2 through R-5 to the Tribunal. Copies had previously been provided to the Personal Representative.

The Recorder read in full the Unclassified Summary of Evidence to the Tribunal.

The Tribunal President paused the proceedings briefly to permit Tribunal Members to review Exhibits R-2 through R-5.

The Tribunal President addressed the Detainee Election Form (Exhibit D-A). The Tribunal President also addressed a comment made by the Detainee on the Detainee Election Form at this time:

Tribunal President: Reviewing the Detainee Election Form provided earlier, I note the Detainee requested certain documents; specifically, letters he wrote to President Bush in 2000, and a letter he wrote the American ambassador in Pakistan in 2003. Is that correct?

Detainee: Yes, sir.

Tribunal President: It was unclear as to the relevance, and at that time, I considered them irrelevant without further explanation. Do you have any further information concerning the relevance of these letters to your classification as an enemy combatant?

Detainee: Sir, I have been detained here since July 2003. I was picked up while trying to attend a business meeting in Bangkok. From there I was taken to Afghanistan and detained 15 months.

Tribunal President: Excuse me; we are going to have more opportunity in this Tribunal for your statement. Does this pertain to the letters?

Detainee: Yes, sir. I have been interrogated extensively in Afghanistan before a high official; the high official met me in Afghanistan on 15-17 September, and he told me he had seen the letter I wrote to President Bush. If I am allowed to tell a joke, this would only take two seconds: There were three professionals, and [they ask] which one is the oldest? one doctor, one engineer, and one politician. The doctor said he was the oldest [profession], because he founded the birth of Adam and Eve onto Earth; the engineer said he was the first profession, because he found chaos and confusion on Earth and rebuilt it. The politician said he was the oldest profession, because he was the one that started all the chaos and confusion in the first place. When I mentioned the letter to this high official, he said he had seen it, and there was no attention given to it. I said that people's lives would not have to have been lost if they paid attention, and he said and agreed that 9/11 would not have had to happen. I said, 'why did no one pay attention to this letter?' He said the politicians created this chaos and confusion. The high official also conducted a polygraph test on me in Afghanistan, and he cleared me that I told the truth.

Tribunal President: Did this high official identify himself?

Detainee: No, sir. No one so far has identified themselves in my interrogation period. I have probably been interrogated by the MI, FBI, and anti-terrorism [personnel].

Tribunal President: What I'd like to do is take your request under advisement for these documents, so we can receive all the information we have later in this hearing regarding the statement you wish to make. Also it would be valuable for the panel to evaluate all the classified information. As the Tribunal President, I can reconvene to address your initial request if it becomes necessary.

Detainee: I know the ambassador of Pakistan; I lived there in Pakistan since '86, and I wrote to her when my son was detained in New York. I wrote to her a detailed letter asking to discuss my family's involvement in these affairs; I have called many times to the embassy to clarify myself. They haven't done anything from there. I was told by an FBI agent that I was prevented from pursuing this until I talked to them [first]. Sir, I was never hiding, and offered my availability. It was very ugly and very unprofessional how I was picked up.

Tribunal President: I understand; there will be a better place in the hearing to address those kinds of statements. I like to get back to the letter you sent to the U.S. ambassador to Pakistan; what did you feel like that would provide us?

Detainee: I offered myself voluntarily to be present for anybody, anywhere and anytime.

Tribunal President: Again, I believe my previous ruling regarding relevancy still stands; we'll review that consideration again after seeing all the information, and if we find it necessary to obtain those documents, we'll do it at that time.

Detainee: Thank you, sir.

Tribunal President: You may now present any evidence you have to the Tribunal, and you have the assistance of your Personal Representative in doing so. I understand you wish to make a statement to the Tribunal?

Detainee: I have written some, and I'd like to go through that [Unclassified Summary of Evidence] also.

The Tribunal President confirmed the Detainee wished to take the Muslim oath; the Detainee was then administered the oath by the Recorder. Upon completion of the oath, the Tribunal President informed the Detainee that he could make a statement, but encouraged him to first address the Unclassified Summary with the assistance of his Personal Representative.

3.a. The Detainee supported the Taliban and al Qaida against the United States and its coalition partners.

Detainee: I have never been supportive of the Taliban or al Qaida or its partners.

3.a-1. The Detainee was involved in an al Qaida plan to smuggle explosives into the United States.

Detainee: I have never been involved in an al Qaida plan to smuggle explosives into the United States.

3.a-2. The Detainee "held for safekeeping" large amounts of al Qaida money given to him by known al Qaida operatives.

Detainee: I have already given the FBI details of my businesses in Pakistan, and they have not found anything. I never held money for safekeeping for any al Qaida operative.

3.a-3. The Detainee, at the request of an al Qaida operative, researched offshore companies for investment possibilities.

Detainee: I never gave any research for any company for investment possibilities.

3.a-4. The Detainee associated with known high-level al Qaida operatives.

Detainee: I have never associated with any high-level al Qaida operatives.

3.a-5. The Detainee recommended to an al Qaida operative that nuclear weapons should be used against U.S. troops and suggested where these weapons might be obtained.

Detainee: I never recommended this to al Qaida, or where the nuclear weapons would be available; I don't know, sir, where these are available.

3.a-6. The Detainee assisted al Qaida in locating houses for al Qaida members and their families to rent.

Detainee: I have never assisted an al Qaida member or family to find a place to rent; however, I did assist some people who said they were Pakistanis. I showed one Pakistani the area I lived. And I showed another Pakistani how to find a place from the classifieds in the newspaper.

3.a-7. The Detainee offered to al Qaida his media facilities for Urdu translation of extremist materials, including statements from Usama Bin Laden.

Detainee: I never offered al Qaida media facilities or translation; I do have a news agency I own. The work is to provide news to newspapers and magazines, and it is called Universal News Private Limited; I gave this information to my interrogators.

3.a-8. Al Qaida invested money in a company owned by the Detainee.

Detainee: Al Qaida never invested money in the company owned by myself.

3.a-9. The Detainee had a discussion with a high level al Qaida facilitator about getting chemicals and explosives into a coalition partner's national boundaries.

Detainee: I have never discussed this with any al Qaida facilitator.

3.a-10. The Detainee met with Usama Bin Laden.

Detainee: I did meet with Usama Bin Laden in 1999 and 2000, two times.

3.a-11. The Detainee met with two high level al Qaida officials and knew they were "wanted men."

Detainee: I never met two high-level al Qaida officials that were wanted men, sir.

Tribunal President: Any other statements you'd like to make?

Detainee: Yes, sir. The nation of Pakistan is over 140 million people; we are the most victimized of the Cold War between Russia and the U.S. During the late 70's, Russia invaded Afghanistan and Pakistan defended at that time along with France. President Carter did not pay much attention to that. When President Reagan was elected in 1980, Vice President Bush, a former CIA director, realized the importance of this invasion and the defense of Muslims. So, the U.S. propagated jihad, called freedom fighting; freedom fighters, young rebellious radical Muslims were brought in to fight the Russians. It took almost 10 years to win that war. Finally, Russia left. Those freedom fighters were left there, and are still there in thousands. Pakistan and Afghanistan share an unregulated, uncontrolled border. Many fled to Pakistan as refugees, and they are still there and have been there for 20 years. They have no family, parents, or brothers and sisters. They have not been accepted back to their home countries; terrorism has been harbored in Pakistan because of that situation. Pakistan has become a center of terrorism. They

have become Pakistanis; they act like Pakistanis, eat the same food, look like Pakistanis, so no one can tell them apart. Anybody raised in Pakistan could come from anywhere, and nobody knows who's who. When Hali Shir Abbar was arrested, that was the first time they had anything to do with Usama Bin Laden; I knew they were handpicking the media area, and that is why I met with him. When I met Usama, he delivered the Koran, and said he was a prophet. He said very nice things, very impressive. I asked him to speak about the terrorism program for an English program. We intended to make an unclassified program for my television station, and I claim that if people watched my station, that they will know the difference between Christianity and Islam. During the course of the Cold War, Pakistan and Afghanistan have suffered the most. Afghanistan is poor people, and Pakistan is on the verge of bankruptcy. The only country with power is the United States. I swore to send up letters to President Bush about the situation there, but nobody paid attention. What I feel, sir, is the Lord Almighty plans slowly for the nations. Pakistan, U.S. and Russia, God forbid if they ever have direct conflict. They both have enough weapons of mass destruction to destroy the world 50 times. So the Lord planned for the Cold War to be ended with the least casualties. Yesterday, some were your soldiers, and today, they are being labeled as your enemy. Please, according to the Bible and Koran, if wisdom were applied, the situation would be different. I am a student of the Koran and of history. I have offered my services to interrogators. I can help to control terrorism and I need no reward for that. By the law of the Lord Almighty, I have written many papers on Afghanistan and terrorism and given them to the interrogators and they were pleased to receive them. They discussed with me for hours and days about how to control terrorism. I am just giving you a brief background. This could be handled more effectively; we could stop terrorism, and terrorism would die itself. That's all, sir.

Tribunal President: Thank you. I understand that concludes your statement.

The Personal Representative then submitted Exhibit D-B, a hand-written 7- page document from the Detainee to the Tribunal. The Tribunal then paused briefly to review the document.

Tribunal Member Questions to Detainee

Q: In your written statement, you did show some Pakistanis a residential area; do you know who that was was?

