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Summary of Administrative Review Board Proceedings for ISN 570

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 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 presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Certification, 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.

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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.

Presiding Officer: Sabri Mohammed Ebrahim, do you want to respond to each of the Unclassified Statements? I know you have already responded to the Assisting Military Officer.

Detainee: I am ready to give my comments on each one.

Presiding Officer: What I would like to do is since you have already given [the Assisting Military Officer] comments on the Enemy Combatant Election Form, and you have responded to every comment on the Unclassified Summary, I can have him read these responses and you [can] further comment on them or just agree with what he reads on the comment.

Detainee: I prefer to say them now and not have the AMO read them. Maybe I forgot something.

Presiding Officer: That is fine. Let me finish with the Assisting Military Officer.

Presiding Officer: Assisting Military Officer please read the AMO comments on the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's initial ARB interview occurred on 28 Jul 05 and lasted for two hours and twenty minutes. After a review of the ARB purpose and procedures, the Arabic translation of the Unclassified Summary of Evidence was read to the Detainee. Despite his initial reluctance the detainee opted to attend the board. The detainee expressed concern that he would have no input on the contents of the classified material the board would consider. The Detainee elected not to submit written comments regarding the Unclassified Summary of Evidence. A follow up interview lasting two hours and ten minutes took place on 01 August 2005. The Detainee was cooperative and attentive throughout the interviews.

Presiding Officer: Sabri Mohammed Ebrahim Al Qurashi you may begin your statement at this time. If you would like to answer each of the Unclassified Summary allegations I will have the DMO read them one at a time.

Detainee: I would like to comment on them one at a time. I have a question. [Have] you read all [of the information] in my [file]? Should I go over [my entire] story or not?

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Presiding Officer: Yes, we have read your case file and some information we cannot bring up here, but if you bring it up we will be happy to listen to you. I can only discuss the things that are on the Unclassified Summary.

Detainee: I just want to be sure that you know my case.

Presiding Officer: I know it the best I can from the material they have given me and we may have some clarification questions once you answer the Unclassified Summary of information that has been presented.

Detainee: You are going to be [dealing] with me, so I want to make sure you read my [file] and you know what is going on in my case.

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: (a.) Commitment: (3.a.1) The Detainee traveled to Pakistan to purchase perfume for later resale, and to fulfill his religious Dawa.

Detainee: Before I give my comments...I gave my comments to the AMO. I am not going to add anything to what I said to the AMO...maybe a little bit...I just want to say it in my [words]. What I am about to say now I want to be considered, not what I said to the AMO. I want you to [hear it from me]. Yes, that is true. I was starting a perfume business and I had very little capital. I wanted [to start] with simple stuff. I have worked in the perfume business before, but this time I wanted to do it myself. I [knew] Pakistan had the biggest plants, companies of perfume in the Middle East. These perfumes are...the perfume there is the kind [made of] ointment, not spray or alcohol. It is an ointment perfume. It is very famous in our country. I [wanted to] visit these companies and I [wanted to bring back] to Yemen some of these perfumes so I could start my business. [Also] in Pakistan there is the biggest center for Dawa and Tabligh. I [wanted] to combine the trip for my business and my religion. This is the reason why I chose Pakistan on this trip and what I said is [the truth].

Designated Military Officer: (3.a.2) The Detainee traveled from Sanaa, Yemen to Karachi, Pakistan; then on to Quetta, Pakistan; Spin Boldok, Afghanistan and Kandahar, Afghanistan.

Detainee: Yes, that is right. About the [route] I took...this is the only way I could take by air because Yemeni Airlines only [has] one trip a week to Pakistan and the same thing from Sanna to Karachi. I didn't have [any] choice except to go this way. Of course there is another way...go by sea...but I don't know [anything] about that. But, going by land there is now direct way to go from Yemen to Pakistan. I [didn't] have any choice but to go [the route I took]. Why is this [statement] against me? I don't know...why did they put this on my Unclassified Summary?

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Presiding Officer: It is just a description to the board how you got from point "A" to point "B". It is just for our information. If you could please indicate when you are finished so that we can move on to the next question because the board will ask questions at a later time not right now.

