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Summary of Administrative Review Board Proceedings (with Detainee present)

The Administrative Review Board (ARB) was called to order.

The Designated Military Officer 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 ARB 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 Information, Exhibit DMO-1 and DMO-2, the FBI Redaction Certification to the Administrative Review Board.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Information, Exhibit DMO-1, to the Administrative Review Board.

The Presiding Officer confirmed that a copy had been previously distributed.

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.

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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Presiding Officer: At this point in the hearing the Detainee will be able to present information to the Administrative Review Board. Assisting Military Officer does the Detainee want to present any information to this Administrative Review Board including written statements, oral statements or witness statements prepared on his behalf?

Assisting Military Officer: Sir, the Detainee has made comments in response to the Unclassified Summary of Evidence.

Presiding Officer: Proceed.

The Assisting Military Officer gave a brief description of the contents of Exhibit EC-B, the Enemy Combatant Election Form to the Administrative Review Board.

The Presiding Officer asked the Detainee if he wishes to make or present a statement.

Detainee: No.

Presiding Officer: No? Okay. Umran, did the Assisting Military Officer's statement provide us with the information that you wanted us to hear?

Detainee: Can you (referring to the linguist) repeat that?

The linguist once again repeated the Presiding Officer's question to the Detainee.

Detainee: No.

Presiding Officer: If his statement didn't provide the information [that] you wanted us to hear, do you have something that you would like to clarify?

Detainee: No.

The linguist requested to clarify the question to the Detainee.

Presiding Officer: Yes, try to clarify it for him because he might have misunderstood.

The linguist clarified the question for the Detainee.

Detainee: [I] want to talk about the training at the al Farouq camp.

Presiding Officer: If you would like to give us a statement that will be fine. I will just have one other question then if you are going to give us a comment on something you have said.

Detainee: Go ahead.

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Presiding Officer: Umran, if you would like to make a statement, 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.

Detainee: [I] want to take the Islamic oath.

The Detainee accepted the Muslim oath.

Presiding Officer: Umran, you may begin.

The detainee made the following statement:

Detainee: [I] have just one thing that [I] want to talk about. [I want to talk about my] training at [the] al Farouq camp. [I am] ready to answer any question [that] you [may] want to ask.

Presiding Officer: Okay.

The linguist asked the Presiding Officer if the Detainee should begin.

Presiding Officer: If you have more that you would want to say to us, then say it now. We will have some questions for you once you are done with your comment.

Detainee: They are right when they said I left Saudi Arabia after nine-eleven, 11 September, [when] the United States start[ed] their bombardment. So how could I be there for training while the war [was] going on? That's all [I] want to say.

Presiding Officer: Thank you. Umran, does that conclude your statement?

Detainee: If I want[ed] to go for training I [would have] go[ne] before the war start[ed], not while the war [was]going on.

Presiding Officer: Thank you. Besides your comments, did the Assisting Military Officer's statement provide the information that you wanted us to hear?

Detainee: [Yes, for] all that I [can] remember because I don't have a good memory.

Presiding Officer: Thank you.

The AMO had no further questions for the Detainee.

The DMO had no further questions for the Detainee.

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

Board Members: Yes sir.

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Administrative Review Board Member's questions:

Board Member: Umran, what did you go to Afghanistan for?

Detainee: Teaching.

Board Member: Teaching what?

Detainee: [The] Koran.

Board Member: What qualified you to teach the Koran?

Detainee: [I] teach the Koran in Saudi Arabia. [I am] a teacher [that] teach[es] [the] Koran in Saudi Arabia.

Board Member: In the Assisting Military Officer's statement that he read, he said that no one told you about the CSRT.

Detainee: [I] don't remember.

Board Member: Okay. Did a U.S. military officer meet with you on 11 October of [20]04?

Detainee: [I] don't remember what I ate yesterday but I [do] remember [that] they brought me [here] one time.

Presiding Officer: That's a no!

Board Member: That means no.

Detainee: [I have] been in a meeting here one time before. [I] met with an Assisting Military Officer.

Board Member: With a different Military Officer (referring to the Assisting Military Officer currently sitting in the room)?

Detainee: Yes.

Board Member: [Was the individual] wearing this color (referring to the United States Air Force uniform), this color (referring to the United States Marine uniform) or that color (referring to the United States Army uniform)?

