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Summary of Administrative Review Board Proceedings For ISN 213

The Administrative Review Board (ARB) was called to order.

The Designated Military Officer 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 ARB proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood. When asked if he had any questions concerning the Administrative Review Board process, the Detainee asked the following question:

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.

The Designated Military Officer presented the Unclassified Summary of Information, Exhibit DMO-1, DMO-2, The FBI Redaction Memorandum and DMO-3, Patterns of Global Terrorism 2003 to the Administrative Review Board.

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

The Presiding Officer confirmed that a copy had been previously distributed.

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.

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The Assisting Military Officer presented Exhibit EC-C, Correspondence Submitted On Behalf Of Enemy Combatant, to the Administrative Review Board.

The Presiding Officer asked the Detainee if he wishes to make a statement and whether he opts to take an oath (a Muslim oath).

The Detainee accepted taking the (Muslim) oath.

The Assisting Military Officer made a statement on the detainee's behalf. The detainee concurred.

Assisting Military Officer: The Detainee's initial ARB interview occurred on 10 May 2005 and lasted two and a half hours. A follow-up interview was held on 11 May 2005 and lasted one and a half hours. After a review of the Unclassified Summary of Evidence, during the initial interview, the Detainee stated that he would like to attend the ARB. He said he would like the AMO to speak on his behalf but would like to make comments to the Unclassified Summary. He was provided English and Arabic translations of the Unclassified Summary of Evidence during the initial interview to assist in his preparation of his oral comments. The Detainee was very cooperative and well behaved. I would like to make one more statement in reference to the Unclassified Summary of Evidence. He (the Detainee) was given a copy the night of the first interview [but] he was never given that copy to sit down and make notes and [he said that] last night due to his moves, he didn't have an opportunity to sit down and make notes [either].

Board Member: Are you trying to say that the Detainee up to this point has never been given a copy of the Unclassified Summary in which he can make notes with or what?

Assisting Military Officer: No. He was given both copies, English and Arabic but he was given the opportunity on his time to sit down and write down any comments.

Board Member: In other words, he did not have the...the Detainee Operations Group did provide him a pen [or] a paper and you confirmed that with the Detainee operations control group?

Board Member: Yes.

Presiding Officer: However, there's the documents provided in enclosure EC-B. It looks like there has been a response to all of these. These were obtained in the oral interview is that correct?

Board Member: Yes, sir.

Presiding Officer: So has responded to that. We will go ahead and continue. Your words are noted.

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Assisting Military Officer: Yes, sir. Thank you. The Detainee provided the following comments in response to information in the Unclassified Summary of Evidence: In response to the allegation that the Detainee was assessed by a foreign government service to be a hardcore extremist, the Detainee stated that he doesn't have a relationship with any foreign government. He stated [that] if this information is correct, the name of this country should be brought to this board. In response to the allegation that the Detainee decided to go to Afghanistan to build a mosque, he made arrangements to travel to Afghanistan after September 11 attacks, leaving the return flight date open. The Detainee left Kuwait on either 21 or 22 September carrying \$15,000 in U.S. currency to build his mosque, he stated [that] yes, he went to Afghanistan to assist in the building of a Mosque. Then he made the statement that if there are criminals in an Arab country and I go there, does it mean that I'm one of them? He also stated that his return flight was an open date, but up to a certain date and you must confirm [by] 72 hours. This is a requirement from Kuwait Airlines. The Detainee answered that he had \$15,000 to assist in the building of a mosque. In response to the allegation that the Detainee traveled to Afghanistan from Kuwait City by plane to Meshat, Iran where he hired a car to the Iran/Afghanistan border, spent one night in Taibot, Iran, before crossing the border into Afghanistan, traveled to Namruz, Afghanistan and from there to Kabul, Afghanistan where he worked with Al Wafa repairing homes and schools for the poor, the Detainee stated this is true with the exception of his work with Al Wafa repairing homes and schools for the poor. He said that he donated \$1,000 for aid in the construction of a school. In response to the allegation to that the Detainee donated \$1,000 U.S. [dollars] to Al Wafa in Kabul to build a school, he gave an Afghani \$2,000 to assist refugees on the border and \$9,000 to build a mosque and his remaining \$3,000 and his passport were stolen from a house he was staying at outside of Kabul, the Detainee stated again, as he said in the previous allegation, he did give he did give \$1,000 to Al Wafa for the construction of a school. He said [that] yes, he gave an Afghani (Ali Faheem) \$2,000 U.S. dollars to assist refugees at the border and \$9,000 to help build a mosque. The Detainee also stated that his remaining \$3,000 and his passport were stolen from the house that he was staying at outside of Kabul.

The Administrative Review Board took an administrative pause to confirm the wording of the allegation stated prior.

Detainee: Would you like for me to clarify how I gave my money to Al Wafa or [the] other organizations?

Presiding Officer: Sure.

Detainee: When I donated money to Al Wafa I didn't know anything about Al Wafa, not in Kuwait. It is written [as] an organization [that] helps refugees. Why I am accused of it? I don't know anything about Al Wafa. There were no witnesses there that saw me donating the money. I volunteered this information myself. This is proof that I don't have anything to fear.

