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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 and DMO-3, the DHS Terrorist Organization Reference Guide 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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The Presiding Officer asked the Detainee if he wishes to make a statement and whether he opts to take an oath (a Muslim oath).

The Detainee accepted taking the (Muslim) oath.

Presiding Officer: I understand you have an oral statement. You may begin.

The detainee made the following statement:

The Detainee replies to the Unclassified Summary of Information.

Detainee: About being a Tunisian Muslim, this is not right. When I was in Tunisia I was not trained. From 1991-1995, while I was in Italy I was a drug dealer. Fanatic Muslims do not do these things. They do not sell or [use] drugs. That is what I want to say about this. I am not an Islamic fanatic. While I was in Milan with Abu-Abdullah, yes I stayed with him. While I was [using] drugs he asked me to go to his house and he taught me how to pray and after that he showed me those movies. That is right, Abu-Abdullah gave me the money and the ticket and he advised me to go to Afghanistan. That's right, I went to [the] Duranta camp for military training. Duranta is not a camp for al Qaida training. That camp [had] been there before Usama bin Laden [got] to Afghanistan. It belonged to the Islamic party. When the Taliban took over Afghanistan, the Islamic party [fell apart]. Some of the Arab people [that fought with the Islamic party] stayed there. Those people fought the Russians in Afghanistan and [got] military experience. It is a small camp. It has just two rooms. You can [only] train six or seven people there. The training is on light weapons like guns, Kalashnikov [and] grenades. [You can only] look at the RPGs (rocket propelled grenades) because the camp is so small and there are a lot of houses around it. This camp [did] not belong to al Qaida so they closed it. The people had to go to Kandahar and train at Usama bin Laden's camp.

The linguist states for the record that there is a correction to be made in his own written notes stating twenty-eight days instead of twenty-nine days.

Detainee: It is [correct] that I stayed [for] twenty-eight days in the camp and I trained on the Kalashnikov but not the RPG. I only looked at the RPG. (*Reading from the Unclassified Summary of Information*) Connections and Associations; I don't know who that guy is that they said I sat with. I don't know anything about it. I want to know about "the Detainee may have supported terrorists plots using poison gas," how? Did I support them by myself? By money? This is a lie. This is a bigger lie than the former one. I don't know if financing means [that] I paid money from my pocket or I [went] and begged people from Pakistan to bring some money. To finance a group like the Tunisian combat group takes knowledge...[you have] to know people outside of Afghanistan and Pakistan to solicit money. [A person would have to be able to go] to Europe or Saudi Arabia or Kuwait to the people that have money...but not by [soliciting money] in Pakistan. The [person] who does this has to have [the] freedom to travel and have the ability to talk in the Mosques. That was not my job. I don't know...I heard of a group of

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Tunisians but not under this specific name. There was a group and it [was] demolished before I [went] to Afghanistan. Most of [the people that belonged to this group] went to Britain. When I was in Tunisia there was a group I knew named Rashad Al-Gumoshie. It is not here. I knew those people but I do not know about...Tunisian Intelligence members came here and they met with me and they did not mention this name...that there was a group of Tunisian fighters training to have an Islamic regime in Tunisia. Yes, it is right that Abu-Abdullah prepared my travel to Islamabad and I met with Saif and stayed in Peshawar. I stayed for one month with the Islamic Gulbuddin party fighters in Pakistan. Those people left Afghanistan when the Taliban [took over]. The Islamic party left to Peshawar because they were against Taliban and al Qaida. That is right, when I finished my training in Duranta, Saif took me to Pakistan and two Libyans asked me not to go back to Italy. They advised me not to go back to Italy. They [said that] if I go back to Italy it meant that I would [be going] back to deal drugs. [They said that] it was better for me not to go back to Italy. I don't know if the two Libyans fought the Russians in Afghanistan. I don't know Abu-Dajana (ph) al Tunisian. This is the first [time that] I [have] hear[d] of this name. When I was in Peshawar I heard of the prince [or the] Amir Tunisian named Abo-Ayath. (*Reading from the Unclassified Summary of Information*) The Detainee identified the location of Najem al jihad, an al Qaida house and compound owned by Usama bin Laden; this is a big lie. All the people know that [Usama bin Laden] has never been in Kandahar. I've never been in Kandahar.

