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(Revised 8 Dec 05)

Summary of Administrative Review Board Proceedings for ISN 331

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

The Detainee declined taking the (Muslim) oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that the Detainee 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 Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee's ARB interview was conducted on 7 December 2005 and lasted 30 minutes. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. The detainee said that he understood the difference between the CSRT and the ARB...this was the first time something was clearly explained to him. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee said, he did not have any written document to present. He stated that he would attend the ARB and would give his answer after all the allegations had been

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read. The detainee was very courteous and attentive. He elected to take a copy of the English and Arabic translated Unclassified Summary of Evidence for his review.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and Exhibits DMO-2 to DMO-4 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 and Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to wait until the entire Unclassified Summary was presented before responding.

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.

Designated Military Officer: While living in Gaza, the detainee was influenced by Hamas to become committed to jihad.

Designated Military Officer: The detainee traveled to Saudi Arabia where he was influenced by a Saudi national to go to Afghanistan to receive military training and to be prepared for jihad.

Designated Military Officer: The detainee responded to a fatwa issued by a Saudi sheikh.

Designated Military Officer: The detainee maintained his interest in jihad through conversations with a sheikh, reading the sheikh's book, and a jihad Internet website.

Designated Military Officer: The detainee received a letter and 2,000 Saudi Arabian Riyals from a sheikh. The letter gave the detainee instructions to fly to Karachi, Pakistan and to call a contact when he arrived.

Designated Military Officer: The detainee traveled to Afghanistan to receive training in preparation for jihad.

Designated Military Officer: The detainee traveled to Afghanistan through Karachi and Quetta, Pakistan.

Designated Military Officer: Around July 2001 the detainee arrived in Kandahar, Afghanistan and stayed at a guesthouse.

Designated Military Officer: The detainee evacuated the al Farouq training camp after 11 September 2001.

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Designated Military Officer: The detainee traveled to a guesthouse in Khowst, Afghanistan, where he joined a group of 15 Arabs who were going to the Pakistan border.

Designated Military Officer: The detainee stated they moved to the mountains and stayed in caves. When the bombing started, they moved to higher mountains in the Tora Bora region.

Designated Military Officer: The detainee walked to the Pakistan border, where he was arrested.

Designated Military Officer: The detainee attended the al Farouq training camp where he stayed for approximately two months.

Designated Military Officer: The detainee received training with the AK-47 at al Farouq.

Designated Military Officer: The detainee claimed he received military training at al Farouq with the hope of conducting a suicide operation in the Palestinian territories.

Designated Military Officer: The detainee admitted to not telling the whole truth about why he went to Afghanistan.

Designated Military Officer: The detainee stated he was not a member of the Taliban or al Qaida. He said he now realizes that the two are associated, but when he responded to the fatwa, he was not aware of that fact. The detainee decided to join the jihad of his own free will, but did not realize at the time these groups may be associated with terrorism.

Designated Military Officer: The detainee feels the 11 September 2001 attacks were against what his faith believes, and many innocent people were killed. The people involved in the attacks should be punished.

Designated Military Officer: The detainee would not be interested in any fatwa to fight against the United States. The detainee has no hostility against the United States.

Designated Military Officer: If the detainee were released, he would like to live a normal life and have a family. The detainee's main concern is to join his family in Saudi Arabia.

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 for a closed session.

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

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The Assisting Military Officer read the Additional Comments from the Enemy Combatant Election Form.

Assisting Military Officer: The detainee wanted to know how long would it take to get a decision regarding his detention. The detainee was told that neither the AMO nor the board members were able to tell him how long it would take, but he would be getting an answer in the very near future. The detainee said, "I have been told many time[s] by the interrogators that a decision will be made soon. I am still waiting. I was told that some of the detainees would be released or moved to another detention facility. I told the interrogator the truth many times. I have seen no changes." I (AMO) explained to the detainee that this board is different from the board or interviews he had had in the past. I told him that this is his opportunity to answer the allegations and make his oral statement...it will help the board to make a decision regarding his detention. The detainee agreed that he had nothing to lose and would gladly attend the ARB.

