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Summary of Administrative Review Board Proceedings for ISN 1016

*The Administrative Review Board was called to order.*

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

*The Board Reporter was sworn.*

*The Translator was sworn.*

*The Detainee entered the proceedings.*

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

*The Administrative Review Board members were sworn.*

*The Assisting Military Officer was sworn.*

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

*The Detainee accepted taking the Muslim oath.*

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

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

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

*Presiding Officer: Assisting Military Officer, please read the comments from the Enemy Combatant Election Form.*

*Assisting Military Officer: The Detainee's ARB interview was conducted on 30 November 2005, and lasted 55 minutes. After reviewing the ARBs purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. The Detainee stated he understood the difference between the CSRT and the ARB. When asked if he would like to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee was non-committal, and opined he was already prejudged. After the ARB process was thoroughly explained, the Detainee stated he would attend the ARB and would respond orally, point by point, to the Unclassified Summary of Evidence. The Detainee was responsive and attentive, however, he was very skeptical of the ARB based on his experience with the CSRT. The*

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Detainee spoke mostly in Arabic, but demonstrated a good comprehension of English. At the conclusion of the interview, the Arabic translated copy of the Unclassified Summary of Evidence was provided to the Detainee, via his guards.

*The Detainee chose to respond to the Unclassified Summary of Evidence as each item of information was presented.*

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

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

*The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.*

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

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Training (3.a.1) The Detainee was trained by the Algerian Army on how to use hand grenades and the Kalashnikov and Seminov rifles.

Detainee: [Looking confused]

Presiding Officer: Sir, is this allegation/statement true or false?

Detainee: That is true. [Referring to allegation 3.a.1]

Presiding Officer: Is there any additional information that you would like to present to the Review Board with reference to this allegation/statement?

Detainee: Yes Sir. First of all, I would like to ask you [the Review Board] a question. In regards to the first allegation, do you consider this [allegation 3.a.1] a factor against me?

Presiding Officer: Not necessarily. The Review Board is trying to learn about you. This allegation [3.a.1] is neither good nor bad. It's just a fact.

Detainee: This is something that is ordinary in Algeria [referring to military training in Algeria]. Military training is mandatory in Algeria. When I go for military training, do I go to cut potatoes? [Smiling]. No, I have to go and get trained on weapons.

Presiding Officer: Understood. This allegation is neither here nor there. This fact [3.a.1] will have very little to do with whether you are detained or not.

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Detainee: When you [referring to the Review Board/ Military individuals in the room] first attended to the American Military Forces, didn't you get trained on the M-16?

Presiding Officer: The purpose of the ARB is not to engage in dialog. During this portion of the session, the Review Board needs to go through the allegations in the Unclassified Summary of Evidence and to allow you [the Detainee] to respond to each allegation. At the end of the session, you will be allowed to make a personal statement.

Designated Military Officer: (3.a.2) The Detainee held a maritime crewmember's license and at one time he was working toward a master maritime license.

Detainee: Yes. This is true.

Board Member: Mr. Soufian, did you ever sail as part of this training [to hold a maritime license]? If you did sail, what country was your vessel flagged under?

Detainee: That was not training Sir. That [sailing, obtaining a maritime license] was just a job. It was just a duty for me. I used to work around the sea.

Board Member: Were you ever on a ship?

Detainee: Yes.

Board Member: Did you sail?

Detainee: Yes I did sail. I am a sailor.

Board Member: What country was the vessel flagged under?

Detainee: I am not a sailor, going on a ship, selling goods. I am only a sailor to catch fish.

Designated Military Officer: (3.b) Connections/Associations (3.b.1) In March 1998, the Detainee was arrested by a Foreign Government Service for his association with a known terrorist.

Detainee: Yes, but there is something wrong here [referring to the allegation]. This is not true.

Presiding Officer: Please clarify this information for the Review Board.

Detainee: The mistake with this allegation is this: a Foreign Governmental Service did not arrest me. I was arrested in my own county.

Presiding Officer: Where?

Detainee: Algeria.

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Board Member: Mr. Soufian, over the last eight years, how many years have you spent in prison?

Detainee: In America or not America?

Board Member: Both.

Detainee: I have been detained here [Guantanamo] for the last four years, in America. Prior to that, I was in prison in Algeria for two years.

