

UNCLASSIFIED // ~~FOUO~~

Summary of Administrative Review Board Proceedings for ISN 329

*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 (AMO) 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.*

Detainee: I do understand but I have no knowledge about it.

Presiding Officer: Do you understand the information I have presented about your rights?

Detainee: I understand all your words.

Presiding Officer: He understands he can present information?

Detainee: Yes, very good.

Presiding Officer: Thank You!

*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.*

ISN 329  
Enclosure (5)  
Page 1 of 11

20316

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

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

Assisting Military Officer: The Detainee's initial ARB interview occurred on 24 October 2005, and lasted for 35 minutes. After a review of the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. When asked if he would like to attend the ARB, comment on the Unclassified Summary of Evidence, provide a written statement, give an oral statement, or provide the AMO comments to present on his behalf, the Detainee said, "I need to pray and think about this point before I make my decision. If I come, I will give you my answers to the Unclassified Summary of Evidence and you can speak for me. I will answer only if they need clarification." A follow up interview was conducted on 25 October 2005, and lasted for 45 minutes. During the follow up interview, the Detainee elected to give his answers to the Unclassified Summary of Evidence to the AMO to respond on his behalf. The Detainee was cooperative and polite during both interviews. He elected to keep a copy of the translated [Unclassified] Summary of Evidence.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, and the Terrorist Organization Reference Guide, DMO-3, 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 for presentation to the Detainee.*

*The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of the information from the Unclassified Summary as it was presented.*

*Note: The Detainee elected to respond to each allegation after it has been presented, however the AMO read the Detainee's response from Exhibit EC-B. The Detainee either validated its correctness, or clarified the statement the AMO made.*

*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 to assist the Detainee with answering the statements.*

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Training: A foreign intelligence organization has provided information that indicates that the Detainee joined an al Qaida training camp upon arriving in Afghanistan.

Assisting Military Officer: This allegation was there last year in another form. This is not true. When I went to Afghanistan I went to Kabul. I did not receive or join any training. What proof do you have of this? *The Detainee confirmed this statement.*

ISN 329  
Enclosure (5)  
Page 2 of 11

20317

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

Designated Military Officer: (3.b) Connections/Associations (3.b.1) The Detainee stayed in a house for Syrians, which was located in Kabul, Afghanistan.

Assisting Military Officer: Yes, I was in a house in Kabul along with six other Syrians. *The Detainee confirmed this statement.*

Designated Military Officer: (3.b.2) The Syrian house was located in the al Qaida enclave area of Wazir Akhbar Khan in Kabul, Afghanistan.

Assisting Military Officer: This is the first time I've heard about this. This area of Warzir Akhbar Khan is a large area. I lived there for almost one year, and never heard of al Qaida. All of my neighbors worked for the Red Cross. *The Detainee confirmed this statement.*

Designated Military Officer: (3.b.3) The Syrian group guesthouse was associated with al Qaida and was used for money and document forgery operations.

Assisting Military Officer: This is not a guesthouse. This house belongs to a Syrian immigrant (one person). This person had no relationship to al Qaida or the Taliban. He is a civilian not a combatant, and never had any weapons. As for the money, it was sent to the owner of the house from his family. As far as forged documents, the first time I heard about this was a month and a half ago from the interrogators. This is not true. *The Detainee confirms this statement.*

Designated Military Officer: (3.b.4) The Detainee's name or alias appears on a document recovered from a safe house raids on suspected al Qaida.

Assisting Military Officer: The first time they gave this allegation to me, they presented it to me under the name Abu Omar Mohammed. If they claim this is my name, this is not true. In my life I did not deal, receive or write any document. What proof do you have of this?

Detainee: This allegation last year they came up with the name Wali Sher. The name Omar Muhammed they talked to me about during the interrogation. In the interrogation they came up with a list of names and they told me that this is your name Omar Muhammed and his profession and I told them that this was not me.

Designated Military Officer: (3.b.5) The Detainee attended training from Sheikh Issa while residing at the Syrian guesthouse in Kabul.