The Detainee made the following statement:

Detainee: I've answered a lot of questions before and they have a lot of new allegations against me. The new allegations are not true.

Presiding Officer: Would you like to tell us which allegations you believe are not true? We will also be asking you some questions [later]. Would you want to wait until we ask you those questions?

Detainee: If you read the points once again I will tell you. You read a point and I will answer.

The Designated Military Officer reread the Unclassified Summary of Evidence at the request of the Detainee.

Designated Military Officer: While living in Gaza, the detainee was influenced by Hamas to become committed to jihad.

Detainee: I met with them but I have never spoke to them.

Presiding Officer: You never spoke to Hamas?

Detainee: I met the Sheikh. He is the head or leader of Hamas. He came to one of our family's funerals. That's it. He just came to a funeral.

Designated Military Officer: The detainee traveled to Saudi Arabia where he was influenced by a Saudi national to go to Afghanistan to receive military training and to be prepared for jihad.

Detainee: I have more comments concerning the first point. You think Hamas will trust me in such a short time to show me information about jihad. They didn't trust me.

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They're not stupid to the point where as soon as they meet someone they will give him information.

Presiding Officer: The point of the factor is that Hamas influenced you to join jihad not that Hamas gave you special information.

Detainee: Of course not. The first time I visited Palestine I didn't even know Hamas. All those different groups I didn't know them. As far as the second point I lived in Saudi Arabia. I went to Palestine just to visit. I went back to my country Saudi Arabia. My family is there. The Saudi person who [apparently] influenced me; he didn't influence me he just spoke to me about jihad. It was my decision. He cannot force me to stay or to go. Even after speaking with him I spoke to other sheikhs. His talk did not have [any] influence on me. If he had influence on me then I would not have asked about it.

Designated Military Officer: The detainee responded to a fatwa issued by a Saudi sheikh.

Detainee: Correct.

Designated Military Officer: The detainee maintained his interest in jihad through conversations with a sheikh, reading the sheikh's book, and a jihad Internet website.

Detainee: Preparing is different than jihad. Getting ready is not like doing jihad. It is different. They said preparing but they didn't say jihad. Jihad means fighting. Isn't that correct?

Presiding Officer: I think jihad means fighting but is also an internal struggle.

Detainee: The preparing or getting ready to jihad is not jihad. It is just preparing and getting ready. The media just says preparing [for] jihad. I think for me jihad is fighting.

Designated Military Officer: The detainee received a letter and 2,000 Saudi Arabian Riyals from a sheikh. The letter gave the detainee instructions to fly to Karachi, Pakistan and to call a contact when he arrived.

Detainee: Yes. Correct.

Designated Military Officer: The detainee traveled to Afghanistan to receive training in preparation for jihad.

Detainee: Correct.

Designated Military Officer: The detainee traveled to Afghanistan through Karachi and Quetta, Pakistan.

Detainee: Correct.

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Designated Military Officer: Around July 2001 the detainee arrived in Kandahar, Afghanistan and stayed at a guesthouse.

Detainee: I stayed at the guesthouse. Yes.

Designated Military Officer: The detainee evacuated the al Farouq training camp after 11 September 2001.

Detainee: Yes.

Presiding Officer: You left the camp because of the events on September 11th, is that correct?

Detainee: That was the reason. After September 11th and [when] we heard the news everyone left [the] camp. They thought they would be targeted.

Designated Military Officer: The detainee traveled to a guesthouse in Khowst, Afghanistan, where he joined a group of 15 Arabs who were going to the Pakistan border.

Detainee: They weren't all Arabs. There were some Pakistanis, too. Afghan people were the guides.

Designated Military Officer: The detainee stated they moved to the mountains and stayed in caves. When the bombing started, they moved to higher mountains in the Tora Bora region.

Detainee: I don't think the area was Tora Bora because when you said I went to Khowst, the mountains of Tora Bora is not in the Khowst region. This one chain of mountains I am not sure what the name of those mountains were. The mountains were between Pakistan and Afghanistan. I do not know the name of those mountains. Khowst is on a borderline. We wanted to go to Pakistan.