Presiding Officer: When you said, "all the people know he has never been in Kandahar" are you referring to [yourself] or Usama bin Laden?

Detainee: Exactly, everybody knew he (Usama bin Laden) had been in Kandahar but me. He was in Jalalabad. (*Reading from the Unclassified Summary of Information*) The Detainee fought with al Qaida in the mountains of Tora Bora; Tora Bora is just a village I passed. I mentioned that during the investigation. The only way to [get] to Pakistan [is by going] through Tora Bora. I never stayed there. I was arrested on the border of Afghanistan and Pakistan. (*Reading from the Unclassified Summary of Information*) The Detainee was identified as Adel the Tunisian an explosive trainer for al Qaida; do you believe if I was an explosive trainer I would [have given] my real name? Impossible! The [person] who said this, he knows me from here by my name. Everybody knows me. My name is Abdul the Tunisian. He just wanted to lie and [say] that he knew Abdul the Tunisian as an explosive trainer or the American intelligence wrote it down this way. You, as a military man, know that a [person] training in this field or [other fields does not] give his real name. This is unbelievable! How [could I have been] trained for [only] twenty-eight days and [then] become a trainer? (*Reading from the Unclassified Summary of Information*) Other Relevant Data, the Detainee has assaulted the guards...the guards are not angels. They make mistakes like I make mistakes. The guard didn't spit at me but he said something, for example, I don't eat meat and they put the meat on the top of [the] vegetables and rice. When you see this, you take it and you throw it. This is something very regular between us and the guards. It doesn't have anything to do...this is a regular problem. I've been in prison in Italy and in Tunisia and I know these things happen between the guards and the Detainees. I was never involved in the assassination

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of Commander Masood. What did I have to do with it? I would [not have] benefit[ed] [from] killing him. *(Reading from the Unclassified Summary of Information)* About Detainee claims that he traveled to Afghanistan to have military training so he can go to Bosnia and Chechnya for jihad...this is another lie. I went to Afghanistan in 1997 and the war in Bosnia ended in 1994. Bosnia became a new state. Why would I [go there] for jihad? Why did I have to wait until 2001? I could've gone between 1997 and 2001. For four years I was there...if I had been intending to go I would have gone. [Why] would I have stayed [from] 2001 until they arrested me? Obviously that is a lie. *(Reading from the Unclassified Summary of Information)* The Detainee claims that he did not attend a meeting between the Tunisian group and Usama bin Laden, that's right. The Detainee denies that he trained at the Khalden training camp...I [have] never heard about it and I have never trained there. That is all I have to say.

Presiding Officer: Thank you. Does that conclude your statement?

Detainee: Yes, that is all I have.

The AMO had no further questions for the Detainee.

The DMO had the following questions for the Detainee:

Designated Military Officer: In 1997 you said you went to Afghanistan, [what was the] purpose?

Detainee: For training.

Designated Military Officer: What kind of training?

Detainee: Kalashnikov and military training.

Designated Military Officer: What was the Kalashnikov and military training for? To fight against what group?

Detainee: Not everyone [that] goes for training has to fight. It is from the Koran. Not everybody trains to go fight. For example, in Tunisia if you want to go and be a member of the military that doesn't mean [that] you have to go fight.

Designated Military Officer: [Which] group did you train with?

Detainee: There is no group. I was with a party that fought Russians. They made that training center and trained the people that wanted to be trained but I wasn't a member of that group. That's all.

Designated Military Officer: What group was that?

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Detainee: [The] Islamic party. This party was holding the regime in Afghanistan. Hekamat Yar was the Prime Minister of Afghanistan. When the Afghanis left...when the Arabs [were] fighting with Hekamat Yar against [the] Russians...the Taliban came [and] they left the Arabs alone. Those Arabs didn't fight with Taliban or against them...they just sat there. They gave them a camp to train people.

Designated Military Officer: Who is 'they'?

Detainee: The Arabs that were fighting with the Islamic party. I remember Abo-Mihjen...he trained me.

Designated Military Officer: Have you ever dealt or handled explosives like grenades?

Detainee: Yes.

Designated Military Officer: What happened to your right thumb?

Detainee: That is from the fuse of one of the bombs.

