

Summarized Administrative Review Board Detainee Statement

The Presiding Officer read the Hearing Instructions to the Detainee and confirmed that he understood and had no questions.

The Assisting Military Officer presented Exhibit EC-a, the Enemy Combatant Notification Form to the Administrative Review Board. The AMO then presented Exhibit EC-b, the Enemy Combatant Election Form to the ARB.

The Designated Military Officer presented Exhibit DMO-1, the Unclassified Summary of Information to the Administrative Review Board. He then gave a brief description of the contents of Exhibit DMO-1. The Designated Military Officer confirmed that he had no additional unclassified information to present and requested a closed session to present classified information relevant to the disposition of the Detainee.

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

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

Assisting Military Officer: Yes, sir. First, however, I would like to brief the panel on the information or notes I transcribed during my initial interview with the Detainee in which he responded to several of the summary comments. Also, during my initial interview he related to me that he did desire the opportunity to speak to the panel. And prior to this meeting he again indicated that, when given the opportunity, he would like to speak to the panel. Regarding the notes that I took during my initial interview, the comment wherein it states that the Detainee went to fight guaranteed [that] he would go to paradise after watching a video featuring two sheiks discussing Chechnya, he stated that he watched the Sheiks discuss Chechnya on TV vice a video. His point there, sir, was to indicate that he did not possess a video and thereby received recurring training propaganda. He just happened to be watching a television program and saw these two Sheiks discussing Chechnya and made a decision based on that one-time event. Also, under the primary factors favoring release or transfer, in response to the paragraph that talked about him receiving training on weapons in a training camp and in a bunker, he said he was never in a bunker. Also, in general the information in paragraph four, he agrees it is accurate in general [and] that he has made mistakes and will not repeat them in the future. However, sir, during our meeting he was very polite, listened with a lot of interest but generally did not give me a lot of verbal response to the information contained in the summary, therefore I believe he wants to speak with you as I mentioned earlier. That concludes my comments, sir.

The Presiding Officer asks the Detainee if he wishes to make his statements under oath. The Detainee takes the Muslim oath.

Presiding Officer: [To the Detainee] I would like to ask if the Assisting Military Officer's comments about your earlier interview were accurate?

Detainee: Some of the information that I would like to touch on was accurate but I would like to say some more. It is not really clarified due to the proper translation. I just want to clarify it.

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Presiding Officer: We would appreciate your clarification. You may continue your statement in any way you wish. The Assisting Military Officer can repeat any part of the unclassified document that you may wish.

Detainee: First of all, as to the Sheiks on the videotape, I would like to clarify that it is not a videotape it was in my house where I was watching a regular program on TV. Secondly, in regards to the bunker training camp, basically I do not know what "bunker" means or where a bunker is. The training camp that I trained at is the I-Aseem (ph) in Farouq in the Northern line and the Kabul line. This is the first time I hear the word bunker. Next, as to the chemical weapons, the statement that says that I was advised about chemical weapons were very dangerous; I was not advised and all along I believed that the chemical weapons were dangerous. No one advised me.

Presiding Officer: Well, that may be an issue in translation where for us it is that you believe they were too dangerous and no one was telling you this.

Detainee: That is very good.

Presiding Officer: Do you have any other statements you would like to make to this Administrative Review Board?

Detainee: Is it a specific point or in general?

Presiding Officer: It is really your opportunity to provide us any information, particularly about what was addressed in the unclassified summary. The statements you have made so far have been very helpful to us. Thank you.

Detainee: I'd like to stress the point that in the statement made that I participated in fighting the Americans is not true. Basically, I had never seen any Americans until I was captured in Kandahar. What about the classified information? How can I defend myself against this classified information?

Presiding Officer: Classified information is information that you may not be able to see. This board cannot change that ruling. As you know, we will consider such information in your case. You also heard us promise that we will consider all information provided to us including what you tell us here today. Your Assisting Military Officer has also reviewed the classified information and he will also be present during any closed sessions. He (the Assisting Military Officer) will also identify any information that we would need to review regarding your particular case. Your interviews with the Assisting Military Officer have provided some understanding of what you believe is applicable to your case. I would appreciate that you would respect that some classified information is kept from you for national security reasons. We cannot address classified information further in this session. Is there any other statement or question you would like to ask?

Detainee: I have nothing further to say but what puzzles me is this classified information again. If they have something against me, I'd like to defend myself. I'd like to know what it is so I can defend myself.

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Presiding Officer: As you have already been informed, the unclassified summary is the best that we can provide you and it is very appropriate for you to comment on what was given here today.

Detainee: Very good.

Presiding Officer: Al Jabri Bandar Ahmad Mubarak, does that conclude your statement?

Detainee: Yes, that is all I have.

Presiding Officer: At this point in the hearing we move to questions and answers. I remind the Detainee it is your option to answer these questions but if you do it will be helpful to us.

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

Assigned Military Officer: No, sir.

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

Designated Military Officer: No, sir.

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

Board Members: No, sir.

Presiding Officer questions the Detainee.

Presiding Officer: You clarified about seeing the two Sheiks on the television. I understand clearly it was not a tape, it was a national broadcast program. Just for the record, I'd like to know country or station this was? I assumed it was Saudi Arabia.

Detainee: It is a Saudi Arabian program about the misery and poverty in Chechnya. It was a regular program in Saudi Arabia.

Presiding Officer: I understand. Thank you very much.

The Presiding Officer reads the post-Administrative Board instructions to the Detainee and adjourns the open session of the Board.

AUTHENTICATION

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



Administrative Review Board Presiding Officer

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