Designated Military Officer: The detainee walked to the Pakistan border, where he was arrested.

Detainee: We voluntarily went to the checkpoints ourselves. There is another point that states I went to camp for two months. That's not true; it's false. I stopped one month only. I trained on a Kalashnikov.

Designated Military Officer: The detainee received training with the AK-47 at al Farouq.

Detainee: Yes.

Designated Military Officer: The detainee claimed he received military training at al Farouq with the hope of conducting a suicide operation in the Palestinian territories.

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Detainee: The previous point it says I was training on a Kalashnikov so how am I going to conduct this suicide mission? With a Kalashnikov? In only one month of training I know nothing but only a Kalashnikov.

Presiding officer: So, let me understand the point that you are making is that you are not training for a suicide mission in the Palestinian territories.

Detainee: That is correct what you said, but where did this statement come from?

Presiding Officer: It does not matter where the statement comes from. If you deny the statement then we will acknowledge that.

Detainee: Is it a statement of fact or is it an opinion?

Presiding Officer: It is one of the factors which we have been given to consider to make our recommendation for your detention, transfer or release. We want to give you an opportunity to say whether this factor is true or not true.

Detainee: I strongly deny [it]. I strongly disagree. No one thinks that way. No human being thinks that way.

Designated Military Officer: The detainee admitted to not telling the whole truth about why he went to Afghanistan.

Detainee: I told them before that I only went Afghanistan to prepare myself, to get ready, to be prepared. There wasn't even one time that I did not answer any question during [the] interrogation. I have answered every single question during the interrogations. I have never stopped answering. For four years I have never stopped.

Designated Military Officer: The detainee stated he was not a member of the Taliban or al Qaida. He said he now realizes that the two are associated, but when he responded to the fatwa, he was not aware of that fact. The detainee decided to join the jihad of his own free will, but did not realize at the time these groups may be associated with terrorism.

Detainee: These comments don't mean anything to me but they might mean something to you. I don't have anything to say on these.

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

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

Administrative Review Board Member's questions:

Board Member: Do you speak English?

Detainee: A little bit [of] simple [English].

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Board Member: Where did you learn English?

Detainee: I've been in this facility for four years.

Board Member: In response to living in Gaza and you were influenced by Hamas, were you saying that you did not live in Gaza?

Detainee: I was studying there. I lived in Saudi Arabia and I went to Gaza to study at the University.

Board Member: How long?

Detainee: For approximately five months.

Board Member: You didn't meet with any Hamas people other than the leader who came to the funeral?

Detainee: That was first time in my life going to Gaza, going to Palestine. My family is originally from Gaza so all my family is in Gaza. When I got there I was already late for my term. One term already passed me by and I missed two months of the second term for education. I didn't have time. I had to catch up with my studies right away. That was the first time meeting my family so I was very busy visiting my family members and catching up with my studies. I was very busy with that. Five months I never left Gaza. I never had fun. I never walked around. My whole trip was study, visitation, family, study and family. That is how I spent my whole time.

Board Member: You said your family lives in Gaza and you went to live in Saudi Arabia at some point and time?

Detainee: My close family, my mother and father are in Saudi Arabia but my extended family, uncles, aunts, cousins, nephews and nieces are all in Gaza.

Board Member: Why would the leader of Hamas come to a funeral for your family in Gaza?

Detainee: My Aunt's husband is considered to be a government official or like a sheikh and I was living with him.

Board Member: Do you know anything about Hamas or what they believe in?

Detainee: I did not know until I got here. A lot of information I did not know until I got here. I know nothing about Palestine so every time I meet Palestinians I ask them to tell me about Palestine.

Presiding Officer: If there is a secure peace between Palestine and Israel would you want to move back to your family's home in Gaza?

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Detainee: I wish. I hope. When I went to Gaza I was never bothered by anybody. Nobody bothered me [in] the Palestinian government or the Israeli government.

Board member: You said that you did respond to a fatwa by a Saudi sheikh. What exactly did the fatwa say, do you recall?