Presiding Officer: Do you realize that you are not in America? We are all [referring to all the individuals in the room] in Cuba.

Detainee: But you are not Cuban.

Presiding Officer: That is correct. I just wanted to make you aware of the fact that you are not in America. We are in Cuba, which is a different country.

Board Member: Is it true then that you were arrested for your association with a known terrorist?

Detainee: Yes. But I would like to clarify that allegation [referring to 3.b.1].

Presiding Officer: Please do.

Detainee: I was not with a terrorist group. I was returning from Europe. When I returned to Algeria I saw a man [referring to the individual in allegation 3.b.1] with whom I had had a very long friendship with [we had known each other for a very long time]. When I saw him we exchanged greetings. When I saw him again I did not know that he was a terrorist. I knew him a long time ago. When I shook hands with him, at that point, he evidently was a terrorist, but I did not realize that he was [had become] a terrorist. I knew him a long time ago.

Board Member: What was his name?

Detainee: His name was Mustapha.

Designated Military Officer: (3.b.2) The Detainee lived in Georgia with Chechen fighters and their families.

Detainee: Yes. That is true.

Board Member: Why did you go to Georgia?

Detainee: Before I went to Georgia I had been in Germany. After that, I spoke with a friend of mine in Istanbul, Turkey. I asked my friend where he was. My friend told me that he was in Georgia. My friend asked me if I could come to Georgia and visit him.

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Board Member: What year was this?

Detainee: 2001.

Presiding Officer: Did you engage in any fighting there [in Georgia]?

Detainee: Why? Is there fighting in Georgia?

Presiding Officer: That is what I am asking you.

Detainee: There was no fighting in Georgia.

Designated Military Officer: (3.b.3) The Detainee was acquainted with an al Qaida operative who lived in a Georgian guesthouse.

Detainee: Who is this operative? I don't know.

Presiding Officer: Perhaps the friend you went to visit [in Georgia]?

Detainee: No. The friend that I used to know was not involved with al Qaida.

Presiding Officer: He [the friend] was just a Georgian Fighter?

Detainee: He [friend of the Detainee] just used to live in Georgia. He was not a fighter.

Presiding Officer: To your knowledge, that information [allegation/statement 3.b.3] is incorrect? That he [the Detainee's friend] was not an al Qaida operative.

Detainee: What would he fight? There was no fighting in Georgia.

Presiding Officer: There was fighting going on *around* Georgia. He [the Detainee's friend] could be providing administrative support, logistic support, operational support, etc. However, to your knowledge, he was not?

Detainee: As far as I know, I did not perceive him as a fighter.

Presiding Officer: So, it's possible that he could have been doing things on the side that you were not aware of?

Detainee: Possibly.

Presiding Officer: Fair enough.

Designated Military Officer: (3.b.4) The Detainee knew the Chechen leader named Gelayev.

Detainee: Yes. That is true.

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Designated Military Officer: (3.b.5) The Detainee was captured with an Algerian Jihadist active in Chechnya and Georgia.

Detainee: He [referring to the individual in the allegation] was not Algerian Jihadist. As a matter of fact, he had nothing to do with fighting.

Board Member: What was his name?

Detainee: You have his name. He is here [at Guantanamo] and you know his name. You have his file.

Presiding Officer: Can you refresh the Review Boards memory and give us the name of the individual you were with?

Detainee: You have everything. You captured the four of us.

Presiding Officer: I didn't *do* anything. All I know about is your case.

Detainee: You arrested someone and you killed him.

Presiding Officer: I personally did not do either one of those things. I am sitting here trying to decide whether you should be released [from Guantanamo].

Detainee: Thank you.

Presiding Officer: Please, help the Review Board to get the facts straight, not only to help you, but to help others as well. Unfortunately, during war, mistakes are made.

Detainee: Very good. I would like to tell you something.

Presiding Officer: Please do so.

Detainee: You have captured us [referring to himself and other detainees]. You put us in prison here [Guantanamo]. You are supposed to have all our names, all the evidence, and all the information before you even conduct this board.

Presiding Officer: The Review Board may be trying to determine whether or not you are being truthful. Are you going to answer the question? We can move on if you would like.

Detainee: Very good Sir.

Presiding Officer: Are you going to give us the name?

Detainee: Yes. I will give you the name. That is not a problem. His name is Abd al Hak.