Detainee: Yes, please go on [to the next question].

Designated Military Officer: (3.a.3) The Detainee arrived in Afghanistan with \$3,000.

Detainee: Yes, that is right. This is a very ordinary thing to do and the reason is as I mentioned before I was going for business and also I [didn't] have any credit cards on me so I had to carry cash. This \$3,000. [included] whatever I [needed] to spend on food or staying somewhere..

Designated Military Officer: (3.a.4) A senior al Qaida lieutenant recognized the detainee in a photograph. He saw the detainee in 2001 at a guesthouse on the frontlines in Afghanistan.

Detainee: I cannot say no to this. I cannot say if it is true or not. I have a comment...for this witness...if you allow me to meet him and see my face...but with all the pictures, maybe he got confused. It is a good possibility. I have a funny comment on this. Maybe someone in this room will agree with me. If we take your (*referring to the Presiding Officer*) picture with the flag, the American Flag, I will say this is Bush (*referring to President Bush*), because there are similarities in your face. Do you think this is right?

Presiding Officer: I am sure the President would not agree with you.

Detainee: But, in my view you look like Mr. Bush (*referring to President Bush*), but Mr. Bush has a taller face. Maybe this witness is confused and made a mistake. Maybe this witness has something to hide. Maybe he is greedy and needs something to get him out of something he said, or he was scared. There are many other possibilities. I don't know if you can bring that guy in front of me and talk to me...maybe we can solve this problem. Also, I have never been in that house [that] the witness said he saw me [in]. I was not there.

Designated Military Officer: (3.a.5) The Detainee was identified as a mujahideen fighter,

Detainee: [By] whom, the same witness?

Presiding Officer: It does not indicate to me by whom, it just says you were identified by someone as mujahideen.

Detainee: That is not true.

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Designated Military Officer: (3.a.6) After Kabul fell to the Northern Alliance, the Detainee joined a group of about 100 Arabs in the mountain regions. More than half were armed with Kalashnikov weapons, and they were led by Abu Muhammad Al Musri.

Detainee: This [statement] is not [correct] this way. I didn't say...there is a mistake there...I didn't say 100, but I want to comment to tell you why I went to the mountains. When Kabul fell, I was living outside of Kabul, and I saw with my own eyes a lot of people leaving. I [went] to the main road to [see] what was happening and I met [some] Afghans and I asked what happened. They said Kabul fell and some people are after the Arabs and some of the Afghans or what ever they want to go after. [The Afghans] advised me to flee with them. That is what happened. I didn't have a car. I went with [the Afghans] to the road that led to Khost. When we fled I saw a lot of people. Not like it says here '100', but hundreds including Arabs, Afghans, Pakistanis, from other nationalities, kids, women, old people, animals, and cows that belonged to the people going toward Khost. I didn't say 100 Arabs; I was one of [the people who fled]. I was one of the people that ran for my life. That is what I said. About Abu Muhammad Al Musri, I don't know if he was leading the Afghans, Arabs, animals, kids, children, women, old men, but I had no choice. I had to do it because the situation at the time was we had to leave. The situation at that time was like a water slide. We collect[ed] everything and after that everybody went his way. When I knew I [was] in a safe place I tried to go to Pakistan. That is what happened but about this point here...I don't know anything about this statement.

Designated Military Officer: (3.b) Training: (3.b.1) The Detainee trained at the al-Farouq military training camp. He identified Abu Muhammad al Musri as the leader of the camp.

Detainee: Yes, I said that to the Pakistani interrogators. Not Pakistani interrogators, [but] American interrogators in Pakistan. And what I said [to the American interrogators] was because the Pakistani interrogators wanted me to say that. When [the Pakistani interrogators] arrested me they took me to a building and they divided us. They put me in a room [with] three people in front of me. I was sitting on a chair and next to me was a Pakistani interpreter. They asked me to tell my story. I told them my story about my mission...coming to Afghanistan to teach Islamic rule. The Pakistanis told me after I gave them my whole story...they told me the American interrogators are going to ask [your story] and they are not going to believe what you [have told us]. You [will say] you went for Jihad and to fight for the Taliban. They said they would force me to say this. [I asked them] why [they] were forcing me to say what [they] want me to say? They said because the Americans...if you don't say what we are saying to you...you know there are no rules or system to defend you. We will start torturing you until you say what we are telling you to say to the [Americans]. [If you do] you will be released. They said that has happened with some other Saudi people...we have arrested some other Saudis and they did what we asked them to do and they left. They promised me they would keep their word. I didn't go for jihad and I don't know...they said just say I went there for military training [and] it would be [easier] for me. I told them if I say that, then