Detainee: Same (pointing to the United States Air Force uniform).

Board Member: Same as this (referring to the United States Air Force uniform) but [a] different person. Okay, so somebody did meet [with you].

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Detainee: Yes.

Board Member: But [you don't] know the purpose of that meeting.

Detainee: They told me [that] I [was an] enemy combatant.

Board Member: Okay, thank you. I don't have any other questions.

Board Member: Umran, when and where were you captured or arrested?

Detainee: In Pakistan.

Board Member: In the hospital in Pakistan?

Detainee: In a Saudi Red Crescent, Saudi hospital.

Board Member: So you were well enough that the Pakistanis took you out of the hospital at that time?

Detainee: No, [not] at all. Even the doctor he refused but they took [me] by force. He (referring to the doctor) said you can release anybody but not this one.

Board Member: When you taught the Koran back in Saudi Arabia was that in a public school or [a] private school?

Detainee: [I] teach the Koran in [a] Mosque and the Mosque has an authority from the government.

Presiding Officer: To teach you mean?

The linguist requested to have a dialogue with the Detainee to get a better understanding of what the Detainee wanted to convey.

The Presiding Officer informed the linguist that there could be a dialogue; however, the Administrative Review Board must be informed of the conversation that took place.

Detainee: There is a special organization which [is a] charity organization, [in] which they teach [the] Koran just for the Saudi people inside Saudi Arabia. They teach [the] Koran in the Mosque. Every Mosque has one or two teachers.

Board Member: So the charity pays you to teach?

Detainee: [I] don't get any pay. They don't pay [me] for this [because] what [I am] doing is [for] charity too. But they [do] pay for the teachers that come from outside [of] Saudi Arabia to teach [the] Koran in [side] Saudi Arabia.

Board Member: So what kind of work did you do so that you could support your family?

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Detainee: [I] was an imam in a Mosque and [I had] another job.

Board Member: What's the other job?

Detainee: When foreign companies [had] a contract inside Saudi Arabia [I] would go and make a follow-up with the employees. [I would] prepare official papers for the government.

Board Member: So you worked for the government doing that?

Detainee: [I] worked for the companies but [I] prepared all these things for the government.

Board Member: All right. Were there other teachers of the Koran in the refugee camp or were you the only one?

Detainee: I left Saudi Arabia by myself. I didn't see anybody in the camp or hear about...

Board Member: ...anybody else teaching?

Detainee: [I] didn't hear [or] see anybody.

Board Member: Was there a shortage of food and water in the refugee camp?

Detainee: There wasn't enough.

Board Member: There wasn't enough? [What about] shelter?

Detainee: No, because it was on the boarder with Iran.

Board Member: That's all the questions I have sir.

The Designated Military Officer made a motion to get the attention of the Presiding Officer.

Designated Military Officer: I have one question. He (referring to the Detainee) made mention of some things. Can I follow up with a question?

Presiding Officer: Sure, go ahead.

Designated Military Officer: You made mention of a charity organization that kind of funds the Mosque [where you] worked. Do you remember the name of the charity organization?

The linguist stated that the Detainee wanted it to be called an Association and not an Organization.

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Detainee: It's [an] Association of Teaching the Koran in Saudi Arabia and they have branches in every province in Saudi Arabia.

Board Member: Okay.

Board Member: But does it have a name?

The linguist confirmed the name (referring to The Association of Teaching the Koran).

Board Member: That's the name?

Presiding Officer: Just say it one more time (speaking to the linguist), Association....

The linguist confirmed the name of the association as "The Association of Teaching (the) Koran in Saudi Arabia."

Presiding Officer: (speaking to the linguist) So it would be like what we would call a State Teaching Association. That's the title?

The linguist gave confirmation that the Presiding Officer was correct.

Presiding Officer: (speaking to the linguist) That's what I am to assume, right?

The linguist confirmed once again.

Presiding Officer: Okay.

The Presiding Officer requested the linguist to translate their conversation to the Detainee.

Detainee: The main office was in Riyadh and they have branches in other provinces.

Presiding Officer: You mentioned that while you were in the camp after the bombardment you sustained shrapnel injuries. What injuries did you sustain; to what part of your body?

The linguist stood and turned his back to the Board Members, pointing just below his waistline towards the upper right side of his buttocks.

Presiding Officer: Your back? Your rear end?

