

Summary of Administrative Review Board Proceedings for ISN 511

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 (AMO) 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 oath.

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.

Presiding Officer: Assisting Military Officer, please read your comments from the Assisting Military Officer's comment block.

Assisting Military Officer: The Detainee's ARB interview was conducted on 2 November 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 stated he understood the difference between the CSRT and the ARB. 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 "in God's willing (I will come)." The Detainee was very polite, attentive, and would like to respond to the Unclassified Summary of Evidence after each point is read. A copy of the translated Unclassified Summary of Evidence was given to the Detainee for his review.

ISN 511 Enclosure (5) Page 1 of 16





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

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 Detainee chose to respond to the Unclassified Summary of Evidence as each point was presented. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) Approximately June 2001, the Detainee traveled to Mecca, Saudi Arabia and Jeddah, Saudi Arabia to visit the "Holy Places".

Detainee: Yes.

Designated Military Officer: (3.a.2) After traveling to Saudi Arabia, the Detainee traveled to Afghanistan to receive training as outlined in a Fatwa he heard issued by Sheik Hammoud al-Oqalah.

Detainee: Yes.

Designated Military Officer: (3.a.3) Abu Shakeirly also preached about the Fatwa and sent the Detainee to Sanna, Yemen to see Abdal Kalik, who could assist the Detainee in getting to Afghanistan.

Detainee: Yes.

Designated Military Officer: (3.a.4) The Detainee went to Afghanistan to prepare for Palestine.

Detainee: I went to defend my country.

Presiding Officer: You did not prepare for Palestine?

Detainee: Yes, to include defending my country.

Presiding Officer: What does that mean? What does prepare for Palestine mean?

Detaince: The religious leaders asked for our help. The Sheiks and the Government, if they need our help and assistance, we will go.

ISN 511 Enclosure (5) Page 2 of 16



Presiding Officer: Were you going to Palestine to be a soldier?

Detaince: No, it was only an idea. There is no direct reason [answer] as to why I was

there. It was just an idea.

Presiding Officer: So, you really did not know what to expect when you got there.

Detainee: Yes.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee trained for approximately one month with the Yemeni Military at Buwesh. During the training, the Detainee received instruction on the Kalashnikov and physical training.

Detainee: Yes. Not Military, Military Police.

Designated Military Officer: (3.b.2) The Detaince arrived at Camp Farouq sometime before Ramadan in 2001.

Detainee: Yes.

Designated Military Officer: (3.b.3) The al Farouq training camp was funded by al Qaida and therefore was more advanced than other camps in Afghanistan. The training at al Farouq consisted of two-week periods of weapons training, basic commando courses, topography, and explosives.

Detainee: Yes.

Designated Military Officer: (3.b.4) The Detainee knew al Qaida ran the al Farouq camp, but not everyone at the camp was necessarily a member of al Qaida.

Detainee: Going to a military base has nothing to due with al Qaida. I went just to train. Going to train had nothing to due with al Qaida.

Presiding Officer: Did al Qaida run the camp?

Detainee: I didn't know at first that [al Qaida] they ran the camp. I found out afterwards.

Board Member: But you were at al Farouq.

Detaince: Yes.

Presiding Officer: You were not aware at the time you went to al Farouq it was run by al Qaida. Subsequently, you found out that al Qaida ran the camp?

Detainee: Yes.

Presiding Officer: Thank you very much.

ISN 511 Enclosure (5) Page 3 of 16

Designated Military Officer: (3.b.5) The Detainee's training consisted of small arms training with the Kalashnikov and pistols.

Detainee: Yes.

Designated Military Officer: (3,b.6) The Detainee stayed for about twenty to thirty days before being told they were moving to another area for training.

Detainee: Yes.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The Detainee stayed at a guesthouse in Karachi, Pakistan, that was led by a man whom the Detainee knew only by the name of Riyadh.

Detainee: The name of the man is R-Y-A-T-H.

Presiding Officer: The name of the man is not Riyadh, but rather Ryath.

Designated Military Officer: (3.c.2) Once in Kandahar, the Detainee stayed at a safe house owned by Abu Khaled. The Detainee stayed at the safe house for approximately one week. The Detainee watched a film about Jihad in Bosnia and Chechnya that was narrated by a man named Katib.

Detainee: It was just a guesthouse; it was not a safe house.

Presiding Officer: Is the spelling of this individuals name correct?

Detainee/Translator: al K-A-T-A-B is the correct spelling.

Designated Military Officer: (3.c.3) Abu al Kholud was the Emir of the al Qaida guesthouse called Ansar in Kandahar.

Detainee: That person [Abu al Kholud] I do not know him.