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they are going to ask me who trained me and where...I need information. They said they would give me simple information because our intelligence works with those people in the camps. We have information and we can give it to you. I asked them if each of them promised and they [all] said yes. They brought some pictures and showed them to me and they said if they ask you who is the prince of the camp say Abu Muhammad Al Musri. [They also said I need to appear to be telling the truth to the Americans]. Also, [they said not to] tell the Americans that I have been interrogated by [the Pakistani interrogators]. The only thing that made me agree with them was that I knew [they had tortured some people with us], and this made me nervous. This is my story.

Designated Military Officer: (3.b.2) The Detainee stated he spent about three days learning to disassemble the Kalashnikov, and then trained on a different type of weapon identified as a PK.

Detainee: As I said, the Pakistanis gave me the information about the camp...told me about the camp...if you (*believe me*) then I don't have to answer this question. Do you believe that I would come all the way from Yemen to Pakistan to Afghanistan just to learn how to disassemble a Kalashnikov, unless I am some crazy guy. But that is what the Pakistanis asked me to say. In Yemen, every Yemeni they have a Kalashnikov...even our children have a Kalashnikov. Why would I go all the way to Pakistan? That is what the Pakistani interrogators wanted me to say.

Designated Military Officer: (3.b.3) The Detainee stayed at the al-Farouq camp for a total of about 45 days.

Detainee: How come the one before said 3 days and now it is 45 days.

Presiding Officer: It is just another comment that we pulled from a source and he can deny it if he wishes. There is limited Unclassified Information that we can go on.

Detainee: There is a conflict here. First it says 3 days now 45 days. I have never been at the al-Farouq camp.

Designated Military Officer: (3.c). Connections/Associations: (3.c.1) Abu Khaloud offered to assist the Detainee with travel arrangements, but was unable to complete them due to the heightened state of alert in Pakistan.

Detainee: [Abu Khaloud] didn't [make the] offer to me directly. I mentioned to the interrogators that another guy knew Abu and he gave me a paper in an envelope, I did not know what was in the envelope, and he said just give it to [Abu Khaloud] in Kandahar and he will know the whole thing. He cautioned me not to open the envelope. He said [Abu] could help me leave from Afghanistan and go to Pakistan. This is what I did. I went to Kandahar and I gave him the letter. He opened the envelope in front of me and he read it. He promised me...said wait for me...give me a month and I will help you. He said I don't know anything about you, but because of the guy that wrote the letter, [Abu] would help me. After approximately 1 month I went back to [Abu] and he said he could

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not do anything for me now. He said that there was a problem now and he could not take me to Pakistan. Then I left the area where I was at [and] went to Kabul. There was no reason to stay there. That is all that I know about him.

Designated Military Officer: (3.c.2) Abu Khaloud has been identified as the manager for the Al Ansa guesthouse. He arranged for individuals to go train at the al-Farouq camp.

Detainee: As I said before I don't know anything about this guy.

Designated Military Officer: (3.d.) Other Relevant Data: (3.d.1) The detainee stated that when he was arrested all of his property was taken from him, including his Casio watch.

Detainee: Yes that is right. Yes, when they arrested me, I had a wallet with close to \$2200 to \$2300, my airline ticket, some other papers, my passport, and a little radio I carry. That is all they took from me. I didn't say that I had a Casio watch on me, but I have a Casio watch from a long time [ago]. I was wearing it in Afghanistan and in Yemen and when I was in school. To say I had a Casio watch on me when I was arrested...no...if they think it is mine they can check my fingerprints.