Detainee: Not exactly what it said. I kind of understood what it did say. It said that you do not have to do jihad right now just prepare and get ready for it. That is why I bought a two-way ticket because I was thinking of going and coming back. If I was going for jihad why would I buy a two-way ticket?

Board Member: Why would you prepare for jihad if you weren't intending to act on jihad?

Detainee: It's like praying and worshiping. It is a religious duty to do. If the fatwa would have said not to go I would not have gone.

Presiding Officer: Do you think that you have satisfied the fatwa now?

Detainee: It's enough. I know how to use a weapon. For others to complete the fatwa they have to be physically fit [and] physically ready. Because they said preparing was just learning how to use the Kalashnikov and I already know how to use it so I finished that.

Board Member: In preparing for jihad you are carrying out a Muslim responsibility but you are not preparing for a particular jihad?

Detainee: I was thinking of staying and I wanted to stay honestly, but when I was in Saudi Arabia it was just to go to school to get an education. But things got worse in the Palestine region and I couldn't go back. I committed myself to Saudi Arabia and just studied there. I committed myself to my education. I wanted to finish school. I didn't have an idea. I wasn't even prepared and didn't want to get ready or do the fatwa that has to do with getting ready or preparing myself.

Board Member: What were you studying either in Gaza or Saudi Arabia?

Detainee: Trade business.

Board Member: What business trade?

Detainee: Shopping.

Board Member: To start a business of shopping?

Detainee: I have a Diploma from Saudi Arabia in Shopping and to complete my study at the University I have to have a Bachelor's Degree.

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Presiding Officer: When you say shopping, do mean in the retail business?

Detainee: Yes, retail. I wanted to expand my education and go somewhere where there is more education. In the beginning I didn't really want to go to Palestine but wanted to visit for visitation's sake. My family especially didn't want me to go there because there were a lot of problems in Palestine.

Board Member: Did you start your education in Saudi Arabia or Palestine?

Detainee: I finished my diploma in Saudi Arabia and [my] university education in Palestine. I sent all my papers and they were accepted. After they accepted me I went there.

Board Member: How did you choose the institution in Palestine? Why didn't you further your education in Saudi Arabia?

Detainee: I couldn't. I wasn't able to study because it is very difficult for a non-Saudi to finish in Saudi universities. For Saudis it is easy, for non-Saudis it is very difficult. I was hoping and wishing to finish in Saudi Arabia. I would have saved a lot of money by doing that. I knew some people and lived with them.

Board Member: What does your family do in Saudi Arabia?

Detainee: My older brother works. My mother was a schoolteacher but because of her senior age she has stopped teaching now. The rest of my family are all college students.

Board Member: And your father?

Detainee: He died when I was twenty-five years [old].

Board Member: You traveled to Afghanistan and stayed at a couple of guesthouses in Afghanistan. What type of people did you meet and associate with in those guesthouses?

Detainee: From all citizenships. Plus some people that only used their aliases and didn't use their real names.

Board Member: Did that seem strange to you that they weren't using their real names?

Detainee: Yes. The funny thing that made me laugh [was] when I went to Pakistan, my real name, my phone number, my real address everything was on my luggage. They asked me why are you doing this? Why are you putting your real name and real address? You should be using an alias, an a.k.a name or something for my own security.

Board Member: So you never used an alias?

Detainee: No never. I like my name.

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Board Member: How did you get from Saudi Arabia to Afghanistan? What official paperwork did you use to do that?

Detainee: I took all my degrees. I took my high school diploma. I [also] took my mother's advice. She told me that there are a lot of problems in Palestine [so] try to get to another country through the education department [by] getting accepted to a school and get official student papers. In my mind I was thinking that the training there was going to be like a club where you can train anytime and you can leave anytime. You don't have any commitment to that club and at the same time you can take courses or school classes and study. Even if you see all the clothes I took with me--I took all students' clothes [like] white clothes, white shirts. When I got there they told me [to] throw away all my casual [clothes], especially the white. They told me [that] I did not need these clothes.

Board member: The club that you went to train at, al Farouq, before going there you never heard of the Taliban [and] you never heard of al Qaida?