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Presiding Officer: All right, thank you.

Assisting Military Officer: In response to the allegation that the non-governmental organization "Wafa," officially named Al Wafa Al Igatha Al Islamia or Wafa Humanitarian Organization and headquartered in Saudi Arabia is believed to have connections to Usama Bin Laden and Afghan mujahidin, he stated that he doesn't have any knowledge of this. In response to the statement that the Detainee received training about Lashkar E-Taiba and that the first time he ever heard of this organization was during the CSRT. He also stated that he has never been to Pakistan and the Kuwait government can verify this. In response to the allegation that the detainee's name appears on a computer file used by suspected Al Qaida members listing the names of Detainees incarcerated in Pakistan and this file was recovered in a suspected Al Qaida house in Islamabad, Pakistan, the Detainee stated that after he turned himself over to the military and police near the border, they took him to a hospital in Pakistan where he was treated for very bad stomach pains and exhaustion. He also said that he was transferred from the hospital to a prison where a Pakistani soldier took pictures, fingerprints and the names of the Detainees. The Detainee stated that one evening a Pakistani officer with three stars on his shoulder came and took pictures of them with a camera while another soldier was on the other side of the bars. In response to the statement that the Detainee's name and telephone number were on a list of captured mujahidin members that was discovered on a computer hard drive associated with a senior Al Qaida member, the Detainee stated that he has no knowledge of this and that this point was discussed with a female interrogator prior to the CSRT. He stated that in Pakistan, an individual who identified himself as a Saudi government official said that he was there to help the Saudi detainees and I gave my number to one of the detainees to contact his family and then his family would contact the Kuwaiti authorities about his detainment. In response to the allegation that the Detainee's name, home country and phone number appear on a document containing information regarding the capture of Al Qaida and Taliban fighters by Pakistani officials in Nangahar Province, Pakistan who crossed the border after the 11 September 2001 retaliation, he said that he does not know anything about this and if it were true, he would like to see the document. In response to the allegation that the information listing a safety deposit box and passport for the Detainee appears on a floppy disk recovered from a suspected Al Qaida safe house in Karachi, Pakistan, he stated this is not true, as I stated earlier that [my] money and passport were stolen. In response to the statement that according to a foreign government service the Detainee may be an associate of Abu Gaith, the Detainee said who is this foreign government service that is making this allegation and who is Abu Gaith? In response to the statement that Abu Gaith was the Imam of a mosque in Kuwait and later became a spokesman for Bin Laden, the Detainee said I will swear to an oath that I do not know where this man prays and that the Kuwaiti delegation has visited him twice and they never asked him about Abu Gaith. In response to the allegation that the Detainee was captured with no identification papers, he said he was not captured, but went to a place where the military and police worked together and turned himself in near the border. He also said that he had no identification papers because his passport was stolen. In response to the allegation that the Detainee's name has been pre-authorized for placement in appropriate government agency watch

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lists, he stated that he has never had any problems with the Kuwaiti or any other government, not even a traffic violation. In response to the allegation that the Detainee is linked to the Takfir Wa'al Hijra (TWH), he stated that he doesn't know anything about this.

Presiding Officer: Does this conclude your statement?

Detainee: Yes, but if you [would] excuse me, I would like to say something.

Presiding Officer: Go ahead.

Detainee: I have no problems with [the] American government or any other government or any other person. The FBI and [the] CIA [have] interrogated me during [the past] three and a half years. None of them [have] said that they have seen me somewhere or that [I] have done something. I didn't [commit] any crime and I do not support any crime, not only in America but anywhere else. I don't know why I've spent all this time here. Outside, my family needs me more. I have a younger brother who studies in the United States. On the contrary, he got a scholarship from the Kuwaiti Embassy because of his good behavior. I have other brothers [who are] older than me. One of them is in the Army and the other one is a police officer. I don't have [any] problems with any other person or government...not even in Kuwait or out side Kuwait. I attend[ed] this ARB with the confidence that you are going to take my case [into] serious consideration. Because of that, I feel that you are doing a lot in order to help me. [That] there is importance [in] my case. I ask you [to] please take a look at my case seriously. This [time] that I've spent here is not easy. That is all I have. Thank you.

Presiding Officer: In a moment we will ask you some questions.

Detainee: Very good.

The AMO had no further questions for the Detainee.

The DMO had the following questions:

Designated Military Officer: I have one question. In reference to EC-B page 2, the third paragraph down. The Detainee basically agrees with this statement with the exception of [his] work with Al Wafa repairing homes and schools for the poor...

Detainee: I did not work with Al Wafa. I wasn't [in] their employment. And I didn't rent a car. I took a taxi. I didn't rent a car and drove by myself. I wanted a driver with a taxi.

Designated Military Officer: My question is, were you helping the people in Afghanistan to build homes and repair schools? Was that what you were doing there or did you just donate the money?

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Detainee: I gave the money to build the mosque and I gave Al Wafa organization the money [too] but they had their own project, which means that I didn't work with them.