Designated Military Officer: (3.d.2) The Casio digital watch was given to al-Farouq attendees.

Detainee: I don't know anything about this statement.

Designated Military Officer: (3.d.3) The Casio watch model F-91 has been used in bombings that have been linked to al Qaida and radical Islamic terrorist improvised explosive devices.

Detainee: I know Casio watch...it is digital...all I know about the watch is it is a Casio, but I don't know what brand. I know it has a compass. When we pray we have to face Mecca. All I know is some of them have lights and some don't, an alarm, in case you want to set it to wake up, that is all the information I have about Casio. The information in this statement I know nothing about.

Designated Military Officer: (3.d.4) On 7 February 2002, the Pakistanis raided a Karachi statehouse and captured the Detainee and approximately 15 other individuals.

Detainee: Yes that is right, but I don't know the date and I don't know the number. I can't recall the date.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee stated he did not receive any weapons, explosives or terrorist training while at al-Farouq.

Detainee: Basically I have never been to al-Farouq.

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Designated Military Officer: (4.b) The Detainee stated he did not know al-Farouq was an al Qaida training center until he later reached Karachi.

Detainee: Also, I have never been in al-Farouq and the first time I learned about al-Farouq was from the Pakistani interrogators. I have something to say about al-Farouq in general. Al-Farouq camp...one of the interrogators told me there [were] people [at al-Farouq] at the same time that the Pakistani people said I was in the al-Farouq], and they said those other people were there in the al-Farouq camp. [Those other people saw and witnessed other people in the al-Farouq camp] and I said [show them my picture] or let me go [before them] [and they can tell you if I was there during that time]. I have never been in the al-Farouq camp and you can find [that] out any way you want.

Designated Military Officer: (4.c) The Detainee adamantly denies being at al-Farouq.

Detainee: And I still [do].

Designated Military Officer: (4.d) The detainee stated he learned details about the al-Farouq camp from Khalid Dossieri, a Saudi who was staying at a guesthouse in Kabul, Afghanistan.

Detainee: Yes that is right. But about the details, there was not a conversation with him. Because I was in that house and he was there I asked him where he was from. Of course he did not tell me, but he said he was at al-Farouq camp. This information...that was the first time I heard about al-Farouq camp was from this guy and the Pakistanis. That is the only information I know. When I asked him his name and where he was from he said his name was Khalid Dossieri and he was from Saudi Arabia. That is all I know about [that] gentleman. I even forgot what he looks like. I met him for seconds and didn't see him anymore.

Designated Military Officer: (4.e) The Detainee claimed the Pakistani authorities fed him the details he provided about the camp.

Detainee: Yes, and I am ready to meet with those Pakistanis and I will tell them that they are the ones that told me what to say.

Presiding Officer: Sabri Mohammed Ebrahim does that conclude your statement?

Detainee: Yes, that is all I have.

Presiding Military Officer: Assisting Military Officer there are two paragraphs at the end of the election form, did you want to read them so that he can confirm that's the input from you?

Assisting Military Officer: The Detainee said that he had a number of plans for when he is released; to get married, prepare a program to complete his studies, give advice to the young, look for a good school for his children and help them with their homework. He

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said that he had a lot of programs in his head for the future. As to why he feels he should be released, the Detainee said that he has no problems with the Americans. He invited us to take his fingerprints and compare them with those found at any terrorist crime scene in the future. If he does anything against the Americans in the future, he would have the U.S. hang him even without a trial because he is confident that he did not do anything against the Americans in the past. He said that he was teaching the Koran, helping the old and the orphans. He left Yemen for Pakistan because a lot of people were doing it, and he traveled to Pakistan on business and later to Afghanistan for his missionary work. For these reasons he does not think he should be detained any longer. He said that it was stupid for him to listen to the Pakistani authorities. He said that he learned a lesson not to follow: don't give your brain to anyone else. This is a very strong lesson he has learned.

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: While you were in Pakistan did you ever purchase any perfume?

Detainee: No.

Board Member: Can you explain why you didn't purchase any?