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Presiding Officer: Thank you.

Designated Military Officer: (3.b.6) The Detainee was captured on a bridge approximately 50 miles from where he lived.

Detainee: Yes. That is true.

Board Member: I would like to follow up on allegation/statement 3.b.5. Please describe what you believe Jihad is.

Presiding Officer: With all due respect to the Board Member, I would request that you hold that type of question until part two of the Review Board session. However, I am interested in that question.

Designated Military Officer: (3.c) Detainee Actions and Statements. (3.c.1) The Detainee used a forged bank receipt to obtain a visa to travel to Italy. The Detainee purchased a round trip ticket to Italy, but didn't use the return portion.

Detainee: That is true.

Designated Military Officer: (3.c.2) When he was in Europe the Detainee used two false identifications from France and Italy with different names on them.

Detainee: Yes. That is true.

Board Member: Who provided you with the false identifications?

Detainee: Its not really forged. It's true. It's the correct identification. However, I obtained it in a non-legal way. The identifications were not forged, but the way I obtained the identifications was not legal.

Board Members: Were there different names?

Detainee: No. It was my name [on the identifications].

Presiding Officer: How did you obtain these identifications?

Detainee: It was a bribe way. You pay a little money and then you get the identification. The identification is then inserted into and recorded into the computer system. When I obtained the identifications it was made to look as though I obtained them the proper way. It was made to look as though my identifications were obtained through the proper and legal channels.

Board Member: Sounds like forged and false identification to me.

Detainee: Its not really forged. There is a difference between forgery and the things you have to sometimes do to make your identifications look as though they were obtained

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through the proper legal channels. If the identifications were forged, you would switch names. My name was not switched. It was my name on the identifications.

Designated Military Officer: (3.c.3) The Detainee wore normal clothing to facilitate traveling between France and Italy without appropriate papers.

Detainee: Yes. This is true.

Designated Military Officer: (3.c.4) The Detainee was arrested in Germany for crossing the border without appropriate papers. The Detainee was deported to France and from France he was deported to Algeria.

Detainee: True.

Designated Military Officer: (3.c.5) The Detainee traveled from Turkey to Georgia without appropriate papers. A Chechen man met the Detainee at the airport in Georgia and provided him with travel documents.

Detainee: In Georgia, yes this is true.

Designated Military Officer: (3.c.6) The Detainee admitted to fighting against the Russians in Chechnya. The Detainee is a member of the Chechen Jihad and a suspected member of the Zarqawi network.

Detainee: That is not true. That is not correct.

Presiding Officer: Please clarify for the Review Board.

Detainee: That is no problem. I will tell you. When I was in Georgia, I had never heard of Zarqawi or of his existence.

Presiding Officer: I would tend to agree with you on that point. Knowing more about Zarqawi today. I too was skeptical about this particular allegation/statement.

Detainee: Very good. I will tell you again. Another thing I would like to mention is that I did not fight against the Russians. Even if I did, what would be the problem with that?

Presiding Officer: That fact that you did or did not fight against the Russians is not a problem one-way or the other. What the Review Board is trying to figure out is *who you are*. Is the information correct?

Detainee: It is not true Sir.

Presiding Officer: Very good.

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Designated Military Officer: (3.c.7) The Detainee stated the Spanish bombings happened because the Spanish did not remove their troops from Iraq. The Detainee feels the Spanish brought it on themselves.

Detainee: That is not true. Are you stating that I made this comment, that I said this?

Presiding Officer: That is what the allegation/statement reads.

Detainee: I never said this.

Presiding Officer: You never said that.

Designated Military Officer: (3.d) Other Relevant Data. (3.d.1) The Detainee said that the Jews are behind the ongoing war and that they want the Christians to help them fight the Muslims. Once the Muslims are defeated, the Detainee predicts that the Jews will turn against the Christians. The Detainee also stated that the Jews have taken over Germany and the United States, are working in Europe, and the rest of the world, and they are seeking power through their hidden agenda.

Detainee: That is not true. I said...

Presiding Officer: You deny *this* allegation?

Detainee: I did not say this [referring to allegation 3.d.1]. One time an interrogator asked me, "why are you here?" I told the interrogator and stated to him that I thought I was here [at Guantanamo] because of the fact that I am Muslim. Then the interrogator said, "No, that is not true." I told the interrogator I have the evidence, I can prove to you that fact [that the Detainee was being held at Guantanamo simply because he was Muslim]. I then told the interrogator that all the prisons in the United States are filled with Muslims. All Muslims. Not Christians and not Jews. That is what I said to him.