Designated Military Officer: What did you do on a daily basis? Did you work?

Detainee: No, no, no. I visited only once and I only gave them the money.

Designated Military Officer: What were you doing on a daily basis? Were you working? Were you helping to build schools?

Detainee: No, no, no. There is an organization...they have an office. You go to them and [they] say 'we have this project and this project.' You give them the money that you want to donate and you go. That's all.

Designated Military Officer: Besides from Al Wafa, what were you doing on a daily basis?

Detainee: I stayed for a little while in Ali Faheem's home. After I donated the money to build the mosques and all the other donations, I wanted to go back but they told me that the borders were closed.

Administrative Review Board Member's questions:

Board Member: Thank you for taking the trouble to come here today. We are not going to interrogate you here; other people have done that already. We are going to ask you some questions about events in your past and your role in those events. In your answers, I want you to tell us the whole truth so that when you leave we know you were truthful with us.

Board Member: I have one question. [In your statement] you mention this gentleman called Ali Faheem. Who is Ali Faheem?

Detainee: This guy was working in Kuwait. I knew him from Kuwait.

Board Member: You said you were staying in Ali Faheem's house? Is that what you said?

Detainee: I stayed with him in a house that belongs to his family. It is outside of Kabul.

Board Member: What was Ali Faheem doing in Afghanistan?

Detainee: It's his country.

Board Member: Oh, he is from Afghanistan?

Detainee: Yes, yes. He was working in Kuwait.

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Board Member: OK, so he is from Kuwait and he is working in Kuwait but what was he doing in Afghanistan? What was Ali Faheem doing in Afghanistan?

Detainee: Ali Faheem was a carpenter in Kuwait and after he went to Afghanistan.

Board Member: Thank you.

Board Member: I have some questions. Prior to September of 2001 had you ever traveled previously to Afghanistan?

Detainee: No, this time [was my] first time.

Board Member: Not even to visit your friend Ali Faheem previously?

Detainee: No.

Board Member: How long had you known Mr. Faheem prior to traveling to Afghanistan to visit him?

Detainee: He built a house for me approximately two years before he left.

Board Member: Prior to leaving for Afghanistan, were you employed? Did you have an occupation?

Detainee: Yes.

Board Member: What was your occupation?

Detainee: I was an employee at the Ministry of [the] Interior.

Board Member: And you were employed there just before you went into Afghanistan?

Detainee: No, no. I left the job [approximately] ten months to one year [before].

Board Member: You resigned from that job a year earlier roughly?

Detainee: Yes.

Board Member: Why did you quit from that job?

Detainee: The Ministry of the Interior was very demanding. I spent a lot of time [there]. And I preferred to be close to my family to take care of my parents.

Board Member: After you quit your job at the Ministry, how did you earn a living?

Detainee: I had a little commerce.

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Board Member: What type of commerce did you engage in to earn a living?

Detainee: I sold watches and cell phones [in] a little store. And I sold used cars [too].

Board Member: After you resigned from your job at the Ministry, during that nine or ten months when you were not working there prior to traveling to Afghanistan, did you travel to any foreign countries in that period?

Detainee: No.

Board Member: Were you aware of the events of September 11th, 2001 that happened in the United States?

Detainee: Yes, the TV and the news in Kuwait stopped all of their programs and talked only about that.

Board Member: So the television programs revealed that there could be a growing conflict and animosity between [the] Afghanistan Taliban government and the United States, correct?

Detainee: I didn't hear [about] that.

Board Member: You didn't expect or anticipate [that] there could be some growing conflict between Afghanistan and America based on these attacks and what the media showed you on television...that there could be troubles in Afghanistan?

Detainee: No, I didn't. I didn't expect [an] invasion and a war and this...I used to work in the Ministry of [the] Interior and if a person was wanted he would be delivered to the Interpol (International Police). Do you think that if I knew that there was going to be a war there, even a civil war just between them, you think I would go there?

Board Member: That is what I was wondering about. I was wondering if perhaps you had checked with the Kuwaiti embassy if traveling to Afghanistan would be safe at that time considering the state of affairs in America and Afghanistan?

Detainee: I didn't talk to the people responsible for traveling.

Board Member: Why didn't you fly directly into Kabul when you went to Afghanistan? Why did you decide to travel to Iran beforehand and then take a car to Kabul?

Detainee: There were no direct flights from Kuwait to Kabul.

Board Member: Was there a direct flight to Peshawar, Pakistan, perhaps?

Detainee: I don't know if there is. Maybe [there is] with Pakistan Airlines but I went to Iran.

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Board Member: I understand you traveled to Afghanistan with \$15,000 U. S. dollars. What was the denomination of that money? Was it hundred-dollar bills, fifty-dollar bills [or] a mixture of money?

Detainee: Hundred dollar bills.

Board Member: All hundred-dollar bills?

Detainee: I changed like a hundred or two hundred dollars just to have change [in case] I went to the restaurant or for personal expenses. I changed it in Iran.

Board Member: But the bulk of the money was hundred-dollar bills?