A: He identified himself as Mir, and I have a copy of his identification card in my office in Pakistan.

Q: Do you often show your area? Are you a real estate agent?

A: He wanted me to show him the area I live, so I took him around. He said he doesn't live Karachi, but from far away from other cities in the interior of Pakistan.

Q: How did you come to meet him to begin with?

A: Sir, I mentioned I met Usama Bin Laden; I discussed making a program on the Koran, to be showed on various channels. I produce programs, and we have a studio in Pakistan. We have the most modern equipment in Pakistan. I lived in New York, and I had my program there for the Pakistani community. I went to Pakistan in 1986. I lived in New York from '71-'86; I studied in New York at the Institute of Technology. I knew the people there, and I

had a house there. I knew the Christian community, as I should know the Koran as a Pakistani Muslim. I studied the Koran in Pakistan. So with some senior producers, we had a plan to make a program for introduction in North America and Europe. We wanted programs for the entire area, for what the Koran says about Jesus and about Christianity. There are many similarities between the Koran and the Bible, and we wanted to produce those types of programs; ones that describe what the Koran says about Abraham, Mary, Moses and Jesus.

Q: Did the person you showed the area to get involved with that production?

A: Went I met Usama after six months, I had already given him my card of my seven various businesses, and that is how he...

Q: So he [Mir] got your name and address through a card you gave Usama?

A: Yes, and he had a lot of knowledge of media, cameras, production and editing, so that is how I came in contact with him.

Q: One of the questions was that you invested money for al Qaida; my question is do you do charity work too? Do you take large investments or donations from people for your productions?

A: Sir, my organization is a conservative organization formed many years ago; we don't receive or give any money. Being or having lived in the West, I know the system to organize things; I wanted to organize education, health and justice, to work them more effectively. I wanted to tell people how to put these on track and be more effective. In order to tell people these things are workable, and we were about 30 people; each of them are businessmen and have their own resources. We don't ask people to contribute to this charity work; we ask them for their experience in charity work. We have the soundest schools in poor areas, and we help give them a good secular education. Pakistan and Afghanistan are known for Islamic schools called Madrasas. We are emphasizing secular education, because you need a formal education to get a livelihood. You need this education. I also helped the largest hospital in Karachi, 300 beds, that was in bad shape. They had no good working toilets and I helped with my own personal sources.

Q: So everything was funded through business associates? It's not like someone came off the street and donated money; your business associates had money and you [also] contributed yourself?

A: Exactly, sir. I would say that one time, Mir, had met on and off on media, and he requested to open an account at a bank I do banking. He opened an account and put maybe \$15,000 to \$20,000 in there. So I said it would be wise to make an investment with that, and get some return on it. One of the programs or shows that is popular in Pakistan TV, he was negotiating to make me a part of. I have had experience in the States, and I needed seeding money, and he invested \$500,000 in that business. It did not go through [with] the proposal, so I returned the money; I kept it for six months.

Q: So did you provide translation [services] for Usama Bin Laden?

A: No sir, no translation. There was a news item brought to us by news agencies needing translation for newspapers and magazines. That's what I did, sir.

Q: Who paid for this item to be translated?

A: That was given by Mustafi Bahr, which is Ahmand (inaudible) today.

Q: When did you meet with Usama?

A: First in 1999, and then 2000.

Q: The list of allegations, you addressed. But some of your responses were addressed in a cursory fashion, some specifically. For example, you stated you were never involved with any al Qaida plan to bring explosives to the U.S.?

A: Yes.

Q: Did you know of *any* plan to bring explosives to the U.S.?

A: No.

Q: So it didn't matter if it was al Qaida or anybody else?

A: No, sir. The allegation was specific, so I gave a specific answer, and in general, I don't know.

Q: For example on these other allegations; on # 3 you stated you never researched *any* offshore companies for investments at the request of an al Qaida operative?

A: No, sir. I have a friend, a white American Jew in New York, who has been my partner for 10 years. There was a problem in Pakistan of taxation; any funds were susceptible to a 5% tax, whether or not you made or lost money. We discussed an offshore account for our commissions. I told the area manager that since I get Newsweek, and I saw an advertisement about offshore banking, and I asked for more information. It happened to be that I gave a copy of this advertisement to Mir.

Q: Regarding # 5, did you ever recommend to al Qaida to use nuclear weapons against U.S. troops?

A: Never, sir.

Q: Did you ever recommend this to anyone?

A: No, sir. I told interrogator about this. Is a nuclear weapon something I could buy off the shelf? Can you buy it from Tony Blair? Is that something to say to anybody?

Q: Your background is computers and productions....

A: I was born in Pakistan; when I was two my father died, and when I was ten, my mother died. We were living in a very small village with no facilities; I went to school in Pakistan, but primarily in Afghanistan. I went to Karachi for high school. I studied physics in Karachi in college and graduated with honors. I then got admission at the New York Institute of Technology in New York City and was funded by one organization in Pakistan, a youth organization. I studied as a computer systems analyst. I worked in the U.S. for a few years, and pursued business opportunities there. I had offices in Washington, Chicago, San Francisco and New York. Most were travel agencies.

Q: Do you have any business that deals with weapons?

A: No, sir. Never. I have never seen any weapons, even now.

Q: No company you owned dealt with chemicals?

A: No, sir. I believe in the Koran -- that killing one innocent person, is equal to killing all humanity. I believe on that, and practice that.

Q: I'd like to clarify that when you showed the neighborhood to the Pakistani visitor, I understand you were living in Pakistan at the time?

A: Yes, sir.

Q: And that year was 2000?

A: I don't remember if it was 2000 or 2001.

Q: Was it before 9/11?

A: I think so, sir.

Q: Another panel member was talking about your business interests; a number of your businesses had financial problems, and I'd like for you to describe each one of them for me briefly since there are so many. The first is Marason (ph) Business of Karachi?

A: That is a publicly traded company, and I own 96% of the shares. They manufacture bags, sugar, cement, fertilizer; that industry is in Bahrain city that I established more than 10 years ago. The governor of Pakistan offered a good incentive to put the business there, about one million dollars came from the European Union and the U.S. to establish it there to stop the poppy industry there. The government put the money somewhere else, but I invested a million dollars in that myself. It was in a remote area, and was not profitable.

Q: Has it been closed; is it a failed business?

A: Yes, but I wrote the American embassy that this could provide employment there to reduce the poppy business; it can never be eliminated, but it could be controlled. I have been trying to do this and I know a lot of government officials.

Q: There are a lot of social and economic possibilities. However, I'd like to explore from the list I have here. Tell me about International Merchandise.

A: International Merchandise is a business where I am an equal partner with my friend in New York. We facilitate for Wal-Mart, K Mart; companies like that. We do not do shipping. We are a buying agent for garments and other merchandise from Pakistan. The shipment is from the factory straight to New York.

Q: There is an international shipping component to that business?

A: No, we are a buying agent only. We get a commission in the States, in which I get half from my partner.

Q: We already heard about Universal Broadcasting, and I appreciate hearing about that. The last business is listed here as S & S Associates out of Karachi. It says here it is a construction venture; could you tell us a little bit more about that?

A: This a group of people in Pakistan that had a large 300 room apartment building, but it turned into a slum. The residents weren't interested in buying it. The mayor of Karachi is a very close friend. One day he visited me and we went to that area. I negotiated with the people to get 80% of the shares, and I helped with the financing, because financing was a problem for them. I reached a silent agreement with them, and they would get occupants, recover the money and reinvest it. It took a while, but they offered me 70 apartments with a million dollar investment on my part and recovery for the investment. They had 70 apartments. One investor made 240 Euros on that, and I helped him reinvest it. Because my son had been to the U.S., we advertised it heavily in the Pakistani community in the U.S., and we had a good response, and there were about 45 potential buyers negotiating for them in New York.

Q: Is that a complete summary of your business activities that we just listed as of your detention here?

A: That's all, sir.

Q: Universal Broadcast Limited and the news offered translating services. Are there broadcasts in Pakistani text broadcasts or are broadcasts in English? Are there translations or dual language involvements?

A: No, sir. Our national language is Urdu, and our official language is English. In our country, the educated people know English, but the language is Urdu.

Q: Did those two companies have any dual language or translation purposes?

A: No, sir. Never.

Q: Do you not consider Usama Bin Laden to be al Qaida?

A: I never saw any definition of al Qaida. The first time I heard this was from President Bush who said al Qaida. I went to Afghanistan not to meet Usama, but people took me to help Afghan people with education. I was the one who convinced the Taliban government to have a school; I said we would put up the money and give you credit for that. Someone else scheduled to meet Usama took me along with him. I don't have any contact; I was made to meet him, and that's it.

Q: What were the circumstances of the second meeting [with Usama Bin Laden]?

A: I was a member of one organization of Tazim Islami. The chief of this organization was officially scheduled to meet [Usama Bin Laden] by the ambassador of Pakistan and the ambassador of Afghanistan. We were about 18-20 people in that delegation. We were with them, but I never talked to him personally.

Q: You made a statement; and you asked some questions about what law applies; you asked about what law applies, and whether U.S. law binds us.

The Tribunal President then made a statement to the Detainee regarding questions he had posed to the Tribunal.

Tribunal President: Let me clarify that; you do understand this is an administrative hearing, and this is not a legal proceeding. I do know you had some questions about the legality of your

detention. That would be referred to other organizations of the government, but you will be receiving more specific instructions shortly of how to bring your question to U.S. courts.