Board Member: What about the guesthouse?

Detainee: I do not know Abu al Kholud. I know Abu Khaled, but I do not know Abu al Kholud.

Board Member: Did you stay at the guesthouse?

Detainee: Yes, I did stay at the guesthouse. Again, I know Abu Khaled, but I do not know Abu al Kholud.

Presiding Officer: Were there two guesthouses? Were both guesthouse run by al Katab?

Detainee: The guesthouse ran by al Katab was in Chechnya. I know Abu Khaled.

ISN 511 Enclosure (5) Page 4 of 16

Designated Military Officer: (3.c.4) About one week after the Detaince's arrival at the al Farouq camp, the Detainee saw Usama Bin Ladin.

Detaince: Yes.

Board Member: Can you tell us more about it?

Detainee: Like what for example.

Board Member: You tell me.

Presiding Officer: Did you see Usama Bin Ladin? Did you talk to Usama Bin Ladin?

Did you dine with Usama Bin Ladin?

Detainee: No. I was in a Mosque and he [Usama Bin Ladin] was far away. I was sitting with some other people [in the Mosque] when I saw him. Usama Bin Ladin was talking to the people in the Mosque.

Presiding Officer: Did Usama Bin Ladin have a large group of people around him?

Detainee: There were a lot of people in the Mosque. There were many people inside the

Mosque where Usama Bin Ladin was speaking.

Presiding Officer: Did Usama Bin Ladin have bodyguards with him?

Detainee: No. There was only one person with him [Usama Bin Ladin].

Presiding Officer: Did Usama Bin Ladin have a weapon?

Detainee: His weapon [Usama Bin Ladin] was sitting at the bottom.

Presiding Officer: Was Usama Bin Ladin's weapon an AK-47?

Detainee: Not an AK-47. It was a small weapon with a wooden handle. It was a small

rifle.

Board Member: How long was he [Usama Bin Ladin] at the Mosque?

Detainee: I stayed at the camp for about twenty or thirty days.

Board Member: I am referring to Usama Bin Ladin.

Detainee: For approximately an hour or two hours. Usama Bin Ladin said a couple of

things and then he left.

Presiding Officer: Did Usama Bin Ladin drive in or did he walk in?

ISN 511 Enclosure (5) Page 5 of 16

Detainee: Usama Bin Ladin walked into the Mosque and we [referring to the individuals at the camp] all walked into the Mosque as well. I did not know Usama Bin Ladin was coming to the Mosque. I found out Usama Bin Ladin was there when I walked into the Mosque. Usama Bin Ladin finished his speech and then he left the Mosque. We stayed in the Mosque after Usama Bin Ladin left.

Designated Military Officer: (3.c.5) While in Tora Bora, the Detainee saw Usama Bin Ladin for the second time. Usama Bin Ladin talked about the Jihad for approximately one hour and then a senior al Qaida operative made a few comments.

Detainee: Yes. Who is this senior al Qaida operative?

Presiding Officer: I was just going to ask you the same question. You don't know who

the al Qaida operative was?

Detainee: Ayman Al Zawahiri.

Presiding Officer: Ayman Al Zawahiri the Egyptian?

Detainee: Yes.

Board Member: When were they there [in Tora Bora]? When did this happen?

Detainee: Before we went into the mountains. We were in a valley that was downward

of the mountains. After Usama Bin Ladin spoke, we went into the mountains.

Board Member: After September 11th 2001?

Detaince: Approximately.

Presiding Officer: Did this incident occur after Usama Bin Ladin had supposedly been

killed?

Detainee: No no.

Presiding Officer: Did this incident occur before the suspected killing of Usama Bin

Ladin?

Detaince: Yes.

Presiding Officer. Before all the bombing?

Detainee: Yes, before the bombing. It was about a month, approximately a month before the bombing occurred [referring back to Usama Bin Ladin's visit with a senior al Qaida presenting 2 of 51

operative 3.c.5].

ISN 511 Enclosure (5) Page 6 of 16

Designated Military Officer: (3.c.6) The Detainee's name was found on a chart in Arabic, listing the names of captured Mujahadeen. The information was on a hard drive, which was associated with a senior al Qaida operative.

Detainee: I am here [at Guantanamo Bay, Cuba]. I don't know anything about that.

Presiding Officer: Could you guess as to how your name might have ended up on this list. Did you meet someone that may have written your name down?

Detaince: An individual at the guesthouse took down my name.

Presiding Officer: They take your name down when you arrive at the guesthouse?

Detainee: Yes.

Presiding Officer: Do they take your passport when you arrive at the guesthouse?