Presiding Officer: Do you believe that?

Detainee: I am not talking about prisons *in* the United States. I am talking about the prison here in Cuba.

Presiding Officer: Thank you for clarifying that.

Detainee: The interrogators told me I was here [at Guantanamo] because I was a terrorist. I replied to the interrogator, "why don't you bring the man here who killed all the Chechen people and children? Why don't you bring Milosevic here [to Guantanamo]?" That is what my conversation with the interrogator was all about.

Presiding Officer: Isn't Milosevic in prison awaiting trial for war crimes?

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Detainee: How is he in prison? Is Milosevic being treated the same way we [referring to the Detainee at Guantanamo Bay] are being treated?

Presiding Officer: I am just trying to correct your perception about Milosevic. Milosevic is in jail.

Designated Military Officer: (3.d.2) The Detainee was jailed for forty-five days in 1986 for stabbing a girlfriend and stealing jewelry from her.

Detainee: That is not true. I was not in prison in 1986.

Presiding Officer: I did not think that allegation/statement made any sense. That would be a very light sentence for attempted murder and theft.

Detainee: Where was I in prison?

Presiding Officer: I am saying that I agree with you. That allegation [3.d.2] does not make any sense. I have scratched it out [showing the Detainee that allegation had been lined through on the Unclassified Summary].

Detainee: Thank you Sir.

Designated Military Officer: (3.d.3) The Detainee stated that when he lived in Europe he sold and used marijuana, hashish, and cocaine. The Detainee also stated he robbed tourists for money.

Detainee: Before I became a Muslim [I did those kinds of things]. That was a long time ago.

Presiding Officer: So you did use marijuana, hashish, and cocaine, but you used them a long time ago?

Detainee: Well, this is something that happened, that I did, before I became a Muslim. What does this have to do with anything?

Presiding Officer: Thank you for your truthfulness. I am sure that many of us did some things when we were young that we are not proud of.

Detainee: That is for sure.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee denied participating in fighting in Chechnya and stated he had no role in activities within Afghanistan or America.

Detainee: Yes. This is true.

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Designated Military Officer: (4.b) The Detainee stated he has no interest in the ideas of Usama Bin Ladin or al Qadia and he could not be persuaded to join their cause.

Detainee: Yes. That is true. That is correct.

Designated Military Officer: (4.c) The Detainee stated he has never been to Afghanistan or to a Zarqawi training camp?

Detainee: That is correct.

Board Member: Have you ever been to *any* al Qaida training camp?

Presiding Officer: Even if just for a very short visit.

Detainee: No. Never.

Designated Military Officer: (4.d) The Detainee claims that he did not see any fake passports in Duisi.

Detainee: That is correct. I did not see any fake passports.

Designated Military Officer: (4.e) The Detainee declined the Chechen leader Gelayev's offer to fight with them against the Russians.

Detainee: That is correct.

Designated Military Officer: (4.f) Despite living with Chechen fighters the Detainee stated he did not fight against the Russians.

Detainee: I did not hear the allegation. Can you please repeat it [to the translator]?

*Translator repeats allegation 4.f.*

Detainee: Yes, that statement is correct.

Designated Military Officer: (4.g) The Detainee claimed that he refused his friend's encouragement to fight the Jihad.

Detainee: How do you describe *encouragement*? I don't understand. Who is *he*? Who is this friend you are referring to?

Presiding Officer: The Review Board has no idea. Is this allegation/statement true or false? Did a friend of yours encourage you to participate in Jihad?

Detainee: That is not true.

Presiding Officer: No one ever encouraged you to join or participate in Jihad?

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Detainee: No Sir.