Detainee: Your honor, I have been here over 17 months; would that be before I expire?

Tribunal President: I would certainly hope so, especially since you are under the care of the U.S. government while you are here. As far as some of the other statements you made about jurisdiction, this is a U.S. government executive decision in regards to the detention of enemy combatants; this is an administrative hearing being conducted to review, on an independent basis, the government's information and statements you provide us, to consider or reconsider whether you are an enemy combatant. I believe you've previously been read our definition of an enemy combatant.

Detainee: Your honor, my question is that is your Executive Order applicable around the earth?

Tribunal President: It is a global war on terrorism.

Detainee: I know sir, but you are not the master of the earth, sir.

Tribunal President: No, but we are in coalition with allied partners to fight this new war; enemy combatant status is a definition provided, and we are charged with reviewing your particular case to see if it meets that definition. Regarding national legal issues, that is a matter for U.S. courts, and you will be provided that information shortly to bring your case to them.

Detainee: Thank you, sir.

The Tribunal Members then resumed Questions of the Detainee

Q: The reason why this has global ramifications, is that you could be in Thailand, for example, holding \$20 million for the purchase of weapons, and this could be more damaging than if you were just one person holding a rifle. The one area I wanted to ask you about a little bit more, is about the \$500 K you were holding for Mir; you said you had a business plan but it didn't work; do you have proof of this business plan?

A: I gave all the details to the interrogators. I have given the details, of the plan and the bank. I haven't been given the ability to give evidence of any sort, because I am here in isolation.

Q: As far as the television rights, did you have a programming plan?

A: Sir, there is a gentleman named Jabbar who has the rights, and he wanted to sell me the rights, but the plan fell through, so I could not be a partner.

Tribunal Member: I'm going to ask the Tribunal President to explain what we've seen, because we don't see what the interrogators have seen.

Tribunal President: We may receive other classified information later, which is not made available to you. It may include notes from previous interrogations. If you feel there is something important from those interrogations for us to look in to, we may obtain that

information. That's part of the reason we provided you the opportunity to present statements and request evidence. If you direct us to find something such as details of a business, we can seek out the information. We don't have the jurisdiction to obtain public information, such as your private papers, unless it was gathered by other sources or in government custody, then I might be able to receive it. For example, you provided letters to senior government officials in the past. Those documents, if received, would be in government custody and I could obtain them if necessary.

Detainee: The FBI agent here. She has it. You could have it in a couple minutes.

Tribunal President: I may see it later, and I reserve the opportunity to review my ruling at a later time, if I find it is necessary to determine your case regarding your classification.

The Tribunal Member then resumed asking questions of the Detainee.

Q: If I could just pursue one line I was going to ask [earlier]. Is \$500,000 a lot for a TV show?

A: No, sir. The bank was willing to give me a credit line of \$3 million, and I gave the name of the bank to the interrogators. It was a prime bank in Karachi, Pakistan, but I was primarily dealing with Jabbar, and he has an office in New Jersey.

Q: Why was your son detained?

A: Yes, sir. When I was in Pakistan, a man known as Ahmar met me in the area of Karachi I live. He introduced us both, my son and I, to a man that used to live in Baltimore named Majid Khan. We were sitting and eating at a table, and he mentioned he had an immigration problem, and he wanted to keep his bank account active. My son was working on the website for the apartments in the U.S., and he asked my son to help, and I said of course he can help while he was there [in the U.S.]. Those documents were recovered by my son, and they say he is a terrorist, I don't know.

Q: Majid Khan said he had an immigration problem and he wanted to keep his bank account active in the U.S.?

A: Yes, sir. He wanted to keep his bank account active because he couldn't get back to the U.S. because of an immigration problem. There's a procedure, and once your visa number is approved, it goes to Islamabad. There is a procedure.

Q: What do you know about Ahmar and Majid Khan? How would you know them, and why would you provide this business or financial support?

A: I met them through Mir; Ahmar was his associate, but he introduced himself as being from another province of Pakistan. I have his identification also; they all dress and act like Pakistanis, so he introduced himself as a Pakistani.

Q: Do you have a full definition of al Qaida? What it is?

A: I don't sir.

Q: Would you be surprised to hear Usama Bin Laden founded al Qaida, and al Qaida includes people from all over the world? People from America, Afghanistan, Pakistan, Philippines, and people from wherever?

A: Sir, how could anybody know who al Qaida is?

Tribunal President Response: Good question. That's a very good question.

The Tribunal President then confirmed the Detainee had no additional information for the Tribunal, and thanked the Detainee for his testimony and participation. The Tribunal President then explained the remainder of the Tribunal process, 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, USAF

Tribunal President

DETAINEE ELECTION FORM

Date: 02 Dec 04

Start Time: 9:15

End Time: 9:50

ISN#: [REDACTED]

Personal Representative: [REDACTED] MAJ., USAF

Translator Required? YES Language? URDU/ENGLISH

CSRT Procedure Read to Detainee or Written Copy Read by Detainee? YES

Detainee Election:

- Wants to Participate in Tribunal**
- Affirmatively Declines to Participate in Tribunal**
- Uncooperative or Unresponsive**

Personal Representative Comments:

Detainee will speak to each piece of evidence.
 Detainee has indicated he will take the oath.
 Detainee did not request any witnesses.
 Detainee did request documentary evidence- Letter from friend Bakhtiar Ahmad
 Detainee has multiple letters from family and associates.

Update 7 December 2004: Requesting to get a letter that he wrote to President Bush in 2000 and the letter that he wrote to the US Ambassador in Pakistan 2003. Detainee would like to have these letters but would not want this to delay is Tribunal.

Update 8 December 2004: Some letters have been located but not the letter to the President or the letter to US Ambassador to Pakistan.

Personal Representative: [REDACTED]

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Combatant Status Review Board

TO: Personal Representative

FROM: OIC, CSRT (12 November 2004)

Subject: Summary of Evidence for Combatant Status Review Tribunal – PARACHA, Saifullah

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicates that the detainee supported the Taliban and al Qaida against the United States and its coalition partners.
 - a. The detainee supported the Taliban and al Qaida against the United States and its coalition partners:
 1. The detainee was involved in an al Qaida plan to smuggle explosives into the United States.
 2. The detainee "held for safekeeping" large amounts of al Qaida money given to him by known al Qaida operatives.
 3. The detainee, at the request of an al Qaida operative, researched offshore companies for investment possibilities.
 4. The detainee associated with known high-level al Qaida operatives.
 5. The detainee recommended to an al Qaida operative that nuclear weapons should be used against U.S. troops and suggested where these weapons might be obtained.
 6. The detainee assisted al Qaida in locating houses for al Qaida members and their families to rent.
 7. The detainee offered to al Qaida his media facilities for Urdu translation of extremist materials, including statements from Usama Bin Ladin.
 8. Al Qaida invested money in a company owned by the detainee.
 9. The detainee had a discussion with a high-level al Qaida facilitator about getting chemicals and explosives into a coalition partner's national boundaries.

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10. The detainee met with Usama Bin Ladin.

11. The detainee met with two high-level al Qaida officials and knew they were "wanted men."

4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

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U.S. Tax Court

November 3, 2004

RADM James M. McGarrah
Office of Administrative Review of Enemy Combatants
2000 Navy Pentagon
Room 4D545
Washington, D.C. 20350-2000

Re: SAIFULLAH PARACHA


Dear Admiral McGarrah:

Enclosed please find a statement received here by email from Mr. Syed Abul Mahasin, of Karachi, Pakistan, a business associate of Saifullah Paracha. Please submit this statement and this cover letter to the Combatant Status Review Tribunal when it considers Mr. Paracha's case.

Whatever indiscrete associations Mr. Paracha may have contacted in the course of his wide-ranging business and charity activities in Pakistan and Afghanistan, one thing is clear: Holding a moderate and sympathetic public figure like Mr. Paracha does a lot of harm to the American cause on the ground, where it matters, among our allies and supporters in Karachi and throughout Pakistan.

I expect to receive further statements showing that Mr. Paracha is by no means either an enemy nor a combatant.

Yours respectfully,



Gaillard T. Hunt

November 03, 2004 ,

RE: MR. SAIFULLAH A. PARACHA

Dear Mr. G. T. HUNT

I know Mr. Saifullah A. Paracha, personally for the last 11 years and that include his wife and children. As a family friend I frequently visit his home.

Mr. Paracha is a versatile personality. He is an honest and true Muslim. He never keeps company with Alcohol and other trivialities. Lots of people lined his office every day, including people related to business and social welfare institutions. People used to take advantage of his philonthropy some used to get loans from him and never repaid.

He was involved in several businesses, most of which have been losing concerns, Abson Industries Ltd., Karachi (A Public Limited Company incorporated in Pakistan) was forced to close due to losses. International Merchandise (Pvt.) Ltd. Karachi (a Private Limited Company incorporated in Pakistan) had to cease its business since his disappearance. Universal Broadcasting (Pvt.) Ltd. (A Private Limited Company incorporated in Pakistan) which was producing programmes of Religious and Entertainment was also wound up. S.S. Associates (Pvt.) Ltd., Karachi (A Private Limited Company incorporated in Pakistan) a construction venture has resumed in October, 2004, after an absence of several months.