Detainee: Yes. When I left Yemen going to Karachi...I was late in Afghanistan because I had a brief case...I was late because of that bag...I was waiting for that bag. There were a lot of people going from Yemen for that mission. They left me and I didn't know where to go. I had one address for a mosque where the other Yemenis were going to go. It was a religious center. So I went to the hotel. I couldn't go to that center. The next morning I met with someone who was putting on an Arab suit. I asked if he was from an Arab nation and why he was here. He told me he had addresses of the perfume companies. He also said I should go as a missionary. For these two reasons I am here. And the people I arrived with, I didn't know where they went, but he said he knew where they went and that he would take me there. He said he would go with me. He [asked me] why don't I go to Afghanistan as a missionary. I told him I don't know anything about Afghanistan and my trip is for Pakistan and all I have is 1 month. After that month I want to split from the mission and go after my business. He said go with me now to Afghanistan because the people need you there, and I promise you I will bring you back in one month from Afghanistan to Pakistan. I told him to give me time to think about it and he gave me one day. He mentioned to me that he was going back and forth between Afghanistan and Pakistan and he would help me. I [told the guy] I thought Afghanistan had a lot of wars, problems. He told me not to think that way and there are no such things. He promised [that I would be able to] go to Islamic centers and mosques and that he would help me. He promised me that he could bring me back to Pakistan. I decided to go for a mission to Afghanistan and then come back to take care of my business. I

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entered Afghanistan and I couldn't get out because the guy who took me to Afghanistan left and I never saw him again. It is a long story and I said it to the interrogators. I left Afghanistan after problems started. I could not buy perfume and I still have the addresses and the card of those factories if it is still in my wallet. I don't know if it is still there or not, but I remember it was there.

Board Member: When did you go to Afghanistan? Approximate date?

Detainee: By date? My problem is I cannot remember the date, but you can go back to my airline ticket.

Board Member: What did you do to help the old people and the children?

Detainee: Where in Afghanistan?

Board Member: Where did you help the old people and the children?

Detainee: What he (*referring to the Assisting Military Officer*) mentioned?

Board Member: In Afghanistan or Pakistan?

Detainee: I went to Afghanistan to teach them and that is what happened. After that, I opened my own mosque. I mentioned that to the interrogators. It was an old mosque that I remodeled.

Board Member: Where was that?

Detainee: In Afghanistan.

Board Member: What city?

Detainee: Lugar.

Board Member: Why did you go to Kabul?

Detainee: You mean at the first or the end?

Board Member: When you went, why did you go?

Detainee: At the beginning...

Board Member: Why did you go to Kabul?

Detainee: From Pakistan to Kabul?

Board Member: From Kandahar to Kabul.

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Detainee: Because there [are a lot of religious centers in] Kabul and there is a big center there named Hanthulla. It is the main center in Kabul and you can get all of the information about the smaller centers inside Afghanistan. The same guy that offered me...he told me there was a main center in Kabul.

Board Member: What did you do with the \$1,000 that was missing? You started with \$3,000 and ended with \$2,000.

Detainee: I stayed a year and 6 months, maybe a little less, I don't know exactly. Does it make sense that I would stay all that time without spending money? I had to travel, eat, that is what I spent...if you go somewhere then you spend money. If you have \$3,000, then after one year, [if you] spend money you will [not] have the same amount. Does that make sense?

Board Member: Yes, that makes sense.

Presiding Officer: Do you deny being at al-Farouq at all?

Detainee: Yes, and I still do.

Presiding Officer: The one comment where the senior al-Qaida lieutenant recognized your photograph and claims he saw you at a guesthouse on the front lines. Is it possible you were on the front lines and did not know it?

Detainee: I didn't know how to get there. As I said earlier, the guy who witnessed it got confused. Also the statement says there is a guesthouse close to the frontlines. I said in front of the interrogators and I am still saying, and I will say it to you, I was in a house in Kabul, Afghanistan and maybe he thinks that house is on the frontlines because I was in the capitol. All I know is that it was in a guesthouse and it was inside the market...unless that market is on the frontlines.

Presiding Officer: Was there any fighting going on in that area?

Detainee: There was no fighting inside Kabul.

Presiding Officer: Thank you.

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.

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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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