Summary of Administrative Review Board Proceedings for ISN 272

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 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.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, DMO-2, the FBI Redaction Memorandum, and DMO-3, Executive Order 13224 to the Administrative Review Roard

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

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

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

The Assisting Military Officer presented a copy of the Detainee's written statement, Exhibit EC-C to the Administrative Review Board.

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

The Detainee declined taking the (Muslim) oath.

The Assisting Military Officer read the Assisting Military Officer's comments from EC-B and then read the allegations on the unclassified summary to assist the Detainee in answering the allegations.

The Assisting Military Officer's comments are as follows:

Assisting Military Officer: The Detainee's initial ARB interview occurred on 20 May 2005 and lasted for two hours. A follow-up interview was held on 23 May 2005 and lasted two hours. After a review of the ARB purpose and procedures, the Unclassified Summary of Evidence was read to the Detainee. Afterwards, he stated he would like to attend the ARB and requested the help of the Assisting Military Officer in presenting his comments regarding the Unclassified Summary of Evidence. The Detainee was polite and very cooperative throughout the interview and expressed a desire to speak openly and provide a written statement to the Review Board. He also stated that the interrogators presented information about him that was not the truth. At the conclusion of the interview, he was provided an Arabic translation of the Unclassified Summary [of Evidence] for further review. During the follow-up interview, the Detainee stated he had concerns about how the Classified Summary will affect the outcome of this board.

Assisting Military Officer: The Detainee provided the following comments in response to information in the Unclassified Summary of Evidence. In response to the allegation that he traveled from Riyadh, Saudi Arabia to Kabul, Afghanistan with 90,000 Saudi Riyals, approximately \$24,000 USD, and claimed to do so to help the poor and needy, the Detainee said it is true.

Detainee: Yes. True.

Assisting Military Officer: In response to the allegation that he took a bus from Riyadh, Saudi Arabia to Damascus, Syria, then traveled by plane to Tehran, Iran from which he took a bus to Meshad, Afghanistan, then boarded a bus that traveled to Harat, Afghanistan and finally to Kabul, Afghanistan, the Detainee said this is a true statement.

Detaince: Yes.

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Assisting Military Officer: In response to the allegation that he spent one and a half months at a Taliban training center located outside Kabul, Afghanistan, where he received one week or training with an AK-47 rifle, the Detainee said that this is not true. He stated he was at the training center for only one week and received training on a long rifle.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that he spent his time in Kabul with a known Taliban member, the Detainee said that this statement is true.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that he thinks the Taliban member gave the Detainee weapons training on order to get him to join al Qaida, the Detainee said this is incorrect. He stated he believes he received this training in order to join the Taliban.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that the weapons' training was given to the Detainee by the Taliban member in an attempt to recruit the Detainee for the Taliban, he said this statement is true.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that one of his known aliases was on a list of captured al Qaida members that was discovered on a computer hard drive associated with a senior al Qaida member, the Detainee stated that this is not true. He also stated that he has no aliases.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that his name was found on a floppy disk recovered from raids of a suspected al Qaida safehouse, the Detainee said this is not true. He also stated that he does not have any relations to with al Qaida.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that his name was found on a computer file seized during joints raids conducted with the Pakistani Inter-Services Intelligence Directorate (ISID) against al Qaida-associated safehouses in Rawalpindi in March 2003, the Detainee said this statement is not true. He stated again that he doesn't have a relationship with al Qaida.

Detainee: Yes.

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Assisting Military Officer: In response to the allegation that his name was found on a computer hard drive seized from members of a suspected al Qaida terrorist cell involved in an attack on U.S. Marines on Faylaka Island on October 2002, he said his answer was the same as the last two statements.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that his name, nationality and his possession of a Saudi passport were found on a document recovered from the raid of a suspected al Qaida safehouse in Karachi, Pakistan, he said again this statement is not true because he has no relationship to al Qaida.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that an al Qaida associate identified the Detainee as arriving in Afghanistan in 2000 and fighting in the Omar Sa'if Center north of Kabul, the Detainee said that this statement is not true. He stated that he went to an area north of Kabul, to a center that was behind the battlelines, and he did not fight against anyone.

Detainee: Yes.