Detainee: If I would have known about another place to get that training I would not have [gone] to Afghanistan. If the training was provided in Saudi Arabia I would have. I did not go to Afghanistan because of Afghanistan. The only reason I went there was to get training. The only goal was to get trained anyplace. I didn't have a problem where it was. I just wanted to get the training.

Board Member: Learning how to handle the AK-47 is your idea of training for jihad. There is no other way to prepare for jihad?

Detainee: I saw a lot of people doing jihad [who] only had that weapon. I wasn't thinking that they had another thing. They were doing jihad. If there is another way of doing jihad what would it be?

Board Member: You say "doing jihad." What were they doing?

Detainee: Fighting [and] protecting the Muslim lands. Like [when] the Russians and Afghanistan were fighting for the Muslim lands.

Board Member: Who were they fighting against?

Detainee: The Russians.

Board Member: You traveled in 2001 to prepare for jihad against the Russians?

Detainee: No not for sure, no. Go back to the first statement that I made that I did not go there for jihad. I didn't know anything about all this fighting. I only went there to prepare [and] to get ready.

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Board Member: From what I understand, to prepare to get ready, to go to al Farouq, to learn how to use an AK-47 and to learn how to fight. That is what you are preparing to do?

Detainee: The fatwa that was issued did not say jihad. It said to prepare.

Board Member: You mentioned that the people involved in the 11 September 2001 attacks against the United States should be punished. Who are those people and why should they be punished?

Detainee: Punish the dead people?

Board Member: No the people involved in the attacks, not the dead people, should be punished.

Detainee: I do not know who is involved to punish them.

Presiding Officer: Do you think that al Qaida caused the attacks?

Detainee: You know better than me. You have Military Intelligence. You have everything.

Presiding Officer: I'm interested in what you believe though. I know what I believe. You don't have to state you know for a fact. That's okay. But you can say who you believe caused the attacks.

Detainee: What I think is not part of this conversation. Who I suspect or who I think is bad. This issue needs the facts.

Board Member: Why do you think you are here?

Detainee: Because I was in Afghanistan. If I wasn't there I would not be here now.

Board Member: Would you think twice about going to Afghanistan considering what has happened since 2001?

Detainee: Even if I thought [about it] I would not go. I don't want to learn their language. It is not a vacation place. It is not one of those places that someone wishes to visit. My country is more beautiful.

Board Member: Are you al Qaida?

Detainee: No.

Board Member: Are you Taliban?

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Detainee: No.

Board Member: You've been here for four years?

Detainee: Yes, unfortunately.

Board Member: Have you changed since you've been here?

Detainee: A lot. I have learned a lot.

Board Member: Tell me how?

Detainee: I learned how to deal with all kinds of citizens from all different countries. All different kinds of people. I learned English. Not a lot, just a little bit.

Board Member: Can you understand me?

Detainee: Some of it.

Board Member: Can you speak it or do you just understand it?

Detainee: I speak a little bit [and] I understand a little bit. I'm the connection point between the soldiers and the detainees because I'm the first cell on the cellblock. I help them a lot. I have a very good relationship with the guards.

Board Member: How have you changed?

Detainee: I'm more quiet than before.

Board Member: Have you changed your beliefs about anything since you have been here?

Detainee: Patience. I learned how to dream and not to judge things too fast. I didn't expect for American people to be like this.

Board Member: Why did you go on the fatwa? Because a lot of people in Saudi Arabia did not respond.

Detainee: It was my destiny, my luck.

Board Member: Has it changed your response? If you heard another fatwa would you do something like that again?

Detainee: Before my thinking changed I thought one way but now I think a thousand ways. My thinking [has] changed now. For religious reasons I am obligated to do so.

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Board Member: This is what I don't understand. You knew Usama Bin Laden was in Afghanistan before you left, so if you didn't think it was al Qaida and you didn't think it was Taliban why would you have gone there? You knew Usama Bin Laden was there. Everybody knew he was there.

Detainee: Here they knew.

Board Member: In Saudi Arabia they knew.