Detainee: In Kandahar they took my passport.

Designated Military Officer: (3.c.7) The Detainee's name was found on a document listing 324 Arabic names, aliases, and nationalities recovered from safe house raids associated with suspected al Qaida in Karachi, Pakistan.

Detainee: Probably the same house [guesthouse] they got the computers from. Maybe they got my information from that same guesthouse that took down my name. The information possibly came from the guesthouse.

Presiding Officer: Were you aware that when the guesthouses were taking down your name that they considered you to be an al Qaida fighter?

Detainee: No.

Presiding Officer: They never told you?

Detainee: No. If I had known that, I would not have given them my name. You enter the house and you register like a regular guest.

Presiding Officer: Just like you would register at any hotel.

Detaince: Almost like that, yes.

Designated Military Officer: (3.c.8) The Detainee's name was found in files recovered from various computer media seized during raids against al Qaida associated safe houses in Rawalpindi on 1 March 2003, and Karachi, Pakistan on 11 September 2002. The files contained a list of al Qaida Mujahadeen and the contents of their "trust" accounts.

> ISN 511 Enclosure (5) Page 7 of 16

Detainee: This area, this Pakistani area, I do not know that area. My passport and my information were taken at the Abu Khaled guesthouse in Kandahar.

Presiding Officer: You have no idea then how your information got there [referring to allegation 3.c.8].

Detainee: I do not know.

Designated Military Officer: (3.d) Other Relevant Data. (3.d.1) The Detainee went to Tora Bora and stayed in the mountains for ten to fourteen days.

Detainee: Yes.

Designated Military Officer: (3.d.2) While in Tora Bora, the Detainee took turns with others standing guard in front of a cave.

Detainee: It was not a cave. It was like a foxhole. There is a difference between a cave and a foxhole.

Presiding Officer: Was it a fighting position?

Detainee: No. Just guarding.

Designated Military Officer: (3.d.3) The Detainee may have fought in Tora Bora.

Detainee: I never fired a weapon. I was only sitting.

Presiding Officer: Would you have fired a weapon if you had had an opportunity to do so?

Detainee: If someone tried to kill me I would fire a weapon to defend myself. If someone shoots at me I would fire back to defend myself.

Designated Military Officer: (3.d.4) The Detainee was part of a group led by Abu Thabbit in the mountains of Pakistan. The Detainee carried a Kalashnikov rifie.

Detainee: It was not a large group of people. It was a small group of individuals. There were maybe fifteen people. Also, we were not in Pakistan. We were in Tora Bora.

Presiding Officer: Was the rifle you were carrying functional? Was the rifle a working weapon? Did the weapon have bullets?

Detainee: Yes.

Board Member: Why did you go to Tora Bora?

ISN 511 Enclosure (5) Page 8 of 16

Detainee: They [referring to the leaders at the al Farouq camp] told me to train and it was a military order. They ordered us to move from one place to another. They told us to go to Tora Bora so that is where we went.

Board Member: Are you referring to the Taliban?

Detainee: No.

Board Member: Then who is "they"? Who are you referring to?

Detainee: The leaders at the all Farouq training camp. At the time, you could not ask them why and where we were going. You cannot refute them. You had to do what they

told you to do.

Board Member: What month did you leave al Farouq for Tora Bora?

Detainee: I do not remember.

Board Member: Late 2001?

Detaince: I don't remember.

Board Member: It was 2001, right.

Detainee: About that.

Presiding Officer: How close to before the Americans started bombing did you leave al

Faroug for Tora Bora?

Detainee: Months before.

Presiding Officer: Two months.

Detainee: I don't remember.

Presiding Officer: That's ok. Thank you for trying.

Designated Military Officer: (3.d.5) The group remained in the mountains for twentyfive days unsuccessfully searching for a guide before deciding to exit the mountains and either walk to Pakistan or surrender in Afghanistan.

Detainee: Yes.

Designated Military Officer: (3.d.6) The group walked for approximately five hours until they reached a valley where the group was bombed by American planes. Many of the group members were killed or injured.

> ISN 511 Enclosure (5) Page 9 of 16

Detainee: I am not sure if it was five hours, but we did walk for a period of time.

Board Member: But there was American bombing. Did you experience that?

Detainee: Yes.

Presiding Officer: Were you injured?

Detaince: Yes.

Presiding Officer: How bad were you injured?

Detainee: I was not able to walk. After my surgery, I was able to walk.

Presiding Officer: Did you receive any head injuries that would cause your memory to

be unclear?

Detainee: No. I only received injuries in my foot and my leg.

Presiding Officer: Do you remember the events clearly?