Assisting Military Officer: This is not true. This Sheikh is a religious teacher, not a military trainer. Sometimes we took lessons from him about Sharia (Islamic law) and religion. Again, like I said before, this is not a guesthouse. *The Detainee confirmed the statement.*

ISN 329  
Enclosure (5)  
Page 3 of 11

20318

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

Designated Military Officer: (3.b.6) Sheikh Issa, an Egyptian, was an Amir in the Egyptian Jihad Organization and was the chief Mufti of al Qaida.

Assisting Military Officer: Sheikh Issa speaks academic Arabic. Therefore, I cannot tell where he is from and I did not hear or know anything about his associations. We attend his class for fifteen minutes a week. *The Detainee confirmed this statement.*

Presiding Officer: You attend this class for 15 minutes a week, what did you do for the rest of the day?

Detainee: We attend his class once a week for 15 minutes and the rest of the time we spent it in the house.

Presiding Officer: What did you do in the house, some kind of training or other classes?

Detainee: I attend the class and at home it is normal [day to day] nothing special. On days when I attend the class I just attend the class but on other days when I don't attend the class I worked in a store.

Presiding Officer: So you had a job outside of the 15 minutes a week [class].

Detainee: The Sheikh had the classes daily but it wasn't an obligation for me to attend the class every day or every week. Some weeks I would go for only 15 minutes, some weeks I don't go and the following week I would go for half an hour. He used to give classes in academic Arabic grammar [but] I didn't attend those classes. But the classes about religion on what the Prophet was saying and other things that had to do with religion, that's when I used to go.

Presiding Officer: You also had a job to fill in the rest of the week.

Detainee: They were very simple classes and after that I used to go to the store.

Board Member: How many weeks did you attend this training?

Detainee: What training?

Board Member: The Sheikh Issa's training.

Detainee: It was not training it was lessons.

Board Member: Okay, how many weeks?

Detainee: Approximately four months.

Board Member: Which four months were those and what year?

ISN 329  
Enclosure (5)  
Page 4 of 11

UNCLASSIFIED // ~~FOUO~~

**Detainee:** In 2001, I [can't] remember the exact month.

**Board Member:** Summer, Winter, Fall?

**Detainee:** It was in the spring. In the summer I worked in the store.

**Designated Military Officer:** (3.b.7) Al-Jihad, a.k.a Egyptian Islamic Jihad, merged with Usama bin Laden's (UBL) al Qaida organization in June 2001, but may retain some capability to conduct independent operations. Its primary goals are to overthrow the Egyptian Government and replace it with an Islamic state and to attack U.S. and Israeli interests in Egypt and abroad.

**Assisting Military Officer:** First of all I have no relation to, knowledge of, or even speak about politics. This is the first time I have heard of this. As far as UBL, I have never even seen his picture. All I have heard about him is in the news. *The Detainee confirmed this statement.*

**Designated Military Officer:** (3.c) Other Relevant Data: Originally from Syria, the Detainee arrived in Afghanistan in 2000 after spending several months in Iran.

**Assisting Military Officer:** Yes, I stayed for two months in Iran and then went to Afghanistan. *The Detainee confirmed this statement.*

**Designated Military Officer:** (4) The following primary factors favor release or transfer: (4.a) The Detainee did not receive any weapons training and did not own any weapons while living in Syria.

**Assisting Military Officer:** Yes, I have never been in any military training camp. Not even with the Syrian military. I have never used or touched any weapon, and I don't like the military lifestyle. *The Detainee confirmed this statement.*

**Designated Military Officer:** (4.b) The Detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11<sup>th</sup>, 2001, and also denied knowledge of any rumors or plans of future attacks on the U.S. or U.S. interests.

**Assisting Military Officer:** I don't even know why they captured me. All of this news, I heard it here in the prison. I don't know anything about this subject because I don't even know the names of the states in the United States. *The Detainee confirmed this statement.*

**Designated Military Officer:** This concludes the Unclassified Summary of Evidence.

*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.*

ISN 329  
Enclosure (5)  
Page 5 of 11

20320

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

*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: Yes sir, no written statements, however, the Detainee stated he [may] make an oral statement after he arrived at the board.

