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**Summary of Administrative Review Board Proceedings for ISN 509**

***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 to DMO-3, other unclassified information 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 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 accepted taking the (Muslim) oath.***

***The Designated Military Officer read the Unclassified Summary of Evidence to the Administrative Review Board.***

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Designated Military Officer: The Detainee went to Afghanistan for jihad.

Assisting Military Officer: In response to the allegation the Detainee stated, "This is not true, these are all lies. The two of you (*referring to the Assisting Military Officer and translator*) have brains, is it really reasonable that al Qaida or the Taliban, in bad need of men to fight have to go to Yemen to find men at 60 years old to fight? Is this logical?"

Detainee: Before I start talking, I ask for God's help. I hope that you will be serious about looking for the truth. I left Yemen for the purpose of teaching the Koran and this information is available in my file, since the first time I arrived here. All the interrogators that [I have met], I told them that I would be telling the truth, because I am aware of the fact that the truth will set you free. I did tell the truth, but all the interrogators [went and got] some information that didn't have any basis, even though they had the truth. If anyone of you looks at my file he would find out that I never stated anything other than having gone over there to teach the Koran; nothing about the jihad. Ever since I turned [myself] over I [told] everybody I don't know anything about the Taliban or al Qaida and I'm not a member of them.

Designated Military Officer: The Detainee did not perform any formal military service. He received small arms training at al Farouq camp in Afghanistan.

Assisting Military Officer: In response to the allegation the Detainee stated, he enlisted in the army in Yemen for one year because the service was required for a compulsory, this service occurred right after high school. "I went to Afghanistan to teach the holy Koran. Abu Al Munther ask[ed] me to train for a week to defend myself because the Afghani people are of two types...one type against the Taliban and the other for the Taliban. If there is a fight between the Taliban and those against the Taliban and they found Arabs they will kill them all. They will not distinguish between the people who entered to fight or those who entered to teach the Koran or teach them any other thing with regards to their religion."

Detainee: It's a known fact the Arabs in Afghanistan help the Taliban. This is true.

Designated Military Officer: The Detainee trained at al Farouq for 18 to 20 days. He shot the Siminoff rifle and Kalashnikov rifle twelve times. He received map and land navigation training.

Assisting Military Officer: In response to the allegation the Detainee stated, "This is all lies, I have told them one hundred times. I received training with the Siminoff and Kalashnikov only. I don't know anything about the rest of this. Where did they get this information?"

Detainee: Yes, this is something I said. I said all that but I never said that I had training [for] land navigation. I don't have any knowledge about land navigation and maps. I'm ignorant about all these facts and I don't know where they got it from.

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Designated Military Officer: The Detainee's plane tickets from Yemen to Pakistan were provided by a man named Muad. Another man provided the Detainee with 3,000 Saudi Arabian riyals and a passport.

Assisting Military Officer: In response to the allegation the Detainee stated, "These are all lies, you should check my file. I talked about someone by the name [of] 'Abu Al Munther' he gave me 3,000 Yemen rials and also he gave me some money to get a passport. Based on that I obtained a passport. Then he gave me the 3,000 Yemen rials to go to Sanaa and a telephone number and said, when I got their call this number."

Detainee: That is true. I would like to add. In the Muslim religion, God placed some responsibilities on [the] people who are wealthy and have financial means...that is set aside a certain part of their money and volunteer to build schools or mosques or giving it to somebody, who can call people to follow God...and they're able to do that...seeking God's forgiveness and their hopes to enter heaven. If that's the case, you should not be surprised if somebody was given \$3,000 or \$30,000. A lot of people give that kind of money, to convince people to follow God. The 3,000 rials we are talking about [are] equivalent to about \$100. How much can you do with \$100?

Designated Military Officer: The Detainee stayed at a guesthouse for Arabs in Karachi, [called] Madafat al Ansar, run by Riad.

Assisting Military Officer: In response to the allegation the detainee stated, "First of all it does not have a name, Madafat al Ansar. I talked about this being in Afghanistan, I don't know about Pakistan. I don't know anything about this house."