Detainee: Just about. Because the situation was difficult, I do not remember so well.

Some things I do not remember.

Designated Military Officer: (3.d.7) While in a valley, Afghani Forces caught the

Detainee's group and shrapnel injured the Detainee.

Detainee: Yes.

Designated Military Officer: (4) The following primary factors favor release or transfer:

(4.a) The Detainee is not mad at the United States.

Detainee: That is true. I do not have anything against the United States.

Designated Military Officer: (4.b) The Detainee stated it is every Muslim's duty to be military-trained, but he was not in Afghanistan to fight and never discharged his weapon.

Detainee: Yes. Our Koran tells us to train. However, the Koran does not order us to

fight the Afghans.

Presiding Officer: Could you have shot Americans if you had wanted to?

Detainee: Why would I? If they did not do anything to me, I would not do anything to

them.

ISN 511 Enclosure (5) Page 10 of 16

Presiding Officer: That is not what the question meant. My question is, not would you, but could you [have shot an American] if you had wanted to? Did you ever see an American while you had your gun and chose not to shoot?

Detainee: I did not see any Americans. If I had seen any Americans, I would not have shot at them. I would have only shot at them if they had shot at me first, to defend myself.

Board Member: You traveled all the way from Yemen to Afghanistan just to train?

Detainee: Yes.

Board Member: You could not have received training Yemen or some other place. Why go to Afghanistan to train?

Detaince: It was different in Yemen. In Yemen I was in the Military. The last war happened, the Civil War, and after that war I was suspended [from the Military].

Board Member: When your training had been concluded, why didn't you go home?

Detainee: I did go home for a short period of time.

Presiding Officer: Were you on your way home when you got bombed?

Detainee: When I was in the mountains I was asking for my passport. I wanted my passport back.

Presiding Officer: Why did you want your passport back?

Detainee: I wanted to leave.

Presiding Officer: To go anywhere but there?

Detainee: I wanted to leave that area.

Designated Military Officer: (4.c) The Detainee was never asked to take an oath to al Qaida. The Detainee stated that even if he were asked, he would not have taken the oath.

Detainee: This is the first time I am hearing of this. I was never asked to take an oath [to al Qaida]. I would not have taken an oath for anyone or any side.

Designated Military Officer: (4.d) The Detainee knew nothing about al Qaida. The Detainee said the only thing he knew about al Qaida was from what he read in a newspaper article.

Detainee: Yes.

ISN 511 Enclosure (5) Page 11 of 16

Designated Military Officer: (4.e) The Detainee denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee: If I had known this was going to happen [the attacks on the United States] I would have never gone to Afghanistan.

Designated Military Officer: (4.f) The Detainee denied having any knowledge of the attacks on the United States prior to their execution on 11 September 2001.

Detainee: I knew after the incident happened.

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.

The Assisting Military Officer had no exhibits to present.

The Detainee made the following statement:

Detainee: I do not have anything to say.

Assisting Military Officer noted that he did take down one Detainee comment during the interview and presented that comment to the Review Board.

Assisting Military Officer: The Detainee stated during his interview "Most of the allegations are true. I've said it during the interrogation. Some of the things I will reply to at the board."

Detainee: I replied to the things I wanted to.

Presiding Officer: [To the Detainee] You have some time now during this portion of the Administrative Review Board to just talk to the three Officer's on the Board if you so wish. If you can think of anything you would like to say to the Board, please take this time to do so. You do not have to make a personal statement if you do not wish.

Detaince: First, I do not have any hostility toward Americans. Even in my country, I do not have any problems. I am a regular and average person. I am from a poor family. I am religious, but I am not radical. I treat people the way my religion tells me to. I treat people with well manners. If I leave here I will look for a good wife and start a family. I will also look for a job and lead a normal life. I do not want any more problems. Those

ISN 511 Enclosure (5) Page 12 of 16

four years [spent at Guantanamo] are enough. During my time in this detention facility I have lost my mother. I was hoping to be there [at home] when that happened.

Presiding Officer: The Board extends its sympathies to you for your loss.

Detainee: I am hoping to leave this place to live like a normal human being. Since I have been here I have not had any problems with the soldiers here. The only problem I have had was when I was told about my mother's death. When I was told about my mother's death a soldier made an insult about my mother's death. The soldier was making fun of my situation. I threw some juice on the soldier. That is the only time I have had any problems while I have been detained here.

Presiding Officer: Please tell the Board more about that incident.