Detainee: I don't have anything to say.

*The Detainee made no additional comments.*

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

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

*Administrative Review Board Member's questions:*

Board Member: I want to first explain that we do have proof that you trained in an al Qaida training camp but that proof is classified, so we can't tell you what it is. Where were you captured?

Detainee: At the border of Pakistan [near] Jalalabad.

Board Member: What were you doing there?

Detainee: I was in Jalalabad and I left Jalalabad to go to Pakistan and they captured me at the border.

Board Member: Why were you going to Pakistan?

Detainee: [Why] do I need to stay in Afghanistan during the war? Wait there until the airplane bombards me?

Board Member: Who captured you?

Detainee: The Pakistan military.

Board Member: Were there any Americans with the Pakistanis?

Detainee: No.

Board Member: Why did they capture you?

Detainee: They captured me because at the border they asked me for my passport and I didn't have [my] passport with me and that is the reason why they captured me.

ISN 329  
Enclosure (5)  
Page 6 of 11

20321

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

Board Member: Where was your passport?

Detainee: I left it at home.

Board Member: In Jalalabad?

Detainee: No, in Kabul.

Board Member: Why did you go to Iran and Afghanistan?

Detainee: I used to work in Iran.

Board Member: What did you do?

Detainee: My profession is butcher.

Board Member: Meat butcher?

Detainee: Yes, meat butcher.

Board Member: Can you tell us the most important thing you have learned from this Sheikh Issa?

Detainee: The most important thing we have learned from Sheikh Issa was religious things, for example how to wash yourself before the prayer, how to pray and things like that. Everything that is related to religion, like how we have to behave [in accordance with religious practices] and how to handle myself.

Board Member: All your neighbors when you were in the Syrian house worked for the Red Cross, were they volunteers?

Detainee: I do not understand.

Board Member: In Kabul, when you lived in the Syrian house in the Wazir Akhbar Khan area of Kabul, you said all your neighbors worked for the Red Cross.

Detainee: On that boulevard there are a lot of houses that belonged to the Red Cross. All the Red Cross people their homes were in the Wazir Akhbar Khan neighborhood.

OL-21: Your question before was, were they volunteers?

Board Member: Yes, were they volunteers?

Detainee: I don't.

Presiding Officer: Were you a volunteer?

ISN 329  
Enclosure (5)  
Page 7 of 11

20322

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

Detainee: Volunteer for what?

Presiding Officer: Were you a volunteer for the Red Cross?

Detainee: Work with them you mean?

Presiding Officer: Yes, as a volunteer not for pay.

Detainee: No, I did not work with the Red Cross. My neighbors all of them worked for the Red Cross. All of my neighbors worked for the Red Cross and no I did not volunteer.

Presiding Officer: You worked as a butcher?

Detainee: Butcher in Afghanistan? No, I did not work as a butcher in Afghanistan.

Presiding Officer: What kind of shop was that again, you said you worked in a shop.

Detainee: I worked in a little market.

Board Member: Have you had any other name?

Detainee: My alias name was Abdul Omar al Hamowi.

Presiding Officer: You mentioned the Sheikh's house was not a guesthouse, just a regular house where six of you lived.

Detainee: I did not say the house belonged to Sheikh.

Presiding Officer: I am sorry, the Syrian's house.

Detainee: Yes.

Presiding Officer: This individual had no weapons at all around the house, because I have heard from other Detainees that [having] a weapon was common.

Detainee: About the other houses I don't know but our house we [did not] have any weapons there.

Presiding Officer: This fellow Syrian is just an immigrant who invited other Syrians into his house? Is that common?

Detainee: He is a Syrian Muslim there in Afghanistan of course if you are Syrian you hang with other Syrians.

Presiding Officer: What kind of work did he do other than renting rooms to fellow Syrians?