His financial status is such that there is hardly any cash balance in his account. His own house is under mortgage. Still he would help his friends, even by taking loans. His alleged involvement in terrorist activities is baseless and without foundation. He is under custody of U.S. Army and F.B.I. for the last 17 months, but could not prove anything so far. Otherwise, he should be presented in the Court of law for his crimes (if any), but the Agencies bitterly failed to prove. His letter from Bagram, Kabul, Afghanistan delivered to his wife after lapse of 45 days to 60 days after censor through the courtesy I.C.R.C., Islamabad (Now he is in

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Guantanamo, Cuba), since September, 2004. Being a Muslim, his sympathy with Afghanistan and Iraq does not mean that he is involved in terrorism or supports terrorism. He has never ever seen a live cartridge in his life. For the last 11 years. I have never seen a Security Guard with a Gun posted at his residence (In Defence Housing Authority , every resident has his own Security Guard). In such circumstances, it is absolutely baseless and false to implicate Mr. Saifullah A. Paracha a pious and generous man to be labelled and charged with as a "TERRORIST".

I am narrating below some of the Business and Social Activities of Mr. Saifullah A. Paracha.

1. Mr. Saifullah A. Paracha has been a model Pakistani citizen. I have set out a short description of his activities to illustrate by way of background the nature and conduct of Mr. Saifullah A. Paracha. He has been founder of several successful business interests operating in Karachi & N.W.F.P. These have included business in both propylene bags, Textile Garments, Religious & Entertainment programmes of T.V. and construction of residential apartments.
2. Mr. Saifullah A. Paracha has devoted enormous time, effort and resources in his tireless efforts to further charitable causes. By way of example, Mr. Paracha established, the General Hospital and Maternity Home in Mangowal, Distt. Sargodha. This was a substantial project with the help of Paracha clan which cost in excess of Rs.14 million. The hospital provides medical facilities to the poor and needy people in the deprived and undeveloped village of Mangowal, his birth place.
3. Mr. Paracha also assisted "The Citizen Foundation" (TCF) in establishing an educational institution, opposite the hospital in Mangowal, Distt. Sargodha.

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4. Mr. Paracha's charitable activities have extended to other projects including assisting with the construction of EYE HOSPITAL for the poor by the Layton Rahmatullah Benevolent Trust (L.R.B.T.) in Shahpur, Distt. Sargodha.
5. Mr. Paracha was responsible for the renovation of the GYNAECOLOGICAL Wards in the Civil Hospital, Karachi through Council of Welfare Organisation. This particular project was acknowledged by the Secretary of Health, Govt. of Sindh.
6. Mr. Paracha has covered extensive projects for relief of poverty. These have included feeding some 5000 families struck by famine in Thar and Kohistan. Projects have also comprised building wells and installing hand pumps to benefit 4000 families through PASBAN. Mr. Paracha has also been devoted to assisting with the eradication of the spread of scabbies amongst inmates held at the Central Jail in Karachi and provided ceiling fans for installation in the cells.
7. Mr. Paracha visited Afghanistan from May 12 to 14, 2000 and February 16 to 19, 2001 well before the tragedy, which occurred in America on September 11, 2001.
8. These visits to Afghanistan were in pursuance of efforts to rebuild the economy and assist with developing educational institutions, particularly for the female community. In fact Mr. Paracha led a delegation of 65 Industrialists, Traders, Retired Army Personnel, Social Workers and other individuals from diverse background in order to further these goals. After this trip in February, 2001, the Ummat newspaper carried articles in instalments covering the visit. Even after September 11, 2001, Mr. Paracha efforts to help stimulate Industrial growth in Afghanistan continued with the new Government of Mr. Hamid Karzai.

You may draw your own conclusion about Mr. Paracha's character.

Best Regards – MAHASIN

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U.S. Tax Court

November 11, 2004

RADM James M. McGarrath
Office of Administrative Review of Enemy Combatants
2000 Navy Pentagon
Room 4D545
Washington, D.C. 20350-2000

Re: SAIFULLAH PARACHA

Dear Admiral McGarrath:

Enclosed please find a statement received here by fax from Mr. Baktiar Ahmad of Pakistan TV Corporation Ltd., expressing disbelief that Mr. Paracha could have been "associated with any hostility or crime." Please submit this statement and this cover letter to the Combatant Status Review Tribunal when it considers Mr. Paracha's case.

If there is a more direct way to submit statements to the tribunals please let me know.

The tribunal is required to determine only whether a detainee is an "enemy *combatant*". (My emphasis.) The definition of enemy combatant in the controlling orders excludes any metaphorical or extended use of the phrase:

An "enemy combatant" for purposes of this order shall mean an individual who was part of or supporting Taliban or al Qaida *forces*, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who has committed a belligerent act or has directly supported hostilities in aid of enemy *armed forces*.

(Again, my emphasis.) This definition is found both in the July 7, 2004, order of the Deputy Secretary of Defense and in Enclosure 1 to the July 29, 2004, memorandum of the Secretary of the Navy, the documents setting up the tribunals and defining their duties. The limitation to enemy armed forces conforms with the law of war and general principles of international law.

Since Mr. Paracha is a civilian far beyond military age, is a citizen of a country allied with the United States in the struggle with terrorism, and came under American control while peacefully traveling in civil aviation hundreds of miles from any war zone, he is not an enemy combatant. Any derogatory information American intelligence may have on him, if indeed there is any, will have to be dealt with in some way other than holding him under the metaphorical or fictitious label of enemy combatant.

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Confident that the tribunal will carry out its orders with the objectivity and fairness my own experience with courts martial and military boards leads me to expect from American military officers, we anticipate Mr. Paracha's designation as not an enemy combatant, and look forward to his return to Pakistan, where he has been a voice for moderation and reason.

Yours respectfully,

Gaillard T. Hunt

Gaillard T. Hunt

Mr. Saifullah Paracha

As I know him.

I came to know Mr. Saifullah Paracha when I started directing plays for his TV production company, Universal Broadcasting. Initially I had not met him personally, as his Production Executive, Mr. Aftab, hired me and I would deal with him only. It was the year 2000. I lived in Lahore and would come to Karachi according to the shooting schedules. Then there was a big gap as the production work was suspended.

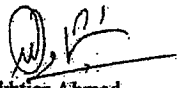
In 2001 I was once again asked to direct some plays for the Universal Broadcasting, which was now headed by Mr. Amin Sadiq, writer of the plays I directed previously. It was now that I had the chance to meet Mr. Paracha occasionally.

I found that he was a thorough gentleman. We would exchange greetings during the noon prayers whenever I was in the offices of Universal Broadcasting. Some times he would lead the prayers in the absence of the regular leader Mr. Hingora. One has to be a Muslim of high order to be able to lead prayers.

He was considerate and would look after the genuine worker. He had the ambition of preaching Islam through scholars of International repute. We had planned to do such programmes on the basis of non-comparison with other religions. The first of the series was to be on The Christ, Hazrat Besa Alaihissalam. The life and teachings of the Christ, PBUH, were to be presented as stated in The Holy Quraan and the sayings of our Prophet Muhammed PBUH. The next personality was to be of Hazrat Maryam RĀTU, then Moses, PBUH, and so on. We were very excited on the idea that we would be doing a service to the peace loving community and would perhaps help minimize the hostilities wide spread in the world due to religious antagonism. But alas it was not to be! I learnt that Mr. Pracha had left the country to attend a business meeting and is missing since then.

I have narrated the above in detail to draw a pen picture of Mr. Pracha the kind of a person he was. It is quite astonishing to learn that he is being associated with any hostility or crime. I found him a man of character, a learned person, doing good business, a man of word having respectable habits.

I wish him and his family all the best. May he return soon and be with his family.


Bakhtiar Ahmad
Controller Special Productions (RTD)
Pakistan TV Corporation Ltd.
Karachi.

Dated: November 11, 2004.

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November 12, 2004

RADM James M. McGarrah
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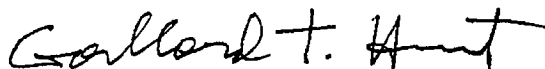
Re: SAIFULLAH PARACHA

Dear Admiral McGarrah:

Enclosed is the original of an affidavit sworn to in New York, by which Saifullah Paracha's nephew demonstrates the innocence of Saifullah Paracha's contacts in Afghanistan, and a printout of an email from an activist in Pakistan, Khalid Khawaja, to the same effect.

Please pass these papers, and this cover letter, along to the CSRT considering Mr. Paracha's status, which I'm sure will give them considerable weight.