Detainee: Yes.

Board Member: Did you carry any luggage?

Detainee: I had a little bag like a sports bag.

Board Member: Just one sports bag?

Detainee: It has a little bag...a handbag that had [my] money and [my] passport.

Board Member: The \$15,000 in hundred-dollar bills, did you keep it in your handbag?

Detainee: Where would you like me to put it? I [didn't] have [another] place to put it.

Board Member: I was just wondering how you carried this amount of money. Whether you had it in your suitcase, your handbag, like you explained. It's an awful lot of money to carry into a country that is not very affluent.

Detainee: Well you see, they are not that sophisticated in Afghanistan [to] have offices for exchanges. You will see people changing money on the streets. He sits and exchanges the money and when he is finished he takes his chair and he leaves.

Board Member: I understand.

Detainee: Even in the Iran airport I wasn't searched or asked why...it was a simple inspection...they asked me what I had and I said I had my clothes and that is it. You open it (the bag) and you put it through the scanner and he gives it back.

Board Member: I understand.

Detainee: Even when I went to Iran and I talked to the interrogator about that it was no problem. Nothing happened.

Board Member: I understand.

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Detainee: [They asked me] a question or two...simple questions.

Board Member: I understand.

Detainee: Prior to your arrest, had you been to Pakistan?

Board Member: I didn't enter Pakistan and I wasn't captured. I delivered myself. I went to them myself. I wasn't captured. This point about Pakistan and [them] capturing me, it is very important that you do understand it. The soldiers in Pakistan know and it is known now all over the world [that] when they capture somebody they get a reward. What people do is [that] they capture somebody and they say that [he] is from Al Qaida and he is from so and so and he is from so and so...those people that [do the catching] they take people and deliver them...believe me...even if they have to deliver their nephews for money, they will do it. And there is a place there...the reception of [the] delegation, one guy met me there and told me that he was from the FBI. I am not sure. When we talked about this point here he confirmed that this is true. And to prove [it] there are some people that have been delivered (to the U.S. soldiers) from the United Nations [delegations that were] assigned to [work in] Pakistan. They said that they were from Al Qaida and [really] they were from the United Nations delegations. I am giving you a small example but there are a lot of things that happen.

Board Member: I understand it seems that you don't like Pakistani people very much. Is that true or is that not true?

Detainee: No, no, no, no! Iraq invaded us and took our country. We don't have hatred [towards] people...we don't. My brother was captured by Iraqi people during the Gulf war.

Board Member: Did your father ever ask you to travel to Pakistan to follow up on a mosque that he had invested in?

Detainee: My father didn't have a mosque in Afghanistan. My mother is the one who has a mosque in Pakistan...long time ago...long time ago. The money that I had and everything I did was in the name of my father or my mom.

Board Member: My question is did your father ever ask you to go to Pakistan to check up on this mosque?

Detainee: The mosque is my mothers' mosque. It is not my fathers' mosque. It is an old mosque.

Board Member: Did your father ever ask you to go visit your mothers' mosque in Pakistan?

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Detainee: Yes, yes.

Board Member: Did you obey your fathers' orders or did you disregard them?

Detainee: He said 'this is your moms' mosque, take the address with you and if you need something go there and visit. That is your moms' mosque and it has been there for a long time.'

Board Member: And your father told you this before you went to Afghanistan to visit your friend Ali Faheem?

Detainee: No...he talked to me before I traveled. He told me that if I went to Pakistan to visit my moms' mosque. He didn't precise any time. He said [to do it] when I got a chance...you know? He was advising me that if I went there and I stay there (Pakistan) [to] visit the mosque and see if they need anything.

Board Member: Did your father know that you had traveled to Afghanistan when you left to go there?

Detainee: I mean...I lived with my parents and I did things with them but they don't impose on me what to do or order me around but I do things to help them because we live together.

Board Member: I understand but my question was did you tell your father that you were going to Afghanistan before you traveled there?

Detainee: Yes, I told him I was going to travel by plane next week but he didn't know the exact time. I didn't talk to him about the exact time. I used to travel in the Gulf but I've never been out of the house more than thirty days.

Board Member: And the \$15,000 that you took with you, was that your money or your families money?

Detainee: Of course, my mother and my father gave me some money but I was the one in charge of the money. I lived with them in the house. I didn't have any expenses.

Board Member: So it was your money or it was your families' money? I don't understand which.

Detainee: My father or my mother, for example, would give me a thousand dollars and I accumulated my money aside. I didn't have any expenses so I saved it. If they needed it a certain amount of money they could use it too. Talking about this amount...I volunteered myself to the interrogator. I am the one that told them [I had] \$15,000 without being pressured from anybody.

Board Member: I understand. I appreciate your answers.

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Detainee: I am (inaudible)...\$15, 000 or \$30,000 cannot finance a country. How can I be part of [this] organization?

Board Member: Do you help support your mother or your father or are they on a pension? Do you contribute to their support in any way?