Detainee: I changed my life to prayer and [for] a short period of time I stopped praying. I was committed but even the sheikhs... Why would I deny knowing al Qaida or knowing Taliban if I did know it? I don't think it has any importance if I knew what al Qaida was. The problem is [whether] I am connected to them or not?

Board Member: Al Farouq was an al Qaida training camp?

Detainee: I did not know. I didn't care [about] the names, the titles. I just wanted to learn [at] any place that would teach me how to learn on the weapon. I just wanted to get that training.

Board Member: You knew when you arrived at al Farouq that it was al Qaida?

Detainee: First time I heard about al Qaida was in Pakistan when I got arrested but the Taliban I heard a lot about. I knew Usama Bin Laden was Taliban [because] that is what they were saying. But there wasn't the name al Qaida. I hadn't heard it before.

Presiding Officer: Your father has passed away and your mother has retired so tell me about your brothers and sisters.

The Detainee requested a recess to use the restroom. The Board recessed.

The Board reconvened and the Board Members questions continued.

Presiding Officer: How many brothers? How many sisters?

Detainee: Is it important to my case?

Presiding Officer: I'm interested in your family and your position in your family.

Detainee: The question about my family, is it important to my case?

Presiding Officer: Yes. Are you the oldest brother in the family?

Detainee: No. I am exactly the middle child.

Presiding Officer: Are you engaged to be married when you go home?

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Detainee: No. I wish.

Presiding Officer: If you go back home will you have a responsibility to contribute to the well being of your family?

Detainee: Sure. I'm the second man in the house. I have [an] older brother and I am after him.

Presiding Officer: If you go home what will you do when you get there for the first six months you are home?

Detainee: I lost four years of my life like this. I will make up the four years I lost out of my life. The first two weeks I will be visiting my family and make sure all my family is okay. I will get psychological help and then I will find a job, maybe continue my studies and work at the same time. I want to have a family.

Presiding Officer: I understand that you consider jihad an obligation?

Detainee: I really do not know. I have to ask the higher religious leaders, the sheikhs. They tell us about our religion and what we are obligated to do.

Presiding Officer: I want to understand this idea of you going on jihad. How do you decide whether to follow one sheikh who says you have to go on jihad but not all the other sheikhs who say you don't have to go on jihad?

Detainee: [Those] people who are experts or specialists that is their jobs. It's what they do. Religious authoritarians. I don't know them personally, the sheikhs, who I'm going to listen to, who I'm not going to listen to I don't know those people.

Presiding Officer: Do I assume correctly that you are sunni?

Detainee: Yes.

Presiding Officer: So if a shi'ite Imam says you must go on jihad would you follow that?

Detainee: Do you have a difference between shi'ite and sunni?

Presiding Officer: I do understand there's a difference between sunni and shi'ite. I'm curious about how you would choose to follow one sheikh and not another?

Detainee: I would not listen to any shi'ite.

Presiding Officer: Before Israel existed as a country did your family live in Gaza or did they live elsewhere in Palestine?

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Detainee: My father has been living in Saudi Arabia since he was fourteen years old. He passed away at 37 years old.

Presiding Officer: Did the Israelis force your family to leave Palestine?

Detainee: No. My father chose to leave Palestine to go to Saudi Arabia. He married my mother and he stayed there. He didn't leave until I was older.

Presiding Officer: Your mother was from Saudi Arabia then?

Detainee: No. She was Palestinian from the same family.

Presiding Officer: Does it matter to you where the jihad takes place; Chechnya, Bosnia, Afghanistan or is it enough that you believe that when the sheikh says you must do jihad you go anywhere they say?

Detainee: He only has to say when. It is not his job to tell me where to go to do the jihad but when to do the jihad.

Presiding Officer: You wanted to leave al Farouq because you thought it would be attacked. If you were not arrested at the border of Pakistan what would you have done once you went into Pakistan?

Detainee: The Afghan guides told us to be given to embassies. I walked into the police station like any normal person. I didn't cause any problem and I didn't want any problems with them. We gave ourselves up so we would be given to our embassies.

Presiding Officer: So the embassy would put you on a plane and send you back to Saudi Arabia?