Designated Military Officer: Was it burning?

Detainee: They gave me the fuse [separately from the] grenade. (Inaudible) I pulled the nail [on the fuse] and when I opened it, it exploded in my hand. *(The Detainee repeats the explanation again as he visually describes the action).*

An Administrative Review Board member clarifies that when the Detainee uses the word 'bomb' he means 'grenade'.

Designated Military Officer: You mentioned that some of the Hezbe-Islami Gulbuddin (HIG) fighters went over to Britain?

Detainee: I said that most of the Tunisian group went to Britain not the Gulbuddin. Hekamat Yar is an Afghani not a Tunisian [and] the members of the Gulbuddin are mostly Afghanis not Arabs. I was talking about the Tunisian group members that went to Britain.

Designated Military Officer: Do you know what their purpose was [in going] to Britain?

Detainee: Ask the Tunisian Intelligence Service because they are the ones that told me. There was a problem between the members of this group [about] money so they spread [out]. Most of them went to Britain and some stayed in Pakistan...in Peshawar.

Designated Military Officer: What [type] of problem [did they have] with money?

Detainee: They had [a] disagreement on money. The Afghanistan people were fighting for money.

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Designated Military Officer: Over gold or was there cash that the (inaudible) in the towns?

Detainee: I will give you an example. There is a group and then there is an Amir (prince or leader) on the top of that group. That Amir might be friendlier to [some people over] the others. He might have given a car to one of them and not the other...so that makes the others upset and leave the group. They leave because he is not [just] with the others.

Designated Military Officer: What kind of movies were you watching with Abo-Abdullah?

Detainee: [Movies] about Bosnia.

Administrative Review Board Member's questions:

Administrative Review Board Member's questions:

Board Member: You went to Afghanistan and you were captured in 2001...and you spent thirty days in training and thirty days in a guesthouse.

Detainee: Yes.

Board Member: What did you do the rest of the time you were in Afghanistan?

Detainee: I wasn't in Afghanistan the rest of the time. When I hurt my finger in Afghanistan I left the training and I wanted to go to Italy. I had a round trip ticket for three or four months. I was willing to go back to Italy [but] Saif took me to the Libyans house and they advised me not to go back to Italy. Saif came back to me and asked me for the ticket to prepare a new reservation [for me] to go back to Italy. I gave him the ticket and I said I wasn't going back. Saif asked me why I didn't want to go back to Italy after I had promised my friends that after I finished my training I would go back. He promised me that if I went back to Italy he would send me to Sudan to study the Koran and the Islamic religion. I didn't go back. I stayed there until I got married. I got married in [the year] 2000. Pervez, the Prime Minister of Pakistan, started capturing the Arabs and sending them back to their countries. In Afghanistan they have [different rules] on sending Arabs back to their countries. I stayed in Afghanistan about one year and then I was arrested.

Board Member: You got married in Afghanistan?

Detainee: Yes. I got married in Pakistan and they brought my wife to Afghanistan. This is the Arabic way to [get] married. I arranged the [marriage] in Pakistan and they brought her to Afghanistan.

Board Member: How did you know about the Usama bin Laden training camp near Kandahar?

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Detainee: Everybody knows [that] Usama bin Laden has training camps. It's on the news. If someone tells you that Usama bin Laden does not have a training center, tell him he is a liar!

Board Member: Did you have any other kind of employment in Italy while you were there for four years?

Detainee: I had many jobs but not for a long time. Most of the time I was on dope or I [was selling drugs].

Board Member: Can you give us an example of the kind of jobs you had?

Detainee: The first time I went to Italy in 1989...

Board Member: I'm not worried about 1989...[tell me about] 1991-95...

Detainee: I never worked from 1991-95 [except] at the very end when they released me from prison in Italy...I went to my brother and he asked me not to deal drugs [anymore]...my brother found me a job in construction.

Board Member: Construction, OK.

Designated Military Officer: So, you have a brother in Italy?

Detainee: Yes.

Board Member: How many languages do you speak?

Detainee: I speak Arabic and a little Italian.

Board Member: Did you train at any other camp beside the Duranta camp?

Detainee: No.

Board Member: Have you ever served in the military service at all?

Detainee: No.

Board Member: Did you ever fight in combat?