Detainee: Yes. They have a good retirement and I live with them. Our money is all together but I help them a lot when they need to go to the doctor. I am always in the house with them. I am in charge of them. My mother and my father have an average families retirement from the Kuwaiti government. My father has a big house from the Kuwaiti government as part of his retirement.

Board Member: Did you discuss with your father your intentions to travel to Afghanistan and this large amount of money you were going to [take] with you before you left to Afghanistan?

Detainee: I don't have to tell him how much money I am taking or [anything]. My father is a simple man. [I told him] I am going to take care of [a] mosque and that's it.

Board Member: I only have a few more questions.

Detainee: You are not writing or you are not even reading.

Board Member: I am listening very carefully. I understand that you lost your passport prior to leaving Afghanistan, correct?

Detainee: Yes.

Board Member: Do you have any idea why the thief would put your passport in a safe deposit box that is associated with Al Qaida operatives?

Detainee: I don't know the purpose. I would lie to you if I say. They stole my passport. I don't know.

Board Member: I appreciate your answers.

Detainee: I am the one in charge in the house. [I take] care of my father and my mother. I mean...there is a great deal of confidence between [us]. They don't even ask me what to do I just do it for them. There is trust between us. I have my brothers. They are all well. They have their projects. We all get along well. I don't have any problems with them. For that reason I am the closest one to my father and mother, because they are all married with their kids and everybody is out of the house. I am the only one in the house with my father and my mother.

Board Member: I am sure your parents miss you very much.

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Detainee: In general, yes.

Board Member: Is \$15,000 a lot of money to you?

Detainee: I am going to build a mosque. You have to have at least \$15,000. If I can build the mosque for less it is in my benefit and I would do it but the least amount you need to have is \$15,000.

Board Member: But would you agree that \$15,000 is a lot of money?

Detainee: A lot of money from one point. For example, if you are a tourist, yes it is a lot of money but if you are building a mosque it is not.

Board Member: I imagine you must have safeguarded it very well during your travels.

Detainee: I had it in my bag with me.

Board Member: So you kept it with you at all times?

Detainee: It was in the bag and when I had the bag it was with me...

Board Member: But was it in your possession at all times?

Detainee: At all times except when I am in the house. [Then] it is probably sitting in a place. The room in which I was, I left it there but I went outside or went to wash myself, it was there. The money [was] in the room.

Board Member: OK, now, you stated that \$3,000 were stolen that you left in the house. Why would you leave \$3,000 behind in the house?

Detainee: It was in a little handbag with the passport and it was in the sports bag and I had a little [bit of] money with me to go out.

Board Member: Why did you leave it behind? That is a lot of money to leave behind.

Detainee: Where would you like me to leave it because when you go to the grocery store or you go somewhere on the street people are looking at you, so I took [only] a little [bit of] money with me. And I [thought that] it was safer in the room. In my opinion that was the safest place. In Kuwait when [you are in the car with a friend] and he goes out of the car and you stay in the car where there is a lot of money and they don't worry about it. The people in Kuwait will even come and ask you to count their money for [them]. If I found the exchange offices I would use them and this country is a little behind.

Board Member: OK. I have a question along those lines...about a country being behind. Was there any way to mail a check to these charitable organizations? Did you have to hand deliver the money?

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Detainee: I didn't know the organization before I left Kuwait. When I [got] to Afghanistan I found this charitable organization.

Board Member: Al Wafa, is that who you are referring to?

Detainee: Yes. When I [got there] I gave them...

Board Member: Thank you.

Board Member: What other countries have you traveled to?

Detainee: In the Gulf to Bahrain, United Arab Emerits, Saudia (ph), Arab countries...other Arab countries...Jordan...in Jordan I didn't stay a long time there...one, two or three days and then we went to Syria. I traveled to Thailand. There were some countries in which I went two or three times.

Board Member: How many times to Thailand?

Detainee: Three or four...I am not sure.

Board Member: [You went] on holidays or vacation?

Detainee: I don't mean what is vacation to you...I was going there on business.

Board Member: Your name appears on several lists and one agency lists you as an extremist.

Detainee: Extremist...this word is not true.

Board Member: Extremist as it relates to a terrorist.

Detainee: If you tell my neighbors and my family this word, they will laugh.

Board Member: But your family and your neighbors aren't on the list, you are.

Detainee: They know me better. This is impossible. My country knows me very well.

Board Member: One more thing here. How would you describe your behavior towards people at Guantanamo?

Detainee: People here means Detainees or soldiers (guards)?

Board Member: Soldiers...the guards.

Detainee: The ones that follow the rules you are at ease with. The rules don't allow them to insult you or hurt you. The ones that [break] the rules make you suffer.

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Board Member: And then you react to them out of your rules?

Detainee: What do you mean [by] 'my rules?' I don't understand.

Board Member: That means [that] if they act inappropriately towards you, you act inappropriately towards them.

Detainee: I mean...I have no power. The simplest thing to do is to ask for the linguist and talk to them. [A] linguist told me once that I create problems and I told him that I don't create problems and I don't have anything [against] soldiers. I have never hurt any soldiers and [you can even] look in my file. If a person is preoccupied thinking about their home, their mother or father, [he] doesn't have time to have problems with the soldiers.