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

*The Presiding Officer acknowledged the request.*

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

*Assisting Military Officer indicated he had some additional Detainee comments from the Enemy Combatant Election Form and that the Detainee would like to make an oral statement.*

Assisting Military Officer: The following are additional Detainee comments from the Enemy Combatant Election Form: After the Unclassified Summary of Evidence was read to the Detainee, the Detainee summarized his response by stating, "Basically, all this information is not true." The Detainee also opined, "More important people with bigger allegations have already been released." After the AMO again explained the difference between the CSRT and the ARB, as well as the positive results from previous ARBs, the Detainee acknowledged by stating, "Yes, I will attend the ARB." The Detainee initially declined to choose between responding point-by-point or waiting until the Unclassified Summary was read in its entirety. After the AMO explained this was necessary to properly organize his ARB, the Detainee replied, "This is normal... point-by-point." The Detainee affirmatively declined to present any written statements at the ARB, by himself or others on his behalf. At the conclusion of the interview, the Detainee stated he had no further comments or questions.

Presiding Officer: [To the AMO] Does that conclude your presentation?

Assisting Military Officer: Yes Sir.

Presiding Officer: Mr. Soufian, the Review Board welcomes you to make any statement that you would like to help assist in your case.

*The Detainee made the following statement:*

Detainee: What should I say?

Presiding Officer: Anything that you think the Review Board should know that has not been presented already. Any thoughts you may have [in regards to your case]. The Review Board is here today to visit with you to find out if it is appropriate to release you.

Detainee: Thank you very much. Thank you very much, however, I do not have anything else to say.

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Presiding Officer: I would like for you to know that the Review Board has not prejudged you here today. The Review Board thanks you for your participation in this Review Board here today.

Detainee: Thank you very much.

Presiding Officer: Assisting Military Officer, do you have any further information you would like to present?

Assisting Military Officer: No Sir.

Presiding Officer: [to the Assisting Military Officer] Do you have any questions for the Mr. Soufian?

Assisting Military Officer: Yes Sir. I have two questions. [To the Detainee] When were you born? What year?

Detainee: I was born on April 29th, 1970.

Assisting Military Officer: How old were you when you became a Muslim?

Detainee: I was twenty-seven years old.

Translator: The Detainee would like to say one more thing [in regards to the AMOs second question].

Detainee: I have a question for the Assisting Military Officer. When the Assisting Military Officer asked me, "*When did you become a Muslim?*" I was originally a Muslim. I was born into a Muslim family. I became really *committed* to my religion at the age of twenty-seven. Before, I was not really committed to being a Muslim and my religion. I *was always* a Muslim. Before the age of twenty-seven I did not pray and I did not embrace my religion. At the age of twenty-seven I began to practice my Muslim faith. I am a Muslim by birth.

Presiding Officer: As an adult, you embraced God at the age of twenty-seven. Is that fair to say?

Detainee: I do believe in God. I have always believed in God. I started *obeying* God at age twenty-seven.

Presiding Officer: Thank you.

***Administrative Review Board Member Questions:***

Board Member: Sir, how long did you stay in Georgia?

Detainee: I stayed for one year.

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Board Member: During that year, you were only there to visit a friend?

Detainee: Yes, I had some friends [in Georgia].

Board Member: How did you support yourself while you were there [living in Georgia]?

Detainee: I had money.

Board Member: When you were traveling throughout Europe, who facilitated your travel [costs] and lodging?

Detainee: I did. I used to be a businessman.

Board Member: What kind of business were you doing in Europe?

Detainee: [Dealt in] Cars, exchanging currency, and I would bring clothing from Europe and sell it in Africa.

Board Member: Did you work for a company?

Detainee: No, I worked by myself.

Board Member: What are your feelings concerning the attack on the World Trade Center (WTC) on 11 September 2001?

Detainee: What do you mean by my *feelings*? When this occurred, I was in Georgia. I have heard of the event on the news. I realize it [the attack on the WTC] is/was a big catastrophe. What happened at the World Trade Center in America will open a door for many many big wars in the future. There is no longer going to be peace on earth. If this door is opened, it will never be closed again. This is a catastrophe.

Presiding Officer: You think this was a bad thing?

*Detainee speaking*

Translator: I have to ask the Detainee to repeat his statement because I could not understand him.

Presiding Officer: Please do.

Detainee: When America is hit [attacked], that means there is a problem. So, America should retaliate. Right? Because America was attacked. So, when America retaliates, it is going to open another door for their enemies to attack again. So, that means we [the people of the world] are opening a bunch of doors here and there for many many wars. There is not going to be an end to it. This war [war on terrorism] is really against an invisible enemy. Nobody knows who the enemy is.

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Board Member: Do you consider the individuals who flew the aircrafts into the World Trade Center Towers martyrs?