Detainee: The house that I stayed in, I don't know anything about it. I stayed there for one day and I don't know who ran it.

Designated Military Officer: Riad operates a safe house in Karachi, Pakistan, to facilitate movement of recruits into Afghanistan. He coordinates recruit travel to Kandahar, Afghanistan, via Quetta, Pakistan.

Assisting Military Officer: In response to the allegation the Detainee stated, "I arrived to the place where there were Arabs. The head of these people was Riad, but I don't know [whether] they were [all] Arabs. The head of these people was Riad, but I don't know what Riad does."

Detainee: In addition to Arabs, I would like to add Afghans as well.

Designated Military Officer: The Detainee stayed in Jalalabad in the safe house of Abu Hatib al Libi.

Assisting Military Officer: In response to the allegation the Detainee stated, "Yes, yes but this man I only met him once in my life. He told me that he would give me some form of medication for my knee. He is a doctor. He took me to a house, it's a clinic and

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there was another individual injured in the clinic. How did they come up with a safe house? He took me to the clinic and he left me there and he gave me some medication. If the Afghani's knew that there were Arabs they would kick them out of the clinic."

Detainee: He asked me to stay there. If they found out they would [have] kick[ed] us out.

Designated Military Officer: Abu Hatib al-Libi, a member of the Libyan Islamic Fighting Group (LIFG), was in charge of the guesthouse in Jalalabad, Afghanistan, that belonged to al Qaida. They used it as a residence complex before they moved to Kandahar, Afghanistan. Later it became the guesthouse for the al Qaida leaders when they visited Jalalabad. Usama bin Laden used it during his visits.

Assisting Military Officer: In response to the allegation the Detainee stated, "All this should be read to Abu Hatib, not me. I don't understand what they're trying too say. I don't know Abu Hatib. I don't know him and I don't know his profession. I only met him once. If I knew that Abu Hatib was a member of a terrorist group or al Qaida, I would not have mentioned his name and I would not have met him."

Detainee: I was sent to him so he can treat me, because he's a doctor. The clinic that [I was taken] to...the interrogator [said it was used to] house al Qaida or things like that and to hide Usama bin Laden...in that particular place. They also indicated that's where all the leaders of al Qaida meet as if they were with me when I went to that house or clinic. That clinic is well known in Jalalabad and all the safe houses [are] known in Jalalabad. Any member in al Qaida or Taliban or any terrorist organization they would have hundreds...you know maybe twenties of houses available that they could go to. He (*referring to Usama bin Laden*) can go over there to conduct his business. It doesn't make any sense that you are going to bring Usama bin Laden to a clinic that's known to the public. He (*referring to Abu Hatib al-Libi*) treats the Arabs and the Afghan in that clinic. It doesn't make any sense that Usama bin Laden is going to conduct all of his activities from that clinic. Maybe he is a terrorist, but maybe the house that you are talking about is not the house that I was sent. I was sent to the clinic and not to a safe house. If I knew that I was in a place that housed the al Qaida or any terrorist organization. I would have taken my passport and would have gone back to my hometown. I requested my passport to go back to Yemen more than twenty times and that's all available in my file. Ever since I went to al Farouq camps for training, I requested my passport, because I wanted to go back to Yemen. They refused. So I went and I figured that when I come back I would get my passport so I could go back [to Yemen]. Before we went back to al Farouq camp they asked us to go to another safe place and that's when the war started. When I found out that I could not go anywhere without my passport, I turned myself over to the Afghans and the Afghani people turned me over to the Americans. Ever since I met the Americans I've told them what I know and my story is true and it is in my file.

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Designated Military Officer: The Libyan Islamic Fighting Group (LIFG) was designated for asset freeze under Executive Order 13224 and United Nations Security Council Resolution 1333 in September 2001. Some members organize strictly against Libyan Government interests, but others are aligned with Usama bin Laden's al Qaida organization or are active in the international mujahedin network.

Assisting Military Officer: In response to the allegation the Detainee stated, "Again this does not concern me. I don't know anything about this. How does this concern [me]?"

Detainee: I don't know anything about this. This is the first time I've heard it.