Yours respectfully,



Gaillard T. Hunt


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STATE OF NEW YORK

COUNTY OF *New York*

 being duly sworn, deposes and says:

1. I live at  I have lived in New York since the age of 3. I graduated from NYU Stern School of Business, and currently serve as President of Software Company in the Empire State Building. I am competent to make this affidavit. I make this affidavit to assist the Combatant Status Review Tribunal in ascertaining that my uncle, SAIFULLAH PARACHA, is not and has never been an enemy combatant.
2. My Company based in New York also has an office in Karachi, Pakistan. My business requires that I go to Pakistan about three or four times a year. The main Pakistan office of my company, Verticity Pvt Ltd., is at Anum Estate Shah-re Faisal, Karachi Pakistan. SAIFULLAH PARACHA's office is also in that building. I do not recall that I ever visited Pakistan without seeing and talking to Saifullah Paracha.
3. When I visited Pakistan I generally stayed with my relatives, and talked with numerous friends and associates in Karachi. I therefore am well-informed about Saifullah's reputation in the community where he lived and worked.
4. SAIFULLAH PARACHA has a well-established reputation for peaceable ness. The people I have talked to simply do not believe that he is involved with terrorism or has supported terrorism.
5. On September 11th, 2001, I was right in front of the WTC when the first building collapsed. I was literally inches from losing my life. As debris was falling down and hitting people, most people began to panic and start stampeding, thus many people lost their lives due to that. With my own eyes I saw people holding hands and jumping out of the window of the 80+ floors.
6. I have discussed the events of September 11th with my uncle, and he was completely against what happened. He expressed sorrow and compassion for people who lost their lives, and agreed that nothing justifies killing innocent people as Bin Laden did that day. My uncle was into saving and helping people. He spent his time in charity work, building a hospital in the poorest areas of Pakistan. He also worked with building schools in the poorest area of Pakistan, which is the Northwest Frontier. This area is next to

Afghanistan, with which it shares a very porous border. If my uncle crossed into Afghanistan it would have been in connection with this charitable work.

7. Typical of the views people express about SAIFULLAH PARACHA are these:

From an article in The New York Times, August 18, 2003, by David Rhode:

"He very clearly knew I was Jewish," the [Saifullah] Paracha's business partner [Charles Anteby] wrote in a recent e-mail message to co-workers that was released by the family. "We had friendly talks on religion and he never has shown any animosity at all to Jewish people or to America. The opposite — he spoke very highly of America."

* * *

"I was shocked and scared by the allegations and find them very hard to believe," wrote the businessman. He ended the message by referring to his longtime business partner by his nickname. "Saif is my friend," the American businessman wrote. "And he knows it."

On the web site <http://www.freeparachas.org>, where we have a petition to free SAIFULLAH PARACHA, Rabia Aamir, number 82 of 147 signatures, wrote:

He has been like a father to me ever since my father died. He is not capable of doing anything wrong. Please God let him come back to us.

8. SAIFULLAH PARACHA's charitable activities, coupled with his outgoing personality, necessarily brought him in contact with a wide variety of people with a wide variety of views. Given the political atmosphere in Pakistan and Afghanistan today, it is impossible that none of these people would be sympathetic to terrorism. There is no way anyone can live and do business in Pakistan and Afghanistan without coming in contact with some persons who at least verbally support terrorism. It is therefore essential that no court or tribunal infer any guilt by association from any such contacts.

9. Far from being guilty because of his associations, if any, with persons who may be supportive of terrorism, SAIFULLAH PARACHA is among the decent, anti-terrorist Pakistanis who the United States should be supporting and cultivating as a moderating influence.



Sworn to before me this 11th day of November, 2004.

Jerry Pasini
Notary public

JERRY PASINI
Notary Public, State of New York
No. 01PA6108612
Qualified in QUEENS County
COMMISSION EXPIRES: 04/19/2008

To Whom It May Concern:

Although my acquaintance with Mr. Saifullah Paracha does not date back into a distant past, however, his magnetic personality and his thorough gentlemanliness made us feel like long time friends. We met only a few times, but perhaps, because of the commonality of interests and the concern to make our world, as far as possible, free of hatred, made us come very close to each other.

I am a retired Squadron Leader of Pakistan Air Force and also served the Pakistani Inter Services Intelligence agency for a number of years. My association with Afghanistan and its Jihad against the invading forces of the former Soviet Union dates back to the early eighties. The Jihad of Afghanistan against the occupying forces of Soviet Union brought me in close contact with all the major elements who were involved in resisting this aggression. For some, like America, it was a political decision and for others it was a religious duty to safeguard the honor of a Muslim nation.

Soon after the former Soviet Union was forced to pull out of Afghanistan, unfortunately, due to various reasons, the forces that fought collectively and so relentlessly against the Soviet Union, started fighting amongst themselves. This was a very sorry situation, especially, for people who wanted to see Afghanistan as a free country ruled by its own people. I, as one who had gained respect and trust from a majority of the Afghan segments due to my long association with the Afghan Jihad was instrumental in brokering the accord between these warring factions, this accord is popularly known as Islamabad Accord. Again during the early nineties I worked very closely with Mr. Paul Manafort, the well known lobbyist who now holds a very important position in the present US Administration, to broker a settlement of the dispute between the then Sudanese Government and United States of America.

Again, in the aftermath of the tragic happenings of September 11, 2001, I was more eager to see that a negotiated settlement is worked out between the American Government and Taliban. It was my trust with Taliban that made me an acceptable conduit for them to negotiate with the Mr. Mansor Ijaz and Mr. James Woolsey (the former CIA director) for a possible settlement of the differences between the American Government and Taliban.

Like Mr. Paracha, probably, it has always been my endeavor to try to bridge and fill in the gaps between two contesting parties. This commonality of approach was probably one more reason for us to come so close to each other in so short span of time.

During the course of our discussions on various issues, I was much impressed by Mr. Paracha's emphasis on the human consideration in Islam, especially, being a busy businessman, a person tends to adopt a materialistic approach to life, but it was not so in the case of Mr. Paracha. His concern to redress the sufferings of the ailing humanity around him was praiseworthy as he could always find time for such charitable endeavors despite being involved in diversified businesses; he owned a Production House for

television entertainment programs and documentaries, a buying house for the export of garments to USA, a huge polypropylene factory and construction projects.

In his eagerness to contribute to humanitarian projects he traveled to various places and met people from a cross section of society. I found him always willing and ready to meet and talk to people wherever such humanitarian project was necessary. This interaction, whose sole agenda was to alleviate the sufferings of the poor and people afflicted by international conflicts, may have brought Mr. Paracha in contact with people labeled as terrorists. However, I will want to make this fact very clear that nor I, neither any of his other acquaintances, have the slightest of doubt in the peace loving nature of Mr. Paracha. None of the people that know Mr. Paracha can ever even imagine associating Mr. Paracha with any activity having negative dimension to it. He probably met Usama once and may have also met some of the leaders of Taliban. But this interaction was not so noteworthy in those days as many charities and charitable people visited Afghanistan to help the downtrodden people of that country. He did criticize American policies but was always concerned at the widening gulf between the west and the east, especially between the Muslims and the American Government. He wanted to come up with a way to bridge this widening gulf, through his television documentaries, etc., to avoid any catastrophic happening.

He was known, amongst his friends, as one following Islamic way of life but he was also criticized for his interest-based borrowings from banks for his businesses. Mr. Paracha possessed a very mild personality, as he did not even force his wife and daughter to wear Hijab, a covering for women prescribed by Islam. He did not even mind dealing with a Jewish businessman, Mr. Charles Anteby and actually felt very comfortable taking him as his partner in his buying house.

I really wish that people like Mr. Paracha are not made victim of the campaign against terrorism. We should be careful not to throw people on the other side of the wall, people who can be instrumental in finding ways to bring the Muslims and the American government closer together to address the reasons for this increasing gulf between them.

Khalid Khawaja

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301-530-2807
gthunt@mdo.net

Gaillard T. Hunt
Attorney at Law
8909 Grant Street
Bethesda, Maryland 20817

Admitted:
D.C. Bar, #89375
(Not in Maryland)
U.S. Tax Court

RADM James M. McGarrah
Office of Administrative Review of Enemy Combatants
2000 Navy Pentagon
Room 4D545
Washington, D.C. 20350-2000

November 20, 2004

Dear Admiral McGarrah:

Re: SAIFULLAH PARACHA

Enclosed please find the following statements in support of Mr. Saifullah Paracha:

-- A character reference dated 12/11/2004 (i.e., November 12, 2004) from Khawaja Naveed Ahmed, Advocate, Supreme Court of Pakistan.

-- A statement dated November 18, 2004, from Samin Khan, Barrister.

-- A statement dated November 18, 2004, from [REDACTED], detailing some of Saifullah Paracha's charitable projects.

-- A statement received November 19, 2004, from Mr. Sher Afzal.

-- An English translation of a statement by the journalist and columnist Mr. Haroon Rasheed, received here November 18, 2004. I also enclose the original in Urdu, as the translation was not done here, and any government translator who wants to verify it may do so.

Some of these statements are more wordy than they would be had they been vetted by legal counsel, and some of them, especially the last, wander into philosophical, religious, and political matters. For this reason, I have taken the liberty of marking the passages in the last statement which directly testify to Mr. Paracha's charitable activities in Pakistan and Afghanistan and to his peaceable character.

But the statements as a whole do show that Mr. Paracha was not a combatant. They also show that, given the wideness of the support he inspires, holding Mr. Paracha without publicly available proof of actual wrongdoing is not wise policy. The Islamic Republic of Pakistan is an important ally of the

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United States, and the present government finds itself under fire for that alliance. Holding, on secret reports, a prominent businessman and philanthropist who is believed innocent by the Pakistanis who know him, can only give ammunition to the enemies of that alliance.

Please pass these papers, and this cover letter, along to the CSRT considering Mr. Paracha's status.

Yours respectfully,

Gaillard T. Hunt

Gaillard T. Hunt



Khawaja Naveed Ahmed

ADVOCATE SUPREME COURT OF PAKISTAN

Ex. Member Executive Committee (Sindh) Supreme Court Bar Association of Pakistan

Member International BAR ASSOCIATION (U.K.)