Detainee: The only people you can talk to is the people at the embassy there.

Presiding Officer: Are you concerned at all for your safety if you go back to Saudi Arabia? Are you concerned that the Saudi government will throw you in jail?

Detainee: My passport is Jordanian. If I go to Jordan I will have no one there. I just want to be taken to my family. I want to go where my family is. If my family goes to Jordan then I will live in Jordan. I want to go where my family is. I have no problem with Saudi Arabia. The only problem I have is [that] I am not with my family. I want to be with my family. Someone like me who has been detained for four years, society will not be the same to them because changes are happening.

Presiding Officer: You're not worried that the Jordanians will throw you in prison?

Detainee: I don't have any problems in those countries, [neither] Jordan nor Saudi Arabia.

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Presiding Officer: Approximately when were you arrested at the Pakistani border?

Detainee: It was a holiday, Eid al Fitr 2001 and that's when we came to the border. That was our holiday greeting that they took us.

Presiding Officer: That was two to three months between September 11th and the time you were arrested. What were you doing in that period of time?

Detainee: I went to [al] Farouq in the eighth month, not the seventh month. I was delayed a lot [because] the person who met with me, the things I had to buy. I was even thinking of going back home.

Presiding Officer: I don't think you understand my question. Tell me what you were doing between the time you left al Farouq and the time you were arrested.

Detainee: I was going from one place to another. I felt like someone lost. I was completely lost. I was being moved by people from one place to another. I had no knowledge of ways there. When they told us [to] sleep I slept and when they told us [to] get up I got up.

Presiding Officer: I know you put your trust in God during this period to help you be safe. Tell me about the people that you trusted at this time to help make you safe.

Detainee: I didn't trust anyone over there but the people, the officials, at the camps they're the ones who told us what to do [and] where to go. So how am I going to trust someone when I only know them for one [or] two months? I don't even know their names and they don't even know mine. They all used aliases. Nothing was clear so how could I trust them?

Presiding Officer: When you were captured was somebody from the camp still with you or were you just following a guide and were pretty much on your own?

Detainee: I followed other people I saw.

Presiding Officer: You could choose who to follow or who not to follow on your way out of Afghanistan?

Detainee: I didn't know where to go [or] what to do, so everything was told to me. But [when] an Afghani who wanted to show me where the guesthouse was I followed him to the guesthouse. He took me to the second guesthouse where I met with the fifteen individuals.

Presiding Officer: When you were in the mountains waiting to cross into Pakistan could you hear fighting going on around you?

Detainee: I did not see.

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Presiding Officer: You did not hear bombs?

Detainee: There were airplanes flying very high in the sky.

Presiding Officer: If you had died trying to get into Pakistan would you be a martyr then?

Detainee: It is [an] official thing. I really do not know if I was going to be one. I have no knowledge if I was going to be considered one.

Board Member: Do you think the United States is a threat to Muslims or Islam?

Detainee: I don't think so. I see the soldiers here [and] they respect our religion a lot. Why would they fight our religion? I think you have freedom of religion.

Presiding Officer: Do you think Jews are a threat to Islam?

Detainee: Are the Jews in Palestine a threat to Islam? Is that what you are asking?

Presiding Officer: No. I mean Jewish as a religion.

Detainee: No religion is a threat to anybody.

Presiding Officer: But the state of Israel would be a threat to the Muslims that want to take over or destroy Israel?

Detainee: I believe the Qúran and I believe everything in [the] Qúran. All the religions will...at the end and it will be all Islam. This is what our Qúran says and this is what we believe. When [or] how, I do not know.

Board Member: Knowing what you know about the United States and Americans now, if a sheikh issued a jihad against the United States or Americans because of the perception that we are attacking Muslims, would you join that jihad?

Detainee: Fatwas do not come like this. There wasn't a fatwa like that where you have to fight a certain people or certain country. Fatwas are not issued that way. There is nothing written in the Qúran that says [to] fight Americans. So where would they bring this information if it is not even in the Qúran?

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.

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AUTHENTICATION

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



Captain, USN
Presiding Officer

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