Assisting Military Officer: In response to the allegation that he was captured by the Pakistani government after crossing the border in the Nangahar Province in December of 2001, the Detainee said this is true, but he is not familiar with this area.

Detainee: Yes.

Assisting Military Officer: The Detainee agreed with the statement that he said he did not join the Taliban, al Qaida, or any relief organization.

Detainee: Yes.

Assisting Military Officer: The Detainee agreed that he said he would not sacrifice anything for Usama bin Laden, al Qaida, the Taliban, or any relief organization.

Detaince: Yes.

Assisting Military Officer: The Detainee agreed that he said Usama bin Laden is wrong for the terrorist acts for which he is responsible.

Detainee: Yes.

Assisting Military Officer: Finally, the Detainee agrees with the statement that he denied having any knowledge of the attacks on the United States prior to their execution on

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September 11th, and also denied knowledge of any rumors of plans of future attacks on the United States or United States interests.

Detainee: Yes.

Assisting Military Officer: This concludes his answers to the Unclassified Summary [of Evidence].

Presiding Officer: OK. It is his turn now.

Detainee: First question: How is your behavior? Answer: My behavior with the soldiers is without problems. Second question: If you get released, what will be your future and what's your goal? Answer: My goal for the future is like most people's goals who love and adore security and peace in life and who enjoy eating and drinking because they are free. And I would like to work the same work as my father, [who is] an employee. Third question: Why do you not pose a threat to the U.S. and its allies? Third Answer: First of all, I am free of the charges that allege that I pose a threat. I am not like Usama bin Laden or one of his followers to know how to pose a threat against you or to know and to plan how to hurt you in any way possible. Fourth question: Reason why we should release you? Answer: The reason for my release is your knowledge of me and your conviction that I do not pose a threat.

Presiding Officer: Is there more?

Detaince: No, sir.

Presiding Officer: Thank you for appearing today in front of the board.

Detainee: Your welcome.

Presiding Officer: It is good to know that you are as interested in your freedom as we are in determining whether or not you are a threat to the United States and its allies.

Detainee: Thank you.

Presiding Officer: We don't intend to interrogate you but we do have some questions that we like to have answers for.

Detainee: Ask.

Presiding Officer: Our questions need to be answered completely and truthfully.

Detainee: Yes.

Administrative Review Board Member's questions:

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Board Member: I understand the situation is difficult. Perhaps you will not find my questions too stressful. What is the highest education level you have obtained?

Detaince: First of high school.

Board Member: First year of high school?

The linguist explains that high school is divided into two parts, the first part is three years and the second part is four years. The total for high school is seven years.

Detainee: First [part] of high school.

Board Member: What was your primary field of academic study?

Detainee: Religious subjects, mathematics, English, [and] literature.

Board Member: What was the reason you stopped attending high school?

Detaince: Hatred [towards] education.

Board Member: Prior to traveling to Afghanistan in 2000, did you live at home with your

parents?

Detainee: Yes, I lived with them in the house.

Board Member: What is your father's occupation?

Detainee: An employee in [the] administration of education.

Board Member: Does that mean that he works for the Saudi government as an educator?

Detainee: He is not [an] educator. He is only a secretary.

Board Member: Very good. Do you have any relatives that live in Afghanistan or

Pakistan?

Detainee: No, I don't have any relatives [that live in Afghanistan or Pakistan].

Board Member: When you left your homeland to travel to Afghanistan, did you travel alone or were you with a colleague?

Board Member: Had you ever previously visited Afghanistan or Pakistan?

Detainee: No.

Detainee: Alone.

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Board Member: Did you contact anyone in Afghanistan to let them know you were planning on visiting that country before you went there?

Detainee: No, I didn't.

Board Member: Do you speak Pashto?

Detainee: No.

Board Member: Did you seek your father's approval or his guidance prior to traveling to

Detainee: Yes, I did.

Board Member: Did he advise that this was a worthwhile thing to do or did he encourage

Detainee: He told me [to] work inside Saudi Arabia.

Board Member: Your father suggested that you provide your charitable services into

Saudi instead of going to Afghanistan?

Detainee: They are poor in Saudi.

Board Member: I understand. I believe I understand that your father wanted you to stay

in Saudi and perform your charity vice going to Afghanistan?

