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Summary of Administrative Review Board Proceedings for ISN 342

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, and DMO-2, the FBI Redaction Memorandum 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 Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 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 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 Exhibit EC-B and then the Detainee made the following statement:

Detainee: *(The Detainee provided the following answers to the allegations from the Unclassified Summary of Evidence) [3.a.1.] I traveled in December but not in November until the month of Ramadan. My visit was from Saudi Arabia to the United Arab Emirates then Pakistan then Malaysia then Syria and then back to Pakistan. The period of time I stayed in Syria was for a week not for two months and you can see that on my passport. [3.a.2.] I did not attend the religious meeting. They had the religious meeting before I got to Lahore. [3.a.3.] I don't know [anything] about Jama'at al Tabligh. Whether it was used as a cover or not, I have no knowledge [of] and you say you believe that al Tabligh is used as a cover. [3.a.4.-3.a.6.] First of all, I never entered Afghanistan as I indicated previously. All these items are inaccurate or incorrect. [3.b.] [Training], My passport is not a forged passport and I don't have any entry or exit visa[s] that [are] not official. If the visa was a fake visa, how did I enter Malaysia and then [go] from Syria to Pakistan? Connections, [3.c.1.] I have no connections to al Qaida or to this gentleman [named] Al-Nashiri. Other relevant information, [3.d.1.] The date that the Pakistani police captured me was inaccurate. They captured me the twenty-third of Ramadan. This date, November 25th, 2001, is the date that I was turned over from the Pakistanis to the Americans. [3.d.2.] I do not have any notebooks that contain any names for anybody. During the time they turned us over to the Americans there were a lot of people with us. I lost a great deal of my personal belongings. I told them when I was in Bagram about the materials that I lost and what I had at that point in time. I told them about my passport and my wallet. I don't have any notebooks. [3.d.3.] All the answers that I gave were [to] answer all the questions that you asked me. Factors that favor the release of the Detainee, [4.a.] Yes I agree with that statement. I deny any knowledge of the Taliban or al Qaida or any other extremist organization in these cities that I visited. I do not admit that I was a combatant or a fighter in Afghanistan. I never went to Afghanistan. [4.b.] I deny [having] any knowledge of what happened to the United States even during the executions on September 11th and I also [did not hear] any rumors or plans to attack the United States or its allies or their interests. [4.c.] I traveled to Pakistan with the Tabligh for the Da'wa, not to teach the Koran. I deny any knowledge or any connection to al Qaida. [4.d.] I agree with the last [statement], I never went to Afghanistan. During the last meeting we discussed these points and I explained it to the President (of the Tribunal) and all [of] the mistakes that they had in the previous session, they have here. First thing is my name and all the information that talks about the time that I went to Quetta and the dates that I just mentioned. I wanted to explain*

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[this] for the second time. I already explained it to you and that is all I have. I hope that everything will be recorded accurately.

President: Does that conclude your statement?

Detainee: That is all I have.

President: Did the Assisting Military Officer provide the statement that you wanted us to hear?

Detainee: Yes.

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: What did you do during your five months in Malaysia?

Detainee: I already answered that question to the interrogators.

Board Member: I don't have that in front of me. I would like you to answer it.

Detainee: I wanted to just respond to the allegations that you have given me from the Unclassified Summary.

Board Member: So, you choose not to answer the question?

Detainee: No, I don't want to answer it.

Board Member: Did you receive any military training anywhere?

Detainee: Where do you mean?

Board Member: Anywhere.

Detainee: No, I never did.

Board Member: What was the purpose of your trip to Pakistan?

Detainee: I wanted to go attend the al Tabligh meetings.

Board Member: What kind of meetings?

Detainee: I never attended it to know what kind of meetings [they were].

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Presiding Officer: Since we are on that question, I have a question for clarification for the reporter on that. [The Unclassified Summary] says 'the Detainee claimed he moved to Pakistan to teach the Koran' and then you denied that and said you went for the meeting.

Detainee: I went for [a] Jama'at al Tabligh meeting and not for the Koran. I told you that I went for the Tabligh not for the Koran earlier.

Board Member: Can you tell us what you did in Syria for two months?

Detainee: Repeating the same thing, I already told you all that information and I mentioned it to all the interrogators when they interrogated me. Ever since I traveled from Saudi Arabia, since I left my home until the time [I] was turned over to the Americans...you have all that information in my file.