Designated Military Officer: The Detainee was injured during the bombing in Tora Bora. He walked with a group towards Pakistan, but near the border he was stopped. He was taken to prison in Kabul, Afghanistan, and subsequently turned over to United States' forces.

Assisting Military Officer: In response to the allegation the Detainee stated, "There was no truth in the statement. In the first place, when you say injured...I am in Guantanamo...the Americans have doctors. Why don't they examine me and show me where I was injured. Let them point to me where I was injured. If this statement is true, then let them show me. I went with a group of people from Afghanistan to Pakistan so I could go back to my home in Yemen. Then the bombing started, a lot of people got killed and some got injured. I was not injured. I did not carry any weapons and I went looking for someone to help the injured people. I did not carry any weapons. I found three Afghanis and told them about the injured people and they said they would treat them. They told me that they were going to take the injured people and myself to Pakistan. They kept us for two days and then came and told us they would take us to Pakistan but took us to Afghanistan. Then these three Afghanis turned us over to some people, these people were called the Haj-Kadeer."

Detainee: This is true.

Designated Military Officer: The Detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11th, and also denied knowledge of any rumors or plans of future attacks on the United States or its interests.

Assisting Military Officer: In response to the statement the Detainee stated, "I have been hear for four years every time I went for [an] interrogation not once did I say I was an enemy to the U.S. or any other nation. I don't have any problems with the government or the people. You have tremendous means, you can ask about me in Yemen. If you asked the government or public, you people have my address in Yemen. I have never gone to the police station."

Detainee: Yes, ever since I came here I am not an enemy to the United States or any other nation or even human being. In Yemen I have no problems with anybody. I've never gone to the police station. I never went with any group of people whether they

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were religious or not religious. I spent most of my life with my family and working. It does not make any sense and it is not reasonable for me become an enemy combatant...you know [it's like] between day and night. My life is very, very peaceful I have no problems with any individual and I don't think of hurting any individual.

*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 Assisting Military Officer presented letters from the Detainees family, Exhibit EC-C1 to Exhibit EC-C13, to the Administrative Review Board.*

*The Assisting Military Officer read the following additional comments the Detainee made:*

Assisting Military Officer: The Detainee stated, "I have letters from my family that prove what I've said and what I've said during my interrogation. I said that I teach the Koran and I went to teach the Koran and ask people to follow God. I have letters from my family to prove that I can present that so you can read it. In the letter they say that the U.S. and other nations will know that you are innocent. The nature of the Muslim is different because they volunteer with their money [by giving it] to the needy people, anybody that needs. For anybody that needs forgiveness from God gives money to the needy, similar to the Red Cross. This is a religious responsibility and this is part of our religion. I repeated for one thousand times that I am not a member of al Qaida or Taliban. I don't know anything about them. The period of time from the time I left my country until the time I turned myself over to the Afghans does not exceed four months."

*The Detainee made the following statement:*

Detainee: I am referring to the additional information. There are so many missionary organizations here in the States. [They] work, you know, [the same as a] missionary situation and helping people...this is the same way the Muslim do things. God asked me to help all these needy people. We perform our duty to keep God happy. We have nothing to do with terrorism or anything else about it. I hope you can consider that seriously. I hope that you can arrive to a fine decision that's just for your conscience and for God. It's like any misunderstanding on your part and misunderstanding on the interrogator's part could cost me my life. What I am saying is any kind of slight error on your part or on the interrogator that's going to cost me not only my life, you may not kill me, but I might spend the rest of my life either in this prison or another prison. I am fully aware that I am innocent and I am not a terrorist and I don't know anything about terrorism. I don't know anything about terrorism. If there are any secret allegations that prove different, then what I said, in my file...[then it's] not true. It's a bit old that information you have in your secret file [and it] is not correct, because I feel I'm

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innocent. I want the truth in my file. The truth you cannot break [the] truth in different parts. Whatever I know I told you and my final destination is in your hands right now. That concludes my statement.

*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: Did you teach the Koran in Yemen?

Detainee: Yes, I did.

Board Member: Where were you going in Afghanistan?