Member International LAW ASSOCIATION (U.S.A)

Add. Off: 205, Kashti Centre,
Shahjeh-Faisal, Karachi.
Ph: 5662047 Fax: 92-21-5675554

Add. Res: M. Khawaja Naveed Ahmed
Phase-V, Defence Housing
Authority, Karachi - Ph: 5850176

Dated: 12.11.2004

TO WHOM IT MAY CONCERN:

It is certified that Mr. Saifullah Paracha is known to me for last three years. He is a businessman of good repute. To the best of my knowledge, he bears good moral character. I have been told that he has been detained in Kabul for last about sixteen months.

(Khawaja Naveed Ahmed)
Advocate

Samin Khan

Mr. G. T. Hunt,
Attorney-at-Law,
8909 Grant Street,
Bethesda, Maryland, 29817
USA.

786
November 18, 2004

Subject: Saif ullah Paracha Case

Dear Mr. Hunt,

I am writing this letter to you as a senior lawyer who is a Barrister-at-Law of the famous Lincoln's Inn, London (1954) and a Master of Law from the Southern Methodist University, Dallas, Texas (1956) and a Master of Comparative Law from the University of Michigan, Ann Arbor (1957).

It may be of interest for you to know that two of my former students are judges of the Supreme Court of Pakistan including the present Chief Justice of Pakistan.

It may be of further interest to you to know that I have addressed the US Senate Committee on Afghanistan (1996) and I am now known for international negotiations.

Mr. Saif ullah Paracha is known to me both in my capacity as a lawyer and my being a well known personality of India, Pakistan and Afghanistan. He came first to see me several years back with a gentleman whose family is a well known business family of Pakistan.

Then he later on expressed a desire to record a TV interview of mine on my role in Afghanistan which was conducted by three experts on International Relations and Law. The very next year he again wanted me to record another TV interview of mine on Afghanistan. Subsequently he developed an interest in Afghanistan and tried to do business in Afghanistan and also made some harmless religious recordings for Kabul TV. But he did not take part in anything sinister or against International Law or even natural law. He is a mild religious person but since he has studied and lived in the West for a long time, he is not a fanatic in any sense of the word but a very reasonable person who could listen and appreciate the other person's point of view.

But as regards his trip to Bangkok although he had told me about his differences with his American partner, he did not tell me about the trip. Saif ullah Paracha is a perfect gentleman, is a family man, is a fine synthesis of the East and the West and used to help the poor and the needy.

After his arrest many prominent businessmen because of my prominence internationally and internationally asked me to take interest in the matter and so I became interested in the well-being and survival of his family and I found the family which I had never met before a true product of Islamic humanism.

If you want any other information about him please feel free to send me an e-mail or write at the above address.

Finally, I wish you success in the matter.

With best wishes,
Sincerely yours,

Samin Khan
Barrister-at-Law

CITY SOFT

From: [REDACTED]
To: <citysoft@citysoft.com.pk>
Sent: Thursday, November 18, 2004 12:52 PM
Subject: Attn: Mrs. Saifullah Paracha

This is [REDACTED] and I am the nephew of Saifullah A. Paracha. I have known Mr. Saifullah Paracha since childhood and my closest interaction with him had been during my employment in International Merchandise Group as a Manager Computer Operations of which Saifullah Paracha is the CEO.

During my interaction with Mr. Paracha I had come to know him more personally. Along with managing his company he was also involved in humanitarian work that included operating Council of Welfare Organizations (a non profit organization) and helping the Paracha community to progress that included building a hospital in our village Mangowal.

Most if not all of the company employees turned to Saifullah Paracha with personal or financial assistance and he had always helped the employees directly or in-directly of the company with honest suggestions and financial assistance if needed.

In short, I have seen him as a man of principles and always helps the needy.

Sincerely,

[REDACTED]
s/c [REDACTED] (late)

Date: Thursday, November 18, 2004

My first meeting with Mr. Saifullah Paracha was arranged by Sardar Ashraf in October, 2002. Despite the fact that my association with him spans over a very short span of time, however, I learnt quite a bit from him. We worked as partners on the Food Street project, for which prequalification was requested by the City Government of Karachi. I was instrumental in working out a deal for him whereby he acquired 80% shares in the high rise apartment project called Cliftonia.

I am very much impressed by the balance that Mr. Paracha maintains in religion and his daily routines of life. He is a very loving person and gave me valuable advice in my personal as well as businesses affairs. I found him as a very calculated person who always very meticulously looked at the pros and cons of a particular project before making up his mind. I never found him failing in his commitments. Mr. Paracha was very careful in his interactions with his associates and took extreme care that his actions do not hurt others. Whenever I saw him giving financial assistance to anybody he always instructed me not to disclose it to anybody.

During my association with Mr. Paracha, I found him to be an extremely nice man and I consider such type of people as the blessing of God to mankind. He is a loving and a faithful friend, a person who had a unique friendly and immensely loving relationship with his family, always taking extreme care that his children may grow up to be useful members of the society and at the same time have a clear understanding of their religion.

I personally feel that the tragic happening of 8th July, 2004 when he was allegedly taken away by FBI, is an extreme injustice perpetrated on a noble person like Mr. Paracha. I sincerely pray to God that his family comes out of this ordeal at the earliest.

[Statement of Mr. Sher Afzal,
received by email by G. T. Hunt November 19, 2004]

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[English translation of the statement by journalist Mr. Haroon Rasheed, re Saifullah Paracha. This translation was received by Gaillard T. Hunt on November 18, 2004, as a Word attachment on an email from Mrs. ██████████]

The body language of a person depicts his character. Three years back when I met Mr. Saifullah Paracha for the first time, I had an immediate impression that he is a compassionate and a loving person. He offered to enter into a contract with me for his Universal Broadcasting production house, which produced Current Affairs, entertainment and religious programs. Due to some reasons I could not accept his offer, however, I was immensely moved by his sincerity to his work and self-esteem, which is so rare in this subcontinent where inferiority complex is so rampantly widespread.

Our association continued and each meeting that I had with him made me like and respect him all the more. Despite being a reasonably well off man, I found him to be a very cordial and straightforward person. He is very soft spoken and possesses a very congenial personality, un-quarrelsome and never looking down upon others.

Although I am a journalist by profession but a major portion of my life is spent pondering on some major and basic issues concerning human character. For example, how do humans acquire certain traits in their personality and the factors that affect the process of human thought and action, and how are they negatively or positively transformed.

Human behavior and history have always been my areas of interest. Likewise, Mr. Paracha was also very interested in these subjects, which made us come close to each other all the more. I found him to be ever willing to help the suffering humanity. And we so often debated the reasons for the downfall of Muslims.

We, as humans, possess certain positive, and at the same time, certain negative traits in our personality. Genes, impressions that we take from our immediate family and the surroundings, as well as the type of education that we acquire, transform and highlight certain traits in a personality. A positive and good person is one who loves people in general and despises selfishness. One who keeps striving to suppress his negative and augment the positive traits. In Islam we call it self-purification. This process is a never-ending process. Worshipping the Almighty and helping his creations are two cardinal principles of this process of self-purification, and this can only happen if a person ceases to despise and look down upon others. The last prophet of God, Muhammad, may the peace and blessings of God be upon him (PBUH), described this in two words, Al-Deen Al-Naseeha, (Religion is "to be the well wisher of all human beings"). Mr. Paracha is one of those persons who so closely fit into this definition. Although we never found him bragging about his charitable projects and he never told us about them, however, we came to know through others that he set up various schools, other educational institutions and hospitals in the District of Sargodha, from where he started his life as an orphan. He contributed for the renovation of one of the largest hospitals of Karachi. We came to know, after he was taken away by FBI, allegedly, that he was supporting many families financially.

He is very much different from the religious fanatics. Religious fanatics don't make TV entertainment programs and they enforce their opinion on others, whereas Mr. Paracha did not even force his wife and daughter to wear Hijab. He did not even ever criticize those who did not pray the compulsory Muslim prayers. To the contrary he believed in practicing himself what he advocated and was always busy in his welfare activities. He believed in compassion, self-restraint and healthy exchange of views and lead people by example, not through force.

I always saw him showing respect, love and open-mindedness to non-Muslims and foreigners. He is very firm in his belief that Muhammad, may the blessings and peace be on him (PBUH), is the last messenger of God, and Quran is the last message of God, revealed to mankind through Muhammad, PBUH. He believed that Muhammad, PBUH, completed the mission of Jesus, peace be upon him, and Moses, peace be upon him, and that Quran actually completed and interpreted clearly and comprehensively the message of Jesus, peace be upon him, and Moses, peace be upon him which actually is the prescribed way of life for us.

Like Pakistan he was interested in Afghanistan too, where he saw poverty and destruction due to war. He helped the devastated Aghans through his charitable projects and took deep interest in the experiment of Islamic governance in Afghanistan. Like all of us, he also believed that Taliban had no experience of governance and that their interpretation on certain issues was too rigid and opinionated. However, he was much impressed by Taliban's simple way of life and firmness in their belief; he was never opinionated and never expressed extremist ideas.