Detaince: Yes, sir.

Board Member: Why did you disobey your father and go to Afghanistan or why did you not listen to his advice?

Detainee: People of Saudi have a materialistic appearance but Afghani people are [the]

Board Member: When you traveled to Afghanistan you had 90,000 riyals, why did you

not exchange that money for Afghani money before you visited Afghanistan?

Detainee: I exchanged [it] in Afghanistan.

Board Member: Considering Afghanistan was a country that had internal conflicts, that you would be carrying a large amount of money with you, that you were [a] relatively youthful man, that you don't speak the native language, did you contact the Saudi embassy, the Red Cross or any other relief organizations and ask for their advise regarding your travels to Afghanistan?

Detainee: No, I did not.

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Board Member: It did not occur to you or [did you] just not consider doing that?

Detainee: [From] what we [knew] the country of Taliban was free of stealing and attacking people on the streets to take their money.

Board Member: I only have a few more questions. How long did you expect to remain in Afghanistan when you first traveled there?

Detainee: That depended on the distribution of my money...my charity.

Board Member: But you must have had some idea that you would be there for a week, a month, longer?

Detainee: Approximately a [few] months...from six months and up.

Board Member: Therefore you must have taken some luggage and personal belongings with you.

Detainee: Sure.

Board Member: How much luggage did you take with you?

Detainee: One.

Board Member: One suitcase?

Detainee: Yes.

Board Member: Your name appears on various computer media that associates you with al Qaida. Do you know why anyone would put information identifying you on these computers? Do you have enemies?

Detainee: It might be a name that is similar to my name and I don't believe my name was there.

Board Member: One last question, if you could change one decision you've made in the past five years, what would it be?

Detainee: What decision do you mean?

Board Member: When you look back over the past five years of your life, you've made decisions. Some have turned out good and some of have turned out perhaps not so good. If you could change one of those decisions you made, what would it be?

Detainee: In the past years my work was to help.

The question was rephrased in order for the Detainee to fully understand its meaning.

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Detainee: I, if I go to Saudia now, I would decide not to leave Saudia at all [out of] fear of problems.

Board Member: I have a few questions. Again, thank you for being here.

Detainee: Your welcome.

Board Member: I am just curious. Do you think that 90,000 rivals would be a lot of

money in Afghanistan? Correct?

Detainee: Yes.

Board Member: What was you...how would you...now you would become fairly popular pretty quickly if they knew you were going to give out 90,000 riyals...what was your...what would be your method of deciding who was needy and who to give the money to? How would you ascertain that?

Detainee: The donation was from [an] Afghani person named Muhammed Khan. He was in charge of distributing the money [amongst] the needy people. I am responsible to God about this money. If I make a donation I want to make sure [about] where it is going. [Because of the] fact that it was with Muhammed Khan, I wanted to make sure that I saw where it went when I donated it.

Board Member: So Mr. Khan would suggest where and to whom and how much...the money...or was that your decision...how much to give?

Detainee: That was the decision of the Taliban government. They are the ones who knew the poor people.

Board Member: So I guess my question is...did you just give them the 90,000 riyals all at one time or did you distribute them over a period of time?

Detainee: I gave them 90,000 riyals all at one time. I took a little bit out of it...what I needed to live with.

Board Member: And you decided to stay just to watch them distribute the money or...

Detainee: Yes.

Board Member: My next question is, can you describe what happened when you were across the border into Pakistan and you were captured? Can you describe what happened during that time?

Detainee: At that time I was sick and I didn't know what happened exactly.

Board Member: Were you unconscious or did you walk across...

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Detainee: One thing that I know [is] that there were some civilians that belonged to the government. They captured me and then I went to Pakistan and then I went to the prison in Pakistan.

Board Member: So it was a relatively peaceful, unordinary capture? Just like a...

Detainee: Yes, I [turned] myself [in]...I surrendered.

Board Member: Thank you.

Detainee: Your welcome.

Presiding Officer: When you were captured were you alone or were other people with

you?

Detainee: People were with me.

Presiding Officer: Did you know them from [before] or...

Detainee: No, I didn't know them. Even at that time I didn't know them because I was

sick.

Presiding Officer: You mentioned Muhammed Khan. Was he a member of the Taliban?