Detainee: Kandahar or Jalalabad.

Board Member: Were you going to a particular mosque? Did you have a point of contact?

Detainee: Yes, Abu Al Munther was over there.

Board Member: How did you know Mr. Abu Al Munther?

Detainee: Abu Al Munther was in Yemen; he's the person that gave me the 3,000 Yemeni rials and the money to obtain my passport and the price of the passport. He sent me to his cousin or relative or somebody that works for him. When he sent me to that individual he gave me the plane ticket and he sent me to Pakistan, somebody was present there with them.

Board Member: Whom did you give your passport up to?

Detainee: When I got there I was told that Abu Al Munther was in the front line and I stayed there for one week. He came back and he said, "Give me your passport." That's what we do. It's the same system as in Saudi Arabia. If you work for somebody, the guy that you work for gets to keep your passport.

Board Member: When you were at the al Farouq camp, you were there for 18 to 20 days?

Detainee: Yes, I did.

Board Member: You only shot weapons twelve times.

Detainee: Three times...each time...four bullets.

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Presiding Officer: [You] shot twelve rounds total?

Detainee: Twelve rounds, right.

Board Member: What did you do the rest of the times you were there?

Detainee: I was living in a tent. I would just walk around. Do my writing and pray. I read the Koran. I've been here for four years and I still do the same thing.

Board Member: This Board is to determine whether you're going to be a continuing threat. What kind of assurances can you give this board that you will not be a continuing threat?

Detainee: I cannot believe you're asking me these kinds of questions or maybe I did not absorb it. How do I cause a threat to the United States or someone? Whether it was the United States or even a person? How do I cause a threat? For example, if I was a young man...I don't know anything about how to make bombs. I don't even have the means. You can send me to my country, my hometown...and ask my country not to let me leave the country. How is it possible that I can cause a threat? You are thousands of kilometers away from me. How do I cause a threat? I believe that even the super power countries next to the United States, they don't even cause a threat to the United States. This is what I hear that the United States is a super power, [whom] is going to pose a threat? How can I pose a threat to the United States...one person?

Board Member: You're a wise man. Are you well respected in Yemen?

Detainee: The people respect me because I follow God and I follow my religious belief. I [have] never hurt or bothered anybody. I am a friend to everybody...very friendly person. When I call people, I don't tell people to fight or be terrorist and I know nothing about that. You can be convinced of that if you were to go to Yemen and you ask there. I never thought of threatening a human being. How is it possible that I'm going to hurt or cause a threat to a country? All the western people there are in Yemen all the time...American or otherwise. I never thought of hurting anyone of them. Isn't that enough assurance for you!

Board Member: Why were you selected to go to Afghanistan?

Detainee: I did not find employment opportunity in Yemen. Whatever I was earning from teaching the Koran there was just simply just a few rials. [My brothers and I were barely able to provide for our families.] We are a very big family.

Board Member: Were there other places that you could've gone besides Afghanistan or Pakistan?

Detainee: I went to Saudi Arabia, but entering into Saudi Arabia became very costly.

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Board Member: What did you do in Saudi Arabia?

Detainee: I use to work for a guy that [exchanged coins] and he used to take care of meat service.

Board Member: Can you tell me one thing about yourself that nobody else knows?

Detainee: What do you mean that nobody else knows?

Board Member: What else would you like to say? What is something else that no interrogator has asked him?

Detainee: I don't have any secrets. Everybody knows my life. My life is pure. Whatever I know about myself...everybody else knows it.

Board Member: When you write, what do you write about?

Detainee: The prophets saying from the Koran and all his followers, as well. The stuff that I write...I write it so hopefully I can remember.

Presiding Officer: You mentioned that you saw a doctor in Jalalabad. How is your health now?

Detainee: Everything's fine, thank God. I still take the medication.

Presiding Officer: What did you do for a job before you traveled to Afghanistan?

Detainee: I was teaching the kids the Koran. I also worked for another company. My brothers worked at that company up until now. I worked for another company.

Presiding Officer: What type of work?

Detainee: I was working quality assurance there. I was working for that company for quality assurance, this company used to make bags...like when you go shopping...plastic bags.