One of the reasons of our close association was that we both were more inclined towards Sufism in contrast to Taliban's rigid and extremist approach. We both liked the Sufi's approach more who despised the sin and not the sinner. Who hate the wrong rather than the wrongdoer. We used to visit one of the noted Sufis of Pakistan, Professor Ahmed Rafique Akhtar. He was one of the many people whom I introduced to Professor Ahmed Rafique Akhtar who has a following of thousands of followers from the western countries who revere him and take guidance from him.

Mr. Paracha never thought of the American society as an ideal society but at the same time I never saw him rejecting or despising it. To the contrary he mingled with Americans quite comfortably and never had any mental reservations in doing so. Apart from the rare extremist, all good Muslims are like that. He, who sticks to his belief, and respects the belief of others.

He experienced and learnt a lot during his youthful days in the United States. Like many educated Muslims, he wanted to see the development and institution of the various organs of governance in Pakistan. He wanted Pakistan to have an autonomous judiciary, a pluralistic society where people agree to disagree, and the strengthening of democratic institutions, as he saw them being so successfully experimented and implemented in the US and other West European countries. I always felt that he wished Pakistan to have an

Islamic Social setup established on democratic foundations, where the media, press and the Judiciary is completely free and where people rise above prejudices and live as per their likes and preferences.

I find myself totally unable to accept the fact that he is being labeled as an accomplice of a terrorist. It's a serious misunderstanding, a grave mistake and only those who are extremist and very opinionated themselves can commit such a mistake in their assessment of Mr. Paracha's personality, these are the people who think of every Muslim, who prays five times and has a beard, as a terrorist. Wars bring with them a flood of misunderstandings and unfounded apprehensions and it is a fact that the greatest victim in a war is truth. I know for sure that Mr. Paracha has been a victim of a serious misunderstanding and if any court of law ever investigates his case impartially it will definitely find him as one possessing a noble character for whom Jesus, peace be on him, said that such people make this world a wonderfully interesting place, people who are the essence of life.

One of the basic instincts of mankind, which man has yet not been able suppress, is the urge to dominate. This instinct can be found on an individual, Societal or national level. A Society or nation may become afflicted with this negative instinct and the degree of this affliction is at times directly proportional with the supremacy of its power on others. This urge to dominate others, has been the reason that this world of ours has, unfortunately, always had a Nation with hegemonistic aspirations. At one time it was Great Britain, then the Soviet Union and now it's the United States of America. We understand that the New World Order started by senior Bush is actually a manifestation of the same urge to dominate others, which has resulted in the ugly reaction in many Muslim countries. We see Muslims being so mercilessly massacred in Chechnya, Palestine, Kashmir, Iraq and Afghanistan. In Iraq and Afghanistan there is a direct involvement of US in the injustices being perpetrated, whereas in Palestine it supports the aggression of Israel. We see that the US very conveniently ignores the injustices being done to the people of Kashmir and Chechnya. This is our point of view and the way we see things, we agree that the US government has a right to have their own interpretation of the situation, however, this difference of opinion should appeal to human logic, US should not stick to its interpretation on the basis of brute force at its disposal. When, on the behest of US administration, people like Mr. Paracha are kidnapped and taken to Guantanamo Bay, and in doing so, all legal formalities are ignored, what reaction US should expect in return. If Mr. Paracha has committed any crime then it should be very easy to convict him through a court of law. Is it proper to suspect a person of a crime and then kidnap him and condemn him to a deserted island of Guntanamo Bay, without any legal proceedings? Any court of law will agree that no justice can prevail through tyranny and force. When justice and fair play is compromised and suppression of the weak becomes a norm on the basis of power, it manifests itself in the form of unwelcome reactions that we so commonly see nowadays.

As a journalist, I have spent more than 20 years of my life looking at the various dimensions of the Afghanistan issue. Although I am not a jurist myself, however, if the

court permits, I will be glad to put before the court, very clearly and elaborately, how I see the Afghan situation provided justice is intended, and I believe that it is.

Sir, I have no doubt in the fact and want to state this with full vehemence that only justice and fair play can guarantee peace and bring tranquility in this world. Nations that have differing standards for dealing with the 'powerfuls' and the 'weaks' are eventually themselves destroyed.

"Why do they hate us?" is a very common question that many Americans ask these days. Sir, this is because the present American Administration has miserably failed in equitably dealing with the oppressed and suppressed nations. In some cases it has perpetrated the worst of crimes against the best among us and Mr. Paracha is one of those best human beings who I have been able to interact with, in my life spanning more than half a century. After committing such a crime, how can the American Administration expect any good from the Almighty who sees everything and is omnipotent. He is the one Almighty who brings to naught the forces of power and tyranny. The Almighty in his The Last Testament, Quran, which certifies the Old and the New Testaments, says that His wrath falls on a nation when it starts feeling too high of itself.

By : Mr. Haroon Rasheed
Columnist Daily 'Jang' Newspaper

[English translation of the statement by journalist Mr. Haroon Rasheed, re Saifullah Paracha. This translation was received by Gaillard T. Hunt on November 18, 2004, as a Word attachment on an email from Mrs. ██████████]

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Dec 08, 2004

THE PRESIDENT

COMBATANT STATUS REVIEW BOARD

GUANTANAMO BAY NAVAL BASE, CURA

REFERENCE: OIC, CSRT (12 NOVEMBER 2004)

SUBJECT: COMBATANT STATUS REVIEW

MY HUMBLE SUBMISSIONS ARE:

I, SAIFULLAH A. PARACHA, PAKISTANI NATIONAL,
LIVING IN KARACHI - PAKISTAN, BORN IN
SARGODHA - PAKISTAN - DOB AUG 17, 1947.

WENT TO SCHOOL IN SARGODHA UPTO 8TH GRADE
DID HIGH SCHOOL IN KARACHI, TWO YEARS
COLLEGE IN KARACHI - (B. SC) HONS - KARACHI
UNIVERSITY, KARACHI PAKISTAN. 1969.

(B.S) COMPUTER SCIENCE (SYSTEM DESIGN & ANALYSIS)
NEW YORK INSTITUTE OF TECHNOLOGY, NY 1973

I REACHED BANGKOK INTERNATIONAL AIRPORT
ON JULY 06, 2003 AND AT THE AIRPORT
I WAS ILLEGALLY, IMMORALLY ARRESTED
BACK HAND/LEG CUFFED, BLACK BIC MASK
ON MY HEAD UPTO NECK, WAS THROWN ON
FLOOR OF STATION WAGON FACING DOWN.

I AM HEART PATIENT / DIABETIC / HIGH BLOOD PRESSURE
SKIN DISORDER, GOUT IT COULD HAVE ^{BEEN} FATAL,
THERE WAS NO HUMAN CONSIDERATION AT
ALL. FROM AIRPORT I WAS TAKEN TO UNKNOWN
PLACE FOR FEW DAYS AND KEPT EYES ⁴⁶⁵⁸ COVERED

EXHIBIT D-6 Page 1 of 7

EARS COVER, HAND CUFFED, LEG CUFFED,
AFTER FEW DAY I WAS TRANSPORTED BY
PLANE TO AFGHANISTAN, UNDER EXTREMELY
SEVERE BAD CONDITIONS I WAS KEPT IN
ISOLATION FROM JULY 2003 - SEPT 20, 2003
AND SINCE SEPT 20, 2004 - I AM IN ISOLAT
CELL IN GUANANAMO BAY ISLAND

ON DEC 02, 2004, PERSONAL REPRESENTATIVE READ
ALLEGATION AGAINST ME, THERE IS NO INDICATION
UNDER WHICH LAW I WAS ARRESTED & BEING
DETAINED FOR LAST 17 MONTHS. NONE OF THESE
CHARGES ARE ~~APPLICABLE~~ APPLICABLE ON ME, I AM
NOT YOUR SLAVE, NEITHER YOU ARE MY FINANCIAL
GUARDIAN NOR PAKISTAN COMES UNDER YOUR
STATE. NOR I WAS IN THE BATTLE
FIELD CARRYING ANY KIND OF WEAPONS.
SO FAR INTERROGATORS OR USA GOVERNMENT
HAVE ^{NOT} BEEN ABLE TO ESTABLISH RELATION BETWEEN
ME AND USA, I.E AM I BEING CONSIDERED
HUMAN BEING OR ANIMAL, OR IS USA MY
GOD? AND I AM SUPPOSE TO WORSHIP
OBEY USA, IS USA CONSTITUTION APPLICABLE
ON ME? WHY PAKISTAN'S COURT CAN NOT
DECIDE MY SIN? WHY INTERNATIONAL
COURT CAN HAVE HEARING? OR USA COURTS!

SINCE USA IS ACTING LIKE MY MASTER, THOU
MY MASTER IS GOD AL-MIGHTY, IN THIS
MY ANIMAL LIFE YOU HAVE NOT ^{ANY} CHOICE
FOR ME BUT TO RESPONSE, MY ⁴⁶⁵⁹ REPLY

WITH REFERENCE TO YOUR ILLEGAL CHARGES
ARE AS FOLLOWS:

- I HEREBY STATE SOLEMNLY, AFFIRMLY THAT
I HAVE NEVER SUPPORTED TALBAN / AL-QAIDA
DIRECTLY INDIRECTLY AGAINST USA AND ITS
COALITION PARTNERS.

- WITH REFERENCE TO YOUR ALLEGATION 1, I HAVE
NEVER BEEN INVOLVED IN AN AL-QAIDA PLAN
TO SMUGGLE EXPLOSIVE TO USA.