Board Member: In our considerations we look at what happened with you in the past as well as what is going on with you now at Guantanamo [Bay, Naval] Base with the soldiers. It is all a bigger picture. There is a picture here...a picture here. I would encourage you to be very cooperative with all of the people here...Detainees and soldiers.

Detainee: Very good.

Board Member: Last question. I want you to explain why you believe you are no longer a threat to the United States or its allies.

Detainee: I don't pose [a] threat on the United States or its allies or not even the ones that are not allies [of] the United States. I don't pose a threat on anybody. Thank God that in all of my life I have never had a problem with anyone in school, at work or with my neighbor. They taught us how to forgive because when you forgive your parents are proud of you. They taught us how to be affectionate. I do not pose a threat...not in the past...not in the future. In my situation now my parents are most important. I was late to get married and the reason for that [was that] I was so busy with my parents because they are a little old and tired.

Board Member: I know about old and tired.

Detainee: You are a father and you know the relation[ship] between [a] father and [a] son.

The Presiding Officer reads the post-Administrative Board instructions to the Detainee.

Detainee: This means if they continue to detain me?

Presiding Officer: Yes.

Detainee: I am optimistic for good things.

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UNCLASSIFIED//~~FOUO~~

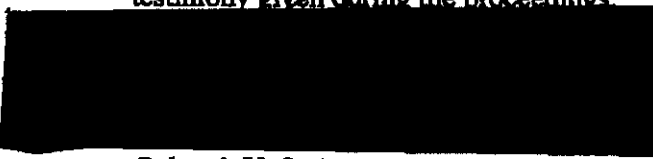
The Presiding Officer adjourned the open session of the Board.

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, U. S. Army
Presiding Officer

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Enclosure (6)
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712
000708

UNCLASSIFIED

CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY COMBATANT

ISN 213

Exhibit #	Date	Classification	Guantanamo#/ICRC Letter #
EC-C	1/31/2005	UNCLASSIFIED	Not applicable (see below)

Exhibit EC-C was submitted by a legal firm for the ARB, at the request of the detainee's family, and therefore does not have Guantanamo or ICRC numbers.

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Enclosure (4)
EC-C
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January 31, 2005

ABU DHABI
BEIJING
BRUSSELS
DÜSSELDORF
FRANKFURT
HONG KONG
LONDON
MANNHEIM
MENLO PARK
MUNICH
NEW YORK
PARIS
ROME
SAN FRANCISCO
SÃO PAULO
SINGAPORE
TOKYO
TORONTO
WASHINGTON, D.C.

Dear Commander [REDACTED]

The family of Khaled Abdulla Misha'al Thamar Al Mutairi has requested that we submit materials to the Annual Review Board (ARB) on his behalf, to be provided to and considered by the ARB in accordance with Administrative Review Board Process §§ 3(f)(1)(a), 3(f)(1)(d)(7) and Administrative Review Board Process Step-by-Step § 1(g).

Mr. Al Mutairi's father has submitted a letter for your consideration. This letter demonstrates that Khaled would not be a threat to the United States or its allies if released, and also provides information regarding his work history, and family status, to be considered by the ARB pursuant to Administrative Review Board Process § 3(f)(1)(d)(10). Khaled's father characterizes him as a benevolent person interested in charity and helping others. Khaled's absence has been particularly hard on his parents, who are elderly and unable to care for themselves, and his nephew, who Khaled raised after the death of his brother. Khaled was the sole financial provider for the family, and was also responsible for taking his ailing parents to the doctor and giving them their medication. In his absence, Khaled's mother has gone blind, and now spends hours sitting in Khaled's room waiting for his return.

Mr. Al Mutairi's family would also like to resubmit personal information and documentation that was previously requested by and submitted to the Department of Defense, but which is also relevant to the ARB proceedings under Administrative Review Board Process § 3(f)(1)(d)(10). The "Personal Particulars" document submitted by Khaled's father contains

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22842

Enclosure (4)
EC-C
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information about Khaled's age, marital status, family, and education, and the family has also resubmitted documentation concerning the health condition of the detainee's relatives.

Finally, please note that these submissions do not constitute a waiver of the detainee's right to pursue his petition for habeas corpus and related claims brought in *Al Odah v. United States of America*, D.D.C., Civil Action No. 02-828 (CKK).

Sincerely,



Neil H. Koslowe

Enclosures

UNCLASSIFIED

To: The members of the Annual Review Board

Esq.

Dear Sirs,

I Abdullah Mishal, father of the detainee Khaled Abdullah sends you greetings.