Detainee: I know that he works for the Taliban.

Presiding Officer: You were in Afghanistan for approximately one year. What happened

for an entire year? What did you mainly do for a year?

Detainee: I worked rescuing needy people.

Presiding Officer: Were you alone most of this time or with other people?

Detainee: [I was] with people.

Presiding Officer: What happened to your passport?

Detainee: [It is] in Kabul.

Presiding Officer: Was it with friends or family in Kabul or where in Kabul?

Detainee: [It is] in the house.

Presiding Officer: What is the status of your family now?

Detainee: From what I know in the letters they are doing well.

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Presiding Officer: [Do] they know where you are?

Detainee: Yes.

Presiding Officer: Do they know why you are here?

Detainee: I don't know.

Presiding Officer: How can you assure us that you are no longer a threat to the United

States?

Detainee: From your knowledge and if you are convinced...my behavior here for

example. It depends on your knowledge and your convictions.

Presiding Officer: Let me see if I understand what you have told us so far. When you were around eighteen years old, you raised ninety thousand riyals; Saudi Arabian money, to take to a country you had never been to before to give the money to the needy and the poor people. Is that right?

Detainee: Yes.

Presiding Officer: That is remarkable. Does this conclude your statement and answers?

Detainee: Yes.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

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

The Presiding Officer opened the classified portion of the session.

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

AUTHENTICATION

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

(b)(6) Colonel, USA Presiding Officer

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23 May 2005

From: Ziyad Salih Muhammad Al Bahuth,

To: Presiding Officer

Via: Assisting Military Officer

Subject: Translation of Detainees' Written Statement Submitted by Ziyad Salih Muhammad Al Bahuth, (ISN 272) on 23 May 2005 by OARDEC Linguist

1. Completed Copy of Detainees' Statement in Arabic and English translated version.

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Enclosure (4)

EC-C

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The detainee provided the following comments in response to information in the Unclassified Summary of Evidence:

- In response to the allegation that he traveled from Riyadh, Saudi Arabia to Kabul, Afghanistan with 90,000 Saudi Riyals (~\$24,000 USD) and claimed to do so to help the poor and needy, the detainee said it is true. (3.a.1)
- In response to the allegation that he took a bus from Riyadh, Saudi Arabia to Damascus, Syria, then traveled by plane to Tehran, Iran from which he took a bus to Meshad, Afghanistan, then boarded a bus that traveled to Heart, Afghanistan and finally to Kabul, Afghanistan, the detainee said this is a true statement. (3.a.2)
- In response to the allegation that he spent one and a half months at a Taliban training center located outside Kabul, Afghanistan, where he received one week of training with an AK-47 rifle, the detainee said that this is not true. He stated that he was at the training center for only one week and received training on a long rifle. (3.b)
- In response to the allegation that he spent his time in Kabul with a known Taliban member, the detainee said that this statement is true. (3.c.1)
- In response to the allegation that he thinks the Taliban member gave the detainee weapons training in order to get him to join al Qaida, the detainee said this is incorrect. He stated he believes he received this training to in order join the Taliban. (3.c.2)
- In response to the allegation that the weapons training was given to the detainee by the Taliban member in an attempt to recruit the detainee for the Taliban, he said this statement is true. (3.c.3)
- In response to the allegation that one of his known aliases was on a list of captured al Qaida members that was discovered on a computer hard drive associated with a senior al Qaida member, the detainee stated that this is not true. He also stated he has no aliases. (3.c.4)
- In response to the allegation that his name was found on a floppy disk recovered from raids of a suspected al Qaida safehouse, the detainee said this is not true. He also stated that he does not have any relations with al Qaida. (3.c.5)
- In response to the allegation that his name was found on a computer file seized during joint raids conducted with the Pakistani Inter-Services Intelligence Directorate (ISID) against al Qaida-associated safehouses in Rawalpindi in March 2003, the detainee said this statement is not true. He stated again that he doesn't have a relationship with al Qaida. (3.c.6)
- In response to the allegation that his name was found on a computer hard drive seized

Enclosure (3) EC-B Page 2 of 3 from members of a suspected al Qaida terrorist cell involved in an attack on U.S Marines on Faylaka Island in October 2002, he said his answer is the same as the last two statements. (3.c.7)