ISN 329  
Enclosure (5)  
Page 8 of 11

20323

UNCLASSIFIED // ~~FOUO~~



UNCLASSIFIED // ~~FOUO~~

Detainee: He did nothing; he just stayed in the house.

Presiding Officer: Regarding Sheikh Issa we have heard differently that he does more than religious teachings. What can you tell me about the Sheikh?

Detainee: I do not know, I stayed with him for a short period, just for the lessons and then I would leave. Besides he is an old man and I am young I have no business to ask him questions.

Presiding Officer: Did he come to the guesthouse to give the lessons or did you go to where he lived?

Detainee: No, we went to his house.

Presiding Officer: As far as UBL, you say you have never seen or heard anything until the news, you never saw posters?

Detainee: In Afghanistan I didn't hear anything about him. I didn't ever see his picture. The first time I have heard about him it was here in the interrogation. Before I came to the prison for a short time his name was very common in the news, we heard a lot about him in the news a couple of days before I got captured.

Presiding Officer: And your family, are you married and is your family aware of where you are?

Detainee: Of course I am not married. Of course my family does know, but I have not received a letter from them. They know.

Presiding Officer: They know you are here?

Detainee: I am sure. In Pakistan when they capture people they put their names and their pictures on the Internet. If the Pakistani do not let them know then probably the Syrian government will let them know.

Presiding Officer: Have you corresponded with your family since being here, by writing to them?

Detainee: No.

Presiding Officer: Have they written to you?

Detainee: I don't know if they sent me a letter because I didn't receive any letter from them.

Presiding Officer: So you are not really sure they know you are here then?

Detainee: I am sure of course.

ISN 329  
Enclosure (5)  
Page 9 of 11

20324

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

Presiding Officer: If you return to Syria what kind of work will you do, what are your intentions if we release or transfer you to Syria?

Detainee: I will live a normal life like most people and return to my work.

Board Member: Were you a butcher in Syria?

Detainee: Yes.

Board Member: Do they pay more in Iran and Afghanistan than Syria? I am not sure why you went to Afghanistan.

Detainee: I went to Iran to work and then my goal was to go to Saudi Arabia, that was my objective and my goal but certain things happened and it stopped there. I cannot go directly from Syria to Saudi Arabia, I can't.

Board Member: Why?

Detainee: You need lots of money because you need a Visa and a residence and you are obligated to work.

Presiding Officer: Visa and residence from where?

Detainee: You need lots of money to get the Visa and residence so you have to work.

Board Member: So when you went to Afghanistan were you still trying to get to Saudi Arabia?

Detainee: In Afghanistan I was going to go to Saudi Arabia but I was waiting for some money. When I got the money, I was going to go, but then the war started.

Board Member: So why did you want to go to Saudi Arabia?

Detainee: The work over there is good, there are [plenty] of jobs there.

Board Member: But you had a job in Syria, right?

Detainee: I was working as butcher only.

Board Member: So you were looking for different work?

Detainee: No, I was looking for same job, but in Syria it would take a long time to build for your future.

Presiding Officer: You went to Afghanistan to make more money to get to Saudi Arabia but you told us here your parents were paying the owner of the house you were staying at. Why didn't your parents just give you the money to go to Saudi Arabia?

ISN 329  
Enclosure (5)  
Page 10 of 11

20325

UNCLASSIFIED // ~~FOUO~~

UNCLASSIFIED // ~~FOUO~~

OL-21: It was not his parents; it was the parents of the owner of the house.

Board Member: From the owner's family, the owner's family gave him money for the house not the Detainee's family.

Presiding Officer: Okay, I understand. I was reading thinking his family was paying for his stay there.

Detainee: If my family was sending money to Afghanistan I would have went directly to Saudi Arabia in the beginning.

Presiding Officer: That was my question and you cleared it up. Thank You!

*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.



Colonel, U.S. Marine Corps  
Presiding Officer

ISN 329  
Enclosure (5)  
Page 11 of 11

UNCLASSIFIED // ~~FOUO~~