Detainee: No.

Board Member: When you lived in Tunisia and went to school, did you have training in any type of trade?

Detainee: Yes.

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Board Member: What did you learn?

Detainee: What I meant is that I learned about dealing but not through school. I know how to buy stuff and sell it to somebody else. I didn't finish school.

Presiding Officer: Why did Abo-Abdullah ask you to go to Afghanistan?

Detainee: To be trained and come back...to go back to Italy and then to Sudan.

Presiding Officer: Get training; go back to Italy then to Sudan and what was the training going to be for? I am still confused as to what this training is for.

Detainee: Our religion says that we have to be trained. This is something very [common]. This is [part of] the basic [beliefs] of my religion like you fast or like you pray. That was the [purpose].

Presiding Officer: Duranta, the al Qaida training camp...I wont call it [a] military camp...if it's not [a] military training camp, what kind of camp is it?

Detainee: It is a military training camp but it is a small one.

Presiding Officer: And you mentioned [that there are] a lot of houses around it.

Detainee: Do you mean residential area?

Presiding Officer: You mention that it is a small camp [with] two rooms, six to seven people are trained there [with] lots of houses around it.

Detainee: Yes, you are right. You cannot bring tanks there. It is very hard to get tanks or big equipment through there. You can shoot [with] Kalashnikovs or (inaudible). It's OK to shoot that there but not with a tank.

Presiding Officer: So my question is, [all these] houses that are around the camp, what kind of houses are they? Who lives there?

Detainees: Most of them are members of Taliban.

Presiding Officer: So the Taliban members live in the houses surrounding the camp. Did you have dealings with the local residents? What were their views on what was going on at that time?

Detainee: No, I was just there for twenty-nine days. I don't speak their language.

Presiding Officer: You mention 'the Detainee was identified as Adel al Tunisian an explosive trainer' and you said that the individual who identified you is here. Do you know his name?

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Detainee: [I said it's] possibly somebody from here.

Presiding Officer: You said you know he is here.

Detainee: Because the interrogator told me it was somebody from here that said that I was Adel the Tunisian, the explosive trainer. The guy who said that about me doesn't know me or it's a lie from the intelligence service.

Presiding Officer: So you personally don't know whether he is or isn't here?

Detainee: One Egyptian said [to me] that I [was] the explosive trainer. If that was right, that man is a liar. He doesn't know me. He knows my name from here. [He] knows me as a trainer and he knows I am a trainer in Afghanistan. [If this was true] it [would be] very difficult for me to say [that] my name [is] Adel al Tunisian. I would have another name. Whoever said this is either a liar or this is from the interrogators. He knows people here...one of them heard him say that he talked about two hundred and seventy Detainees because the interrogators bring him food and benefits. He is crazy. Anyone he saw he [would say that] he saw him in [such-and-such] places. If the interrogators believe him or not, that is something else. That is a problem. If I was a trainer I would never [use] my real name. The one who trained...his name is Abo-Mihjen and Abo-Abdullah he is the one who sent him to Afghanistan. When I went to Afghanistan, Saif al Tunisian asked him not to use his name as Adel al Tunisian and he changed it to Abo-Basayer the Tunisian. You never give your real name and [you] don't ask people what their real name is.

Board Member: If we decide to release you, we will probably send you back to Tunisia. Do you think that the Tunisian government would take you back?

Detainee: What do you mean by [take me back]?

Board Member: As a citizen.

Detainee: If you give me the choice, I would never go back to Tunisia.

Board Member: Where would you want to go?

Detainee: Anywhere else.

Board Member: Anywhere but Tunisia!

Presiding Officer: Why not Tunisia?

Detainee: You know Tunisia better than me.

Presiding Officer: I've never been there. I am just asking if there is a reason why you don't want to go there.

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Detainee: Some of the interrogators told me that I had a sentence waiting for me in Tunisia for ten years. There is no religious freedom in Tunisia. If I keep my beard it is a problem there. Tunisia is like Iraq, India and Syria.

Presiding Officer: Do you believe [that] there is a ten-year sentence waiting on you or on everybody that comes back?

Detainee: In Tunisia, if anyone goes to Afghanistan he is not accepted [back to Tunisia] because they [think he is] a terrorist.

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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