Board Member: Did you do Da'wa work?

Detainee: Where?

Board Member: In Syria, Malaysia?

Detainee: You want the answer from me? You don't want to go back to my file?

Board Member: Yes.

Detainee: I didn't do anything for the Da'wa in Syria or Malaysia.

Board Member: You said that you don't know Al-Nashiri [but] have you heard of Al-Nashiri?

Detainee: I do not know him.

Board Member: Have you heard of him? Have you heard that name?

Detainee: I have never heard that name before.

Board Member: Why were you arrested in Pakistan?

Detainee: Why are you asking me why they arrested me? Ask the Pakistanis.

Board Member: Didn't they tell you why you were arrested?

Detainee: They never did [tell me]. I was there for about a month and [no one] talked to me.

Board Member: There in Pakistan?

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Detainee: Yes.

Board Member: Are you at Camp Five at your request or were you told to go to Camp Five?

Detainee: A military officer came to me along with an interpreter and they said they were going to transfer me over there.

Presiding Officer: Could you please clarify for the record what your full name is [since] you mentioned it was different than what we referenced?

Detainee: My name is Mohammed Mubarek *Salim* Al Qurbi not Salah.

Presiding Officer: In item D1., you mentioned the twenty-third of Ramadan being when you were arrested and the twenty-fifth of November, 2001, you were turned over to the U.S. forces, correct? The clarification I am looking for is the year, that's all.

Detainee: I am referring to the year 1422 (Islamic calendar).

Presiding Officer: Thank you. That is what I was looking for.

Detainee: I am referring to the year 2001 (1422 in Islamic calendar).

Presiding Officer: Right, thank you. In 4C., you said you did not go to teach the Koran in Pakistan. If I am to believe that statement that you didn't go and you went for the other reason you mentioned today, how did you actually get to Pakistan from Saudi or wherever your previous residence was...because your residence says one thing here but you went from Saudi to Pakistan somehow. I am just curious what route you took...how you got there.

Detainee: You can find all of this information in my file. I already mentioned earlier on A1...

Presiding Officer: Yes, I have that. I wrote down what you described. I am just asking if you could please explain to me how you got from your previous residence when you went to Pakistan for the reason you gave us earlier.

Detainee: I went to Pakistan twice. The first time I went from Saudi Arabia to the United Arab Emirates then from the Emirates to Pakistan then to Malaysia then to Syria then to Pakistan. The second time I went to Pakistan is when I was arrested. All this information is available to you in my file. The reason I wanted to repeat it now is because the way it is written here is all incorrect.

Presiding Officer: How did you travel from the United Arabs Emirates to Pakistan the first time? Plane? Bus?

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Detainee: You have that information in my file.

Presiding Officer: But I don't, I only have what we read to you here. I really don't know that's why I am asking.

Detainee: All I want to do is correct all the information you had about me here. I don't want to talk about other interrogations or talk about anything else because all of the information and allegations about me are all incorrect...my name and all the allegations and the date that I was arrested and all the cities that I traveled to...they are all wrong and I wanted to clarify that. You can find out about all these mistakes because they are right on my passport...where I went and from what city to what city [I traveled from].

Presiding Officer: So, the means of you getting from point A to point B that I've asked you, your not willing to answer.

Detainee: Are you trying to interrogate me?

Presiding Officer: No. I just would like to know how you got there that's all.

Detainee: I don't want to answer that.

Presiding Officer: Thank you.

Board Member: How do you know that what is in the file is correct about what you did in Malaysia or in Syria? You may want to tell us just in case what is in the file is wrong. You say this is wrong but maybe the file is wrong.

Detainee: When the interrogator was taking the information from me I was looking at what he was writing and then afterwards I reviewed what he had written down.

Board Member: What kinds of personal belongings did you lose when you were captured by the Pakistanis?

Detainee: They took everything from me. When I was turned over to the Americans, they were asking me about my belongings...what had I lost. They [asked] what I had in my possession [at that moment] and all I had was the Koran. I lost my money. That is all I can remember. In Bagram I was told that the only thing they found was the driver's license and the passport.

Board Member: How much money did you lose?

Detainee: I do not recall.

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.

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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, USMC
Presiding Officer