Detainee: For a long time I did not receive any letters. I do not know why I did not receive any letters. I don't know if it was because of the interrogation or other reasons. For about a year to a year and a half, letters were written to me, but I never received any of them. Then I received a message that my mother had passed away. I was very sad. Of course, my mother is very dear to me. If you look in the whole world, you only have one mother. I was very sad. The soldier, he insulted the incident [the passing of my mother].

Presiding Officer: What did the soldier say to you?

Detainee: I was sitting down and the soldier said something to me and another detainee. I cannot remember exactly what the soldier said but I remember I got very angry. When I got angry I threw the juice at the soldier. That is the only thing that has happened since I have been here [at Guantanamo]. I have never spit or thrown anything else. This was the only incident. My religion does not allow me to behave that way.

Presiding Officer: Other than this particular incident, have you been treated well?

Detainee: "Thanks Be to God." Even the ones [soldiers] who do not treat us [the detainees] well, I treat them well. They are military and they work twenty or so hours. So even they get angry at times. They are just military and I am just a detainee. Military soldiers sometimes have their days when they get upset or angry; we [the detainees] just have to take it.

Presiding Officer: Have you been mistreated?

Detainee: No, just the opposite. I treat them well and they treat me well back.

Presiding Officer: Please continue.

ISN 511 Enclosure (5) Page 13 of 16

Detainee: I just want to make a point. When detainees throw things at soldiers or when the detainees get mad at soldiers, that is against our religion. Our religion teaches us to use good manners.

Presiding Officer: Do you regret that you became angry?

Detainee: I got angry because I was sad. When someone loses a mother, they do not want to argue with anyone.

Presiding Officer: I would like to note for the record that the Review Board has conducted a questioning session to make a determination as to whether or not there would be a necessity to report an allegation of abuse.

Detainee: Sometimes but not always, the soldiers come in and start it [harassing detainees].

Presiding Officer: Do the soldiers say disrespectful words to you?

Detainee: Sometimes there is a lot of injustice [in the detention facility]. If one detainee throws something all the detainees get punished instead of just the one who threw something or started the trouble. All the detainees are treated the same as a detainee who starts trouble or who throws things.

The Presiding Officer determined there was no prima facie case to report an allegation of abuse.

Presiding Officer: Would you like to continue with your statement Sir?

Detainee: I have nothing further to say.

Presiding Officer: Thank you for your statement.

The Assisting Military Officer did not have anything further to present to the Administrative Review Board.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Mr. Sulaiman, what is your educational level?

Detainee: Two years of high school. Eight years of education total.

Board Member: Were you ever trained on explosives while you were at the al Farouq

Camp?

ISN 511 Enclosure (5) Page 14 of 16

Detainee: I never got to that training. No.

Board Member: What are your feelings concerning Usama Bin Ladin?

Detainee: Usama Bin Ladin is a Muslim person. I cannot deny that fact. Usama Bin

Ladin needs to take responsibility for his actions.

Board Members: Do you consider Usama Bin Ladin a good man or an evil man?

Detainee: I cannot answer this question. Usama Bin Ladin is just a Muslim man.

Board Member: What are your feelings concerning the United States intervention into

Iraq?

Detainee: These are political issues. I really don't understand these issues.

Board Member: Do you believe a Democratic form of Government is compatible with

Islam?

Detainee: Democracy is good. A person like Sadam Hussein deserved it.

Board Member: What did Sadam Hussein deserve?

Detainee: What happened to him, he deserved it.

Board Member: Are you in contact with your family?

Detainee: About three months ago I received a letter that said two of my sisters passed

away. The lawyer told me this. I have not received a letter that said this.

Board Member: Do you have a home to return to if you are released?

Detainee: Yes. The house owned by my family.

Board Member: If released, would you be able to support yourself?

Detainee: I need to do a lot of things if I am released. I need to get married. I need to

find a job.

Board Member: Sulaiman, can you describe your feelings when you found out about the

collapse of the World Trade Center?

Presiding Officer: Many innocent Muslims died in that incident.

Detainee: I was very surprised and shocked. I felt really bad. The people who did this, I have no idea what they were thinking. Whoever did this should take responsibility for it.

ISN 511 Enclosure (5) Page 15 of 16

Presiding Officer: Usama Bin Ladin has taken responsibility for the incident. So, what do you think about the incident and Usama Bin Ladin now that you know he has claimed responsibility for the bombing of the World Trade Center?

Detainee: He should be held responsible for what he did. God should punish him for what he did. He should be held accountable for his actions. But, as a Muslim, no one can say that this man is not Muslim. There are good Muslims and there are bad Muslims. Their ideas [good Muslims and bad Muslims] are very different.

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 maceedings.

Colonel, U.S. Army Presiding Officer

> ISN 511 Enclosure (5) Page 16 of 16