I am seeking assistance from God and from you to release my son Khaled. Since his date of absence until the date hereof, I have never been happy and I have suffered much with his mother due to his absence. He used to help me financially and materially. He is living with us in the same house, so his absence has created wide gap. We used to see him on daily basis and he was supporting us financially. Further he used to take his mother and me to whatever places we would like to go to. Moreover he used to have his food with us and give us medication on time. In addition he used to take us to the clinic and he was responsible for his mother and me. He was in charge with our business and property, especially after the death of his brother Faris who died in 1995 due to traffic accident. This accident has its impact on his mother and me. My dead son has a boy who is called Abdullah and he is living with us. Khaled used to care for his nephew and since the date of birth of this boy, Khaled is acting as if he were his father. He used to care this boy and manage his affairs, to take him to the recreational places, follow up his teaching and purchase his needs from the market. After his detention his mother, nephew and me suffered much and we became in miserable condition. No body is taking care of us. As a result his mother lost her eyesight as she is continuously weeping and I cannot stay at home, because I see him in every place inside the house. I can't see his vehicle or the house. His mother is keeping all the contents of his room, including his cloths and furniture and she is always staying inside his room recalling him. So you are kindly requested to release my son Khaled for his old mother and I am. Now I am more than 75 years old and I can tell you that my son Khaled is not the person you are looking for. He is innocent person, benevolent to his father and mother and kind hearted. I did my best to up bring him well and I am fully acquainted with him. It is impossible that he can heart any person. I am the reason behind his travel as I told him to go to Pakistan to follow up the mosque which his mother and I have already constructed in Pakistan. Our ownership of this mosque is documented. I am obliged to

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ENCLOSURE (4)
EC-2

Page 4 of 14

hire a driver after the absence of my son Khaled. However I couldn't hire a son to substitute him and God is to be thanked for everything. Please return him to his mother and to me. We have suffered much from his absence and we are still suffering. You can take me instead of him, but please release him because I am sure that Khaled had never insulted any person, rather he used to help people. I hope that you will consider this message favorably.

With sincere thanks

Abdullah Mishal

(Signature)

Civil ID card No. 2261012000128

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بسم الله الرحمن الرحيم

وبه فتبين

السادة اعضاء مجلس المراجعة السنوية

انما عبد الله شغل والد المعتقل فالد عبد الله

السلام عليكم ورحمة الله وبركاته

الطلب المساعدة من الله ثم منكم يا لافى سراج مولى فالد حيث من يوم
غيا به حتى كتابه هذه الرسالة لم ارى لمعلم المساعدة وعما نيت الكثير
لنا والدته من غيا به حيث هو عند كان يساعدي حاديا ومعنويا
وانه يكن معناني نفس البيت مما ترون لنا فراغا كبير حيث اعتدنا
على رؤيته يوميا وكان يعيلا صاديا ويقوم بتوصيلنا انا والدته
الى الاحاث التي نرغبها لطلب لوط وكان يتناول الطعام معنا
ويشرف على علاجنا حيث الوقت المحدد يعرف الادوية والمراهم
الخاصة للعيادات الطبية من حيث المواعيد وكان هو المسؤول عن
امه بآدارة اعمالنا واولادنا خصوصا بعد وفاته شقيقه فارس
رحمه الله في ١٩٩٥ اشتر هات موري مما تأثرت نفسي
انا والدته وكان له ابن يدعى عبد الله وسكن معانا ان فالد
يرعى ابنه فيه المتوفى وابلغنا منذ ولادته بأنه هو ابني فالد
وكان له نعم الاب الذي يرعاه ويقوم في اداره شئونه والذهاب
به الى الاحاث الترفهية ومنا بعث في التعليم وقضا حاجاته
من الاسواق احابعدا عتقاله معاننا لا توصف انا واهله وابنت
شقيقه كانت حالنا وضاقت خينا السبل لا نجد من يواسينا
ويقوم برعايتنا حيث ان والدته فقدت بصرها منذ لثالبلاء عليه
واما ان لا استطيع البقاء في البيت هذا لا اذكره او اشاهد سيارته
احا المنزل ووالدته تحتفظ بجميع محتويات غرفته من الملابس
والاثاث حتى هذا اليوم وتجلس في غرفته طوال اليوم لذكره
وان مهورته لا تفارقنا ارجوكم رجاء اجوى واغوى اطلبوا سراج
ابني فالد من اجل انا واهله العجوز وانا كبير السن تجاوزت
الخمسة والسبعون وان ابي فالد ليس من يهتمون عنه

Enclosure (4)

GC-C

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Personal Particulars

File No. (2)

Full name : Khaled Abdulla Misha'al Thamar Al-Mutairi.
Father's name : Abdulla Family name : Al-Mutairi
Mother's name : Hamda
Date of birth : 1975 Age : 27
No. of brothers : 9 Order between family members : 7th
Qualification : Intermediate Occupation : Employee
Certificate

Marriage details:

Date of marriage : Bachelor

No. of sons :

Namely :

1. :	Age :
2. :	Age :
3. :	Age :
4. :	Age :
5. :	Age :
6. :	Age :

Family address

Area :	Farwaniya	Block :	1
Street :	124	Avenue :	-
Telephone :	9761663	Telephone :	4712827
Telephone :	4741354		
Details stated by :	Thamar Abdulla	Relationship :	His brother
Signature :	(signed)		

FL2/FAC(1)

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المعلومات الشخصية

رقم الملف (٢)