- WITH REFERENCE TO YOUR ALLEGATION 2, I HAVE
NEVER "HELD FOR SAFEEKEEPING" LARGE AMOUNTS OF
AL-QAIDA MONEY GIVEN TO ME BY ANY KNOWN
AL-QAIDA OPERATIVES.

- WITH REFERENCE TO YOUR ALLEGATION 3, I NEVER
MADE ANY RESEARCH OFFSHORE COMPANIES FOR
INVESTMENT POSSIBILITIES.

- WITH REFERENCE TO YOUR ALLEGATION 4, I HAVE
~~BEEN~~ NEVER BEEN ASSOCIATED WITH KNOWN HIGHLY
AL-QAIDA OPERATIVES.

- WITH REFERENCE TO YOUR ALLEGATION 5, I NEVER
RECOMMENDED TO AN AL-QAIDA OPERATIVE THAT
NUCLEAR WEAPONS SHOULD BE USED AGAINST US TROOPS
AND I HAVE NO KNOWLEDGE WHERE WEAPONS
COULD BE OBTAINED.

— WITH REFERENCE TO YOUR ALLEGATION 6, I NEVER ASSISTED AL-QAIDA IN LOCATING HOUSE FOR AL-QAIDA MEMBERS AND THEIR FAMILIES TO RENT, HOWEVER I DID SHOW MY RESIDENTIAL ^{AREA} TO MY FELLOW PAKISTAN, OTHER FELLOW PAKISTANI NEWSPAPER LISTING FOR RENTING A HOUSE.

— WITH REFERENCE TO YOUR ALLEGATION 7, I NEVER OFFERED TO AL-QAIDA MY MEDIA FACILITIES FOR URDU TRANSLATION OF EXTREMIST MATERIAL, OR ANY STATEMENT FROM USAMA BIN LADIN, HOWEVER OUR NEWS AGENCY UNIVERSAL NEWS (PVT) DOES PROVIDE SERVICE ALL KIND NEWS / STATEMENT IT IS PART OF BUSINESS TO COLLECT NEWS & DISTRIBUTE.

— WITH REFERENCE TO YOUR ALLEGATION 8, I HAVE NEVER ACCEPTED FROM AL-QAIDA ANY MONEY FOR INVESTMENT, HOWEVER SOME PAKISTANIS FROM TIME TO TIME INVEST IN MY BUSINESSES.

— WITH REFERENCE TO YOUR ALLEGATION 9, I NEVER HAD DISCUSSION WITH A HIGH LEVEL AL-QAIDA FACILITATOR ABOUT GETTING CHEMICALS AND EXPLOSIVES INTO A COALITION PARTNER'S NATIONAL BOUNDARIES.

— WITH REFERENCE TO YOUR ALLEGATION 10, I HAD TWO MEETINGS WITH ~~USAMA~~ USAMA BIN LADIN

— WITH REFERENCE TO YOUR ALLEGATION 11, I NEVER MET TWO HIGH LEVEL AL-QAIDA OFFICIALS AND HAVE NO KNOWLEDGE OF "WANTED MEN". ⁴⁶⁶¹ page 4 of 7

I WOULD LIKE TO BRING SOME FACTS TO KIND NOTICE.

MOST DANGEROUS COLD WAR ENDED, USSR WAS DEFEATED BY AFGHANS, PAKISTANIS & RADICAL REBELLIOUS MUSLIM CAME AROUND THE WORLD - IN RETURN USA BECAME SOLE SUPER POWER, USSR LOST ABOUT 17,000, & 30,000 DISABLE, AFGHANISTAN LOST 1,500,000 LIVES, ABOUT 1,000,000 DISABLE & COUNTRY IS TOTALLY RUINED. PAKISTAN LOST LARGE NUMBER IN MANPOWER & LOST FINANCIAL BASE. PAKISTAN ALSO BECAME CENTER OF TERRORISM BECAUSE ABOUT 1,500,000 REFUGEES MIGERATED TO PAKISTAN FROM OPEN UNCONTROLLED 100'S OF MILES BORDER BETWEEN PAKISTAN & AFGHANISTAN. THE REFUGEES ARE AFGHANS AND RADICAL REBELLIOUS MUSLIM AROUND THE WORLD, THESE MUSLIM WERE NOT ACCEPTABLE TO THEIR NATIVE COUNTRIES BECAUSE THEY RADICAL & REBELLIOUS.

THESE MUSLIMS ARE VERY FRUSTRATED, EMOSIONALLY STARVED HAVE NO FAMILY BASE (NO FATHER. MOTHER ETC) WORLD IS NOT PAYING ANY ATTENTION TO THIS MAJOR HARBOURING TERRORISM ROOT CAUSE, I AS CITIZEN OF UNIVERSAL GOVERNMENT PAID VISITS TO AFGHANISTAN (1999-2000 (3 VISIT) WROTE TO PRESIDENT GEORGE W. BUSH (JR), GEORGE W. BUSH (SR) ALL CABINET MEMBER, ALL CONGRESSMAN & SENATOR HIGH LIGHTED THE PROBLEM & PROPOSED THE SOLUTION, ONE ~~ONE~~ OF THE VERY SERIOR OFFICIAL HAS LONG MEETINGS ON SEPT 17, 18, 19, 2004 WHO READ THAT LETTER AND SAID IF OUR POLITIAL HAS

LITTLE ATTENTION TO MY LETTER 9/11
TERRORIST ATTACK COULD HAVE AVOIDED WHERE
USA LOST 3000 LIVE AND APPROXIMATE SEVEN
9 HALF TRILLIONS DOLLARS. THIS ^{LETTER} I HAVE PERSONAL
REPRESENTATIVE TO COLLECT FROM FBI AGENT IN
QUATNAMAMO BAY BASE. DURING MY INTERROGATION
I HAVE OFFERED MY SERVICES TO FIGHT TERRORISM
WITHOUT ANY REWARD BECAUSE MY REWARD IS
FROM MY LORD ALMIGHTY, BUT NO BODY PAYING
ANY ATTENTION, IN AFGHANISTAN I WROTE MANY
SOLUTION FOR INTERROGATORS THEY AGREED WITH MY
PROPOSAL I HOPE FOR IMPLEMENTATION.

MY SON [REDACTED] HAS ALSO DETAINED IN
NEW YORK, I WROTE TO U.S. AMBASSADOR, MISS
NANCY POWER FOR AN INTERVIEW TO CLEAR MY
AND MY FAMILY POSITION, MADE SEVERAL PHONE
CALLS BUT NO GIVEN TIME - THAT LETTER
IS ALSO WITH FBI AGENT HERE - IT SHOULD
BE EXAMINED. THERE WAS NO REASON FOR TO HIDE
I OFFER MY SELF AVAILABILITY YET ~~THE~~ AUTHORITY
USED MOST UGLY, IMMORAL UN-LAWFUL METHOD
TO ARREST ME.

PAKISTAN AND AFGHANISTAN ARE VERY POOR COUNTRIES
NEEDS EDUCATION, HEALTH CARE & JUSTICE TO COMMON
MAN, I HAVE AN ORGANISATION COUNCIL OF WELFARE
ORGANISATION (CWO) WE DO HELP WITH OUR LIMITED
RESOURCES, I ALSO WROTE TO DIRECTOR USAID
MY ASSISTANCE FREE OF COST BECAUSE USA GRANT 4503 100 ML
DOLLAR FOR RURAL EDUCATION - AGENT HAS THAT LETTER.

ON THE SUBJECT OF COLD WAR BETWEEN TWO SUPER
POWER I LIKE TO BRING AN OTHER IMPORTANT
IMPACT WHICH NEEDS TO BE RECORDED.

GOD ALMIGHTY PLAN WORKS SILENTLY BUT SURELY
AMONG ALL NATIONALS AND AT ALL TIME IN THE
MOST FANTASTIC FORMS OF PEACE LEAST DAMAGES,
FOR EXAMPLE IF TWO SUPER POWER FOR GOD BID
HAD DIRECT FIGHT - BOT NATIONALS HAVE WMD
THAT THE WHOLE WORLD COULD BE DESTROYED
MORE THEN 50 TIMES. YET IT WORKED WITH
LEAST CASUALTIES. NOW COLD IS OVER. BUT SIR
YOUR SOLDIERS THEY FOUGHT FOR THIS COLD
WAR NEEDS BETTER SETTLEMENT IN THEIR
LIFE, PLS USE WISDOM IN ORDER CONTROL
TERRORISM OTHER UN-INTENTIONALLY IT IS
SPREAD.

" PRAYER "

MY PRAYER TO YOU IS SIR, UNDER
THESE CIRCUMSTANCES I MYSELF MY FAMILY
MY PARTNER CHARLES ANTERBY HAVE GONE
THROUGH TO REPAIRANCE LOSS, IN ORDER TO
SAVE FURTHER LOSSES I REQUEST YOU KINDLY
TO ORDER THE AUTHORITY FOR MY IMMEDIATE
RELEASE & TO RELEASE A PRESS RELEASE
MY RESPECTFULL RELEASE.

Personal Representative Review of the Record of Proceedings

I acknowledge that on 13 December 2004 I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN # [REDACTED]

I have no comments.

My comments are attached.

MAJOR [REDACTED]

Name

Signature

13 Dec 04
Date

ISN # [REDACTED]
Enclosure (5)