- In response to the allegation that his name, nationality and his possession of a Saudi
 passport were found on a document recovered from the raid of a suspected al Qaida
 safehouse in Karachi, Pakistan, he said again this statement is not true because he has
 no relationship the al Qaida. (3c.8)
- In response to the allegation that an al Qaida associate identified the detainee as arriving in Afghanistan in 2000 and fighting in the Omar Sa'if Center north of Kabul, the detainee said that this statement is not true. He stated that he went to an area north of Kabul, to a center that was behind the battlelines, and he did not fight against anyone. (3.c.9)
- In response to the allegation that he was captured by the Pakistani government after crossing the border in the Nangahar Province in December of 2001, the detainee said this is true, but he is not familiar with this area. (3.d)
- The detainee agreed with the statement that he said he did not join the Taliban, al Qaida, or any relief organization. (4.a.)
- The detainee agreed that he said he would not sacrifice anything for Usama Bin Laden, al Qalda, the Taliban, or any relief organization. (4.b)
- The detainee agreed that he said Usama Bin Laden is wrong for the terrorist acts for which he is responsible. (4.c)
- Finally, the detainee agrees with the statement that he denied having any knowledge of the attacks on the United States prior to their execution on September I Ith, and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests. (4.d)

Signature of Officer Conducting Interview:

Typed Name of Officer Conducting Interview:

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Detainee Statement (ISN 272)

- 1- My behavior with the soldiers is without problems.
- 2- My goal for the future is like most people's goals who love and adore security and peace in their life and who enjoy eating and drinking because they are free. And I would like to work the same work as my father, an employee.

3-

- a. First of all, I am free of the charges that allege that I pose a threat.
- b. I am not like Osama Bin Laden or one of his followers to know how to pose a threat against you, or to know and to plan how to hurt you in any way possible.
- 4- The reason for my release is your knowledge of me and your conviction that I do not pose a threat.

(Signed by detainee)
Dated 23/05/2005

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EC-C
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UNCLASSIFIED

اکبت سد اوکل؟ عا إذا طراح، حراح کرم، ایر هدفا، وصدت بلک؟ قا لد اذا لا تنشکا اے بطر علی الدات المتحدة او مدن اتفاہ ؟ م) کسد اب بداذا حدر، ان خطلة، حراحاً م در ادام کمی ت الدیم خالی سائل

عديان في المستقبل كرن أكر الناس الذين ركب والارام الديسة وم الدُمسة وم الدُمسة من في المستقبل كرن أكر الناس الذين ركب والارام أحرار المراحدة في ما أحرار المراحدة المنتقبل الدائم المرال على والري مرقبي في إدارة التعلم

Detainee's Signature

23/05 /2005 Date

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EC-C

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Detainee Statement

(ISN 272)

- 1- My behavior with the soldiers is without problems.
- 2- My goal for the future is like most people's goals who love and adore security and peace in their life and who enjoy eating and drinking because they are free. And I would like to work the same work as my father, an employee.

3-

- a. First of all, I am free of the charges that allege that I pose a threat.
- b. I am not like Osama Bin Laden or one of his followers to know how to pose a threat against you, or to know and to plan how to hurt you in any way possible.
- 4- The reason for my release is your knowledge of me and your conviction that I do not pose a threat.

(Signed by detainee) Dated 23/05/2005

> Euclosuze (4) EC-C Page 2 of 3 000508

UNCLASSIFIED

اکبین سدلوکل؟ ع) إذا طراح، حراء کرمر، ای دهدفک رسستقبلک؟ ق) لداذا ۱۷ تستندکال بنطر عام الرارات المتحدة او مده اقها؟ م) کرسه اب لسافا مجد، کن خطلق عراحک، ۲ در را سلوکی ن الدیکر نهای سالک

عراج عن على المستقبل كهذن أكثر الناح الذي ما بدون ويعدة ومد الأص مرال سادرة نح مرافهم بل الكرار المدري موتسوا لذنهم أحرارا م وأمنه المراكم لم يمثل عمل والري مرفق في إداري التعلم

Detainee's Signature

15/05 /1005 Date

UNCLASSIFIED

Enclosure (4)

EC-C

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