الاسم الكامل : خالد عبد الله بن محمد بن ناصر المطر
اسم الأب : عبد الله بن عبد الله
الميلاد : ١٩٧٥
العائلة : المطر
العمر : ٢٧ سنة
الأم : أحمد

عدد الأخوة : ٩ الترتيب الأسري للأسير بين أفراد العائلة : ٧

المؤهل الدراسي : المتوسط الوظيفة : سائق

معلومات الزواج :- ١ عزب

تاريخ الزواج :

عدد الأبناء :

هم :

١-

العمر

٢-

العمر

٣-

العمر

٤-

العمر

٥-

العمر

٦-

العمر

عنوان الأهل :

المنطقة : الفروانية ق : ١ ش : ١٢٤ جادة :

هاتف : ٩٧٦٦٦٦٣ هاتف : ٤٧١٢٨٤٧ هاتف : ٤٧٤١٣٥٤

التوقيع :

العلاقة :
٥. ٥١

صاحب المعلومات :

EN/Urre(9)

EL-c

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The health condition of the detainee's relatives

Name :

Relationship to the detainee:

Health condition :

1. The mother of the detainee is suffering from diabetes
2. He also suffered from consumption
3. Liver disease
4. Hypertension
5. He had several operations in the retina.

The mother of the detainee is suffering from :

1. Chronic Asthma
2. Diabetes
3. Hypertension
4. Lung disease

Source of Information: Tamar Abdulla

Relationship : his brother

Signature: (Signed)

FL 2/FAC (4)

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معلومات الأسير :
 عماد الدين السيد محمد علي الطري : دولة الكويت
 بتاريخ ٢٠١٩ / ٢٠١٩
 بقصر الاعمال الخيرية والاعمال الخيرية
 الامم المتحدة على الحدود وكان على التماسات له والامم
 المتحدة بينه وبينه والامم المتحدة والامم المتحدة
 في باكستان الخاضعة له والامم المتحدة والامم المتحدة
 وفي الامم المتحدة الخاضعة له والامم المتحدة والامم المتحدة
 وان الامم المتحدة الخاضعة له والامم المتحدة والامم المتحدة
 وحسب ما كانت وذلك في اداء الامم المتحدة والامم المتحدة
 حسبها انقضت الامم المتحدة والامم المتحدة والامم المتحدة
 انقضت عليه ومن قبل سلطات الامم المتحدة
 ونقل الى افغانستان ثم الى كابل وحضر
 حرمه على سائل

مصدر المعلومات : ما من عبد الله علي الطري : التوقيع :

09/12/01 09:57 Pa

MINISTRY OF PUBLIC HEALTH
FARWANIYA SPECIAL POLY CLINIC
LABORATORY DEPT.
BIOCHEMISTRY

PATIENT INFORMATION		SAMPLE INFORMATION	
PATIENT ID	: 317WFS	SAMPLE ID:	1788E
PATIENT NAME:	ABDULLA, MESHEL		
SEX	: M		
AGE	:	COLL	: 09/11/01 12:0
LOCATION	: CLI-WF	STAT	: N

TEST NAME	PATIENT RESULTS	UNITS	REFERENCE RANGES	
HEA1C	0.86	g/dL		
TOTAL HAEMOGLOBIN	18.00	g/dl		
LYCATED HAEMOGLOBIN	4.78	H %	3.70	4.20

***** Panels *****
GLYCOLYSATED HAEMOGLOBIN

Result Code Expansion

GD Good Diabetes Mellitus Control (HbA1c <7%).

REVIEWED BY: _____

FL2/OTW(4)

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HAJIRAH FIDARA
Main Card

المرکز : لجنة اعمار

رقم اللک :

اسم المريض : محمد عواد زهر

المری :

الجنس : لک

التاریخ :

1	7.3	5	12/3/02-13
2	11/12/02	6	12/3/02
3	13/3/02	7	18/3/02
4	14/7/02	8	15/3

7540 MAG001284

HAJIRAH FIDARA
Main Card

المرکز : لجنة اعمار

رقم اللک :

اسم المريض : محمد عواد زهر

المری :

الجنس : لک

التاریخ :

1	21/1/02	5	10/3
2	21/1/02	6	10/3
3	21/1/02	7	8/2
4	21/1/02	8	10/3

7540 MAG001284

FL2/04h (13)

Insulin Card

المركز :

رقم اللق :

اسم المريض : حكيم محمد بن علي

العمر : ٤٥

التاريخ : ٢٥ / ١٠ / ٢٠١٥

HR	٢٥	١٠	
HL	٤٥	٣٥	
1	٢٨/٣	5	
2		6	
3		7	
4		8	

7540 14A0001284

Insulin Card

المركز :

رقم اللق :

اسم المريض : حكيم محمد بن علي

العمر : ٤٥

التاريخ : ٢٥ / ١٠ / ٢٠١٥

HR	٢٥	١٠	
HL	٤٥	٣٥	
1	٢٨/٣	5	١٥/٤
2	١٠/١٢	6	١٠/١٢
3	١٠/١٢	7	١٠/١٢
4	١٠/١٢	8	١٠/١٢

7540 14A0001284