Presiding Officer: Would you consider those individuals murders?

Detainee: I cannot judge if these people were martyrs or not. God will decide if these individuals are martyrs or not. As far as I know, if you have principles and someone attacks you, I would say they would have the right to defend themselves. But for these martyrs, I have no idea. I cannot judge them. It's exactly like any regular American soldier. If a soldier was fighting somewhere and he got killed, you would consider him to be fighting for his country.

Presiding Officer: I would tend to disagree with your statement. We [the United States Military] wear uniforms and we do everything possible not to kill non-combatants. The Review Board would like to know if you think or believe what those murders [hijackers] did is ok?

Detainee: I cannot judge them. In my religion, I cannot judge those people.

Presiding Officer: The Review Board is not asking you to *judge* those individuals. Be very careful here. This question is very important. The Review Board does not want to release anyone who thinks that the attack on the World Trade Center [and other similar actions] is the way to wage war. The Review Board will give you another chance to answer the question. Maybe it's possible you did not understand the question.

Detainee: Please do not threaten me.

Presiding Officer: There is no threat. The Review Board is just thinking that maybe you did not understand the question.

Detainee: Please clarify the question for me. You are asking me if I thought those individuals [hijackers] are martyrs...

Board Member: It's fine. I believe I have heard enough. Have you ever been to England?

Detainee: I was going to England. I was arrested in Paris.

Board Member: Where were you captured? Who were you captured by that ultimately got you here to Guantanamo Bay, Cuba?

Detainee: In Paris.

Presiding Officer: Who captured you?

Detainee: The Paris Police.

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Board Member: That is how you ultimately ended up here [Guantanamo]? Based on that arrest in Paris.

Detainee: When I was arrested, I was arrested in Georgia and then they brought me here to Cuba.

Board Member: How do you believe the Algerian Government will receive you if you are transferred?

Detainee: I think they will receive me based upon the agreement between the United States and Algerian Government.

Board Member: Do you have family at home to return to?

Detainee: Yes I do.

Board Member: What will you do to support yourself if you are released or transferred?

Detainee: I will do anything. What I am thinking about right now, if I was released I would like to work on a ship.

Presiding Officer: Fishing?

Detainee: Yes. And I would invite you to have dinner with me [smiling].

Board Member: Mr. Soufian, are you aware of what happened at the schoolhouse in Beslan? Where Chechen Separatists killed 180 school children.

Detainee: I have no idea. I really don't believe that the Chechen people would do that.

Presiding Officer: They [Chechens] did do it. Take my word for it. The whole world saw pictures of it. It was awful. They blew up little children in their school. The whole world watched as it happened. The Chechens took the children hostage first.

Detainee: From my principle point of view and from my religious point of view, I believe people who take children hostage and kill them, that is a very big crime.

Presiding Officer: Thank you very much. That is what the Review Board was waiting for you to say [during the previous question].

Detainee: People who kill innocent women, children, elderly people, and other innocent people are cowards.

Board Member: Does the World Trade Center fit into that [your belief that killing innocent people is wrong]?

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Detainee: Yes. If those people were innocent, this action is not legal in my belief. Things like that are not legitimate in my religion. Those kinds of people are criminals. We have something in our religion, the only time you fight and kill, and you can fight the other military people, people who are wearing military uniforms. You cannot fight or kill civilians. You cannot kill innocent people like women, children, elderly, civilians, and even animals.

Board Member: Are you aware of any Muslim extremist groups?

Detainee: Yes, there are some fanatic Muslim groups. When those kinds of groups commit to Islam, they are committing to Islam with their emotions, not with their minds. People who commit to those kinds of groups [Muslim extremists groups] will ultimately do more harm than good.

Board Member: Compare your definition of Jihad to that of a Muslim extremist.

Detainee: There is no fanatic Jihad. There is a human being, a fanatic human being who will make his decision based on his anger. Those people will do more bad than good.

Board Member: Extreme acts of terrorism are not Jihad?

Detainee: To be an extremist, that is not Jihad. Jihad is when you defend your principles. Even if you were living peacefully with your family and someone comes from the outside and tries to provoke you, kill you, or rob you, you have to defend yourself. I would call something like this Jihad.

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

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

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

AUTHENTICATION

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

  
Colonel, USA  
Presiding Officer