Presiding Officer: You said that you did not go to Afghanistan for jihad you went to teach the Koran, but did you know of others who traveled for jihad?

Detainee: I don't know anybody that went to jihad and even if I did know somebody I wouldn't be associated with him.

Presiding Officer: In either one of the two houses you were in...Karachi or in Afghanistan, did you meet anyone there who was there for jihad?

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Detainee: I did not meet anybody. The only people I met there were people for Jamat-al-Tabligh organization and even this [is] in the United States. These people are teaching other people, along with the Muslim, how to follow God...the teaching of God.

Presiding Officer: In your training on the Kalashnikov and Siminoff rifle, did you meet anyone there who had been engaged in combat?

Detainee: I was outside the camp. They did not allow me to go inside the camp.

Presiding Officer: Someone gave you the rounds to shoot. The twelve rounds you shot. Someone gave to you. The people, who trained you, were they warriors?

Detainee: Those [people] were helping the Afghanis. They were training Afghanis and Arabs. I don't know if they were fighters, terrorists, or they're for jihad.

Presiding Officer: You never spoke with anyone? You just shot the weapons?

Detainee: I did speak with them, but we never discussed the jihad or fighting or things like that.

Presiding Officer: When the American bombings started, did you carry any weapons after that point and time? Did you ever carry any weapons after this training?

Detainee: No, I did not.

Presiding Officer: Did you ever travel with others that carried weapons?

Detainee: No I didn't.

Presiding Officer: Why did you go to the Tora Bora Mountains?

Detainee: I don't know Tora Bora Mountains, but I never climbed mountains...maybe it is Tora Bora.

Presiding Officer: When you were captured, between the times you left the training camp to the time you were captured, did you ever travel with men, who were carrying weapons?

Detainee: No I did not.

Presiding Officer: Did you ever hear anywhere, during your training, any others who were helped by Riad, and if any of those people may have been fighters?

Detainee: I don't know anybody.

Presiding Officer: What do you think of Usama bin Laden? Do you believe in him and his teachings?

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Detainee: As a Muslim person, I do not recommend the killing of innocent people. I don't know Usama bin Laden and I don't agree with what he does.

Presiding Officer: How is your family? I see you have letters. Are your brothers' and sisters' health well?

Detainee: The letters [I have received] state they are okay.

Presiding Officer: Did any of them travel to teach the Koran?

Detainee: No, nobody did.

Presiding Officer: If you go back to Yemen, what would you like to do Mr. Khusruf? What are your plans if you return?

Detainee: I just want to continue with the rest of my life as normal as possible until God takes me and I face my death. [There are only] a few years left for me to live.

Presiding Officer: Mr. Khusruf will you travel again from Yemen? Will you travel again with these organizations to teach the Koran?

Detainee: No, I will not travel again. One experience is enough.

Presiding Officer: Last time you traveled you were [at] places with Riad, the facilitator, with these other people in Afghanistan...in Karachi, who are involved in dangerous things. So your choice of travel was not the safest.

Detainee: Ever since I got to Afghanistan and Pakistan, I was asking every step of the way to get my passport so I could go back to Yemen. Ever since they asked me to go to the al Farouq camp, I requested my passport. They refused to give it to me and they said, "You are going to train for just one week to protect yourself."

Presiding Officer: Did you ever fight against the northern alliance at all?

Detainee: I never did. It's proven fact, and it's available in my file, I told them, "I didn't come here to fight. I came here to teach the Koran. Why would I want to go to the camp?"

Presiding Officer: But you did go to the camp!

Detainee: They insisted that I go there. I was reasoning that I would put up with that for one week and then I get my passport, so I can go back to Yemen.

Presiding Officer: Mr. Khusruf, thank you very much for all of your answers. I look forward to reading all of your letters and we will continue here in a second.

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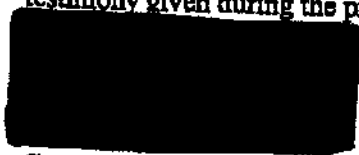
*The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.*

*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.



Captain, USN  
Presiding Officer