

Summarized Administrative Review Board Detainee Statement

The Presiding Officer read the hearing instructions to the Detainee.

Presiding Officer: Bader Al Bakri Al Samiri is your health okay today?

Detainee: No

Presiding Officer: Are you strong enough to endure this proceeding?

Detainee: Yes

The Presiding Officer continued by explaining the purpose and process of the Administrative Review Board and confirmed that the Detainee understood the process.

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

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

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

The Designated Military Officer began to give a brief description of the contents of Exhibit DMO-1 the Unclassified Summary of Evidence to the Administrative Review Board and the Detainee interrupted.

Detainee: Do I talk now or does my Assistant Military Officer?

Presiding Officer: Mr. Al Samiri, you will be given a chance to talk, but not right now.

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

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

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: Sir, the Detainee would like to make an oral statement and he would like to have his statements read.

Presiding Officer: Bader Al Bakri Al Samiri, do you want to make your statement under oath? An oath is a promise to tell the truth and we have prepared a Muslim oath if you wish to use it. We do not require an oath. Mr. Al Samiri, do you speak English?

Detainee: A little bit, just a little bit.

Presiding Officer: A little bit, okay. Was there a response to the oath? Did he wish to use an oath...to take an oath?

Detainee: I do not know anything about that subject. I would rather just talk.

Presiding Officer: It will be truthful to the best of your knowledge?

Detainee: I only know the truth.

Presiding Officer: Bader Al Bakri Al Samiri, you may begin.

Detainee: My name is Alwad Awath and that is not my name, that is the first thing. Second thing that you read to me and I understood it. Third thing, I do not have any hostility toward any person and would like to whole world to live in peace. Fourth, me leaving Saudi Arabia, it was just for a vacation for a week or two and I wanted to help others any way I could help. I knew this group called Lashkar E Tayyiba, I knew about it by Hash, through a man. He told me about a visit to Pakistan.....If there are other things, I will tell them in other sessions. I do not have anything else. Do you have any questions for me?

Presiding Officer: Yes, when you have more information to say in other sessions, have those been sessions before today?

Detainee: No.

Presiding Officer: Would he like for us to drop the Bader part of his name or the Al Wad part of his name?

Detainee: It's Awath.

Presiding Officer: Drop it? Delete that, too?

Detainee: Awath, his Father's name.

Presiding Officer: Okay, so it's pronunciation problems? Bader Awath Bakri Al Samiri does that conclude your statement?

Detainee: I spoke to my Assisting Military Officer and he will complete my statement.

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Presiding Officer: Assisting Military Officer you may make a statement on behalf of Mr. Al Samiri now.

Assisting Military Officer: When I started my interview with the Detainee, the Detainee stated that the name on the Unclassified Summary of Evidence is not his name. The evidence may pertain to different individual. The Detainee stated that his name was Bader Al Wath Bakri Al Samiri. The Detainee said he is poor and innocent. After reading the Unclassified Summary of Evidence, the Detainee stated that only a small portion of the evidence is accurate. Under Commitments on the Unclassified Summary the Detainee stated that paragraph one was true and that paragraphs two through seven were not true. Under the section of Training on the Unclassified Summary, the Detainee stated that paragraph one was true. Paragraph two had nothing to do with him. The only portion of paragraph three that is true is the fact that he did some mountain hiking while he was in Afghanistan. Paragraph four was strongly false. Under Connections/Associations on the Unclassified Summary the Detainee stated that paragraphs one through three could not be true. Under section Intent on the Unclassified Summary the Detainee stated that he never made the statements contained in paragraph one through four. The Detainee stated that the information in paragraph "E", that section's labeled as other relevant data, that information is not true. Under the last section on the Unclassified Summary which is labeled factors favoring release or transfer, the Detainee stated that a. through f. were not true and that paragraphs g. through j. were accurate. That is all I have.

Detainee: My name on your paper is wrong. You put an "A" in my name.

Assisting Military Officer: Explain to him that I did make the statement that the name on the Unclassified Summary was not his name.

Presiding Officer: For the record, let's go letter by letter and spell this name accurately. First name.

Detainee: What you have is all correct. He meant in Arabic.

Presiding Officer: Okay.

Detainee: Bader, can be the same.

Presiding Officer: B-A-D-R

The linguist confirmed the spelling.

Detainee: *(the linguist stated on his behalf)* AWATH, he would like for you to spell A-W-A-T-H.

Presiding Officer: Okay.

Presiding Officer: B-A-K-R-I,

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Detainee: Bakri is correct, then second, A-L -S-A-M-M-R-I

Presiding Officer: Two M's or one M?

Detainee: One M.

Presiding Officer: I-R-I

Detainee: What you have is written in English. It doesn't translate into English.

Presiding Officer: Okay, so it's B-A-D-R A-W-A-T-H B-A-R-K-I B-A-K-R-I
A-L- S-A-M-I-R-I.

Detainee: Correct.

Presiding Officer: Okay.

Assisting Military Officer: May I make a statement? The name that I have on the interview summary was the name that I took off his Detainee Identification Card. It was on the Detainee's card.

Presiding Officer: For the record, we have it straight now.

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

Assisting Military Officer: No sir.

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

Designated Military Officer: No, sir I do not.

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

Administrative Review Board members' questions

Q. Who were you firing your rifle at in Afghanistan?

A. I never fired.

Q. Why were you firing the rifle?

A. I never fired.

Q. Why were you in Afghanistan?

A. To visit.

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Q. How do you explain the difference in evidence?

A. I can't.

Q. If it is decided that you will be released, where would you prefer to go and what would you like to do?

A. I would like to go back to my country. To what...I do not know yet...live with my family.

Q. Mr. Al Samiri, were you injured?

A. I have an injury in my knee.

Q. Did it happen as a result of the bombing raid?

A. You mean in Afghanistan?

The Presiding Officer gave a positive response and the Detainee said, "Yes".

Q. Near Jalalabad?

A. Yes.

Q. When the injury happened, were you on your way to Pakistan?

A. Yes.

Q. You received medical treatment for your injury?

A. Yes.

Q. Does the injury still bother you?

A. No.

Q. Were you fleeing from Afghanistan to Pakistan?

A. No.

Q. How would you describe your behavior with the guards here?

A. The guards who treat me well and respect me, I will treat them well and I'll respect them. The ones that is different then that, I will give them my back. I will not talk to them. Because that will cause me problems and I do not want problems.

Presiding Officer: Mr. Samiri, would you wish to add now?

Detainee: The soldiers, they lie about us a lot. They lie a lot about us. They say that incidents happen and it did not happen. I threatened and I spit at somebody, it happens a lot that they write down that we spit, but we did not spit.

Presiding Officer: The soldiers that you described are the guard force at this installation?

Detainee: Yes.

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Presiding Officer: Not soldiers who took you into custody in Pakistan?

Detainee: Their treatment was worst than when we were arrested in Pakistan.

The Presiding Officer confirmed that all unclassified information had been presented to the Administrative Review Board and closed the open session of the hearing.

The Presiding Officer explained the reminder of the Administrative Review Board process to the Detainee and adjourned the open session.

AUTHENTICATION

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


Colonel, U.S. Army
Presiding Officer