The linguist confirmed that it was the Detainee's rear end.

Presiding Officer: Buttocks? Okay, that's all I am asking. You (referring to the linguist) can say it.

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Presiding Officer: You are identified as going to a training camp in al Farouq. You asked us to identify who what, when and where...good question, but isn't it true that you must train to fulfill your religious principles and duties?

Detainee: It's not.

Presiding Officer: It's not true? So, you do not have to train?

Detainee: According to [my] information, it is not [a] part of the religion [that I must] go and be trained.

Presiding Officer: Okay, thank you. You had mentioned you were helped to get across the border and you were turned back by Iranian officials. Can you identify who the individual was that helped you?

Detainee: A brother Afghani, I mentioned his name to the interrogator, but I forgot his name right now.

Presiding Officer: Do you remember when we mentioned your passport had altered stamps on it? How do you explain that the passport was altered with changes?

Detainee: I am sure [that] there [are] no altered stamps on my passport. You can bring my passport from Saudi Arabia and you can check it.

Presiding Officer: Is that where its at now?

Detainee: [I] handed it to the Saudi ambassador in Pakistan. In Quetta.

Presiding Officer: I'm sorry.

Detainee: [I gave my passport to a] Saudi ambassador to Pakistan.

Presiding Officer: That is whom you gave it to or that's where it was...?

Detainee: One of the ambassadors' assistant, he came to [me] and [I] gave him my passport. [I] found out later that the ambassador got [my] passport. There was a representative [or it was a] delegation and one of the representative[s] from that delegation, he told [me that] they [had] my passport.

Presiding Officer: Now this delegation, where was that delegation? Where was it that they told you about your passport? Was it here or was it in Pakistan?

Detainee: Yes, [it was] here.

Presiding Officer: Here?

Detainee: Yes.

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Presiding Officer: So that's where they told you that.

Detainee: Yes they said we received it.

Presiding Officer: Okay. Could you please explain to me about the assaults on the guards?

The linguist stated that he had to remind the Detainee of the allegation because he does not remember. The linguist asked for permission to help the Detainee remember.

Presiding Officer: Yes (answering the linguist request). It's in the Unclassified Summary where it talks about the assaults that he had on the guards.

The linguist read the allegation from the Unclassified Summary and the Detainee stated that he now remembers.

Presiding Officer: (speaking to the linguist) Could you please have him explain his comments, as to him saying how could he do that since he was in the hospital; although the guards keep records. There are records that the guards have told us about assaults that he has made and verbal assaults that he has made.

Detainee: My question is when? When [did] I assault them? If there were such a thing, they would write it down, the date [and] the time. I didn't get any punishment.

Presiding Officer: Well, they don't necessarily punish you for everything that they document. So...your question....go ahead...

Detainee: If you have [an] extra cup where you [are] stay[ing], you will get [a] punishment for that.

Presiding Officer: Extra cup?

Detainee: Yes. How about if I spread it on somebody?

Presiding Officer: (speaking to the linguist) Is he asking me, "how about if I spread it on somebody"?

Detainee: I will be punished if I have an extra cup where I live.

Presiding Officer: Okay.

Detainee: How about the allegation say[ing] [that] I spread something from that cup?

Presiding Officer: I am not sure why you are asking that question. That may be one of the charges that they have against you. I'm asking you to please explain why they are telling me that you throw food, milk, tea, water and body fluids on the MPs. You say that you can't do it because you are in the hospital, but that's not a good answer for me.

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Detainee: If that happened in the first two years and a half [that] I [have] been here, I was in the hospital. Six months after that I was in Camp Four. After that they punished me for one year. Why [did] they transfer me? [I] asked the interrogator and he said, "I don't know." [I] don't have anything between the guards and me. Why [would] I spread something on them? I don't have any problems with the guards.

Presiding Officer: So you never told them to die or you made threatening gestures towards them? You never did that?

Detainee: Never, never, never.

Presiding Officer: My last question, what refugee camp did you travel to?

Detainee: People move[d] from inside [of] Afghanistan and they came to the border in Tiback (ph), the border with Iran.

Presiding Officer: Thank you. Assisting Military Officer, is there any other information the Detainee wants to present?

Assisting Military Officer: No sir.

The Presiding Officer reads the post-Administrative Board instructions to the Detainee and adjourned the open session of the 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, USMC
Presiding Officer

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