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(Revised 1 Dec 05)

**Summary of Administrative Review Board Proceedings for ISN 651**

***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 asked the Detainee if he wishes to make a statement under oath. Muslim oath offered.***

***The Detainee accepted taking the Muslim 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.***

***The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.***

**Assisting Military Officer:** The detainee's ARB interview was conducted on 29 November 2005 and lasted one hour. 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 stated he would attend the ARB, and wished to respond after the entire Unclassified Summary of Evidence was presented. The detainee was very cooperative, attentive, and cordial throughout the interview. A copy of

ISN 651  
Enclosure (5)  
Page 1 of 7

UNCLASSIFIED ~~FOUO~~

UNCLASSIFIED ~~FOUO~~

(Revised 1 Dec 05)

both the English and Arabic translated Unclassified Summary of Evidence was provided to the detainee upon his request.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1 and DMO-2 to DMO-3 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 noted from the Enemy Combatant Election Form that the detainee wanted to wait until the entire Unclassified Summary was presented before responding.*

*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.*

Designated Military Officer: The detainee joined the Tablighi group in Jordan in 1998 and went to Pakistan for the yearly Tablighi Committee meeting in November 2000.

Designated Military Officer: The detainee traveled to Karachi, Pakistan in October 2001 to preach Tablighi beliefs and to attend the annual Jama'at Tablighi Conference in Raiwind, Pakistan.

Designated Military Officer: The detainee remained in Pakistan for nearly five weeks and stayed at various Mosques.

Designated Military Officer: The detainee received a flyer with a fatwa written on it while outside of the Makki Mosque in Pakistan. The fatwa encouraged Muslims to join the Jihad in Afghanistan.

Designated Military Officer: A Tablighi member facilitated the detainee's travel to Afghanistan. The detainee traveled with the facilitator and another Tablighi member, who was from Singapore. They traveled to Afghanistan via Karachi, Peshawar, Khowst and finally Kabul. The detainee and the individual from Singapore continued on to a checkpoint outside of Jalalabad.

Designated Military Officer: The detainee was the subject of a television interview dated 25 November 2001, while he was a prisoner in Kabul, Afghanistan. During the interview, the detainee stated that he supported and provided aid for the Afghans in the Jihad.

Designated Military Officer: The detainee was in the Jordanian military for 18 months beginning in March 1991.

Designated Military Officer: The detainee was trained with a M-16 rifle.

ISN 651  
Enclosure (5)  
Page 2 of 7

UNCLASSIFIED ~~FOUO~~

UNCLASSIFIED ~~FOUO~~

(Revised 1 Dec 05)

**Designated Military Officer:** The detainee and his travel companion demonstrated they were proficient in handling weapons. They requested and were sent to the front lines to fight.

**Designated Military Officer:** The detainee and his travel companion set up an ambush on Northern Alliance fighters.

**Designated Military Officer:** The detainee and his travel companion from Singapore were arrested near Jalalabad on 22 November 2001.

**Designated Military Officer:** The detainee was captured with a digital Casio watch.

**Designated Military Officer:** The detainee claims he will not answer another call to Jihad and regrets going in the first place.

**Designated Military Officer:** The detainee wants to return to Jordan to his job and raise his children. He felt he was deceived by the people who encouraged him to travel to Afghanistan for the Jihad because they did not reveal the bad things the Taliban and al Qaida were involved with.

**Presiding Officer:** This is your opportunity to respond right now.

**Detainee:** I want to thank you for giving me this opportunity to appear before the board. I was surprised that the Tribunal/CSRT found that I am an Enemy Combatant.

**Presiding Officer:** Classified you as an Enemy Combatant?

**Detainee:** I did not do anything. I only stayed in Afghanistan for two days and now I want to respond to some of the points. Pertaining to the interview, the person that prepared these papers they said I gave support to the Afghans.

The detainee wants the translator to read certain points again.

**Translator:** The detainee was the subject of a television interview dated 25 November 2001, while he was a prisoner in Kabul, Afghanistan. During the interview, the detainee stated that he supported and provided aid for the Afghans in the Jihad.

**Detainee:** I did not say this. My intention was to provide aid to the Afghans. I told them I came to do so but I didn't. According to the paper it said I did and this is wrong.

**Translator:** The detainee and his travel companion demonstrated they were proficient in handling weapons. They requested and were sent to the front lines to fight.

**Detainee:** The entire statement was wrong.

ISN 651  
Enclosure (5)  
Page 3 of 7

UNCLASSIFIED ~~FOUO~~

UNCLASSIFIED ~~FCJO~~

(Revised 1 Dec 05)

Translator: The detainee and his travel companion set up an ambush on Northern Alliance fighters.

Detainee: This is entirely not right. That is all I wanted to respond to.

Presiding Officer: Does that conclude your response?

Detainee: Yes.

*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 Detainee made the following statement:*

Detainee: First I would like to say one more time thank you very much for this opportunity to defend myself and I will try to prove I am innocent and I ask that everyone is neutral and just with me and to bring the truth out. I do not have anything against the Americans, against the people of the United States or the Government because of the suffering I went through, for the time I have been here. I can't imagine the suffering of the United States.

Translator asks the detainee what does he mean what happened in the United States. The detainee replies he is referring to September 11<sup>th</sup>.

Detainee: I have no intention to hurt any of the Americans or anybody else. I definitely know I do not pose a threat to anybody. Not only the American government but to anybody and I respect the rights of the people to live in complete peace as I like to live and my family to live in peace. About my future, I pray and hope that from God, the only God, to help me and to go back to my beloved because I have kids like stars. I love to be with them, to give them the passion and the love and to help them to build their future. I hope from God, the only God, the one who can do everything to be a good father and to be a good son for my parents; they suffer because they miss me. They see the misery from my kids because they miss their father and I hope from God which he holds all hearts and controls it to fill my heart with love for my wife and to help me to be nice to her after all she has done for me by raising and taking care of my kids. As for my job, I hope from the wealthy God which he can give and take from anyone he wants to, to give me enough and help me hold a job so I can spend on my kids. To help me to go back to my former job, which was selling respectable clothes to women. Thank you.

ISN 651  
Enclosure (5)  
Page 4 of 7

UNCLASSIFIED ~~FCJO~~

UNCLASSIFIED ~~FOUO~~

(Revised 1 Dec 05)

*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: Sir, why did you leave your wife and children to go to Afghanistan?

Detainee: I apologize not to answer any questions. My lawyer told me not to answer any questions. He told me to only answer questions if the lawyer is present.

Board Member: So you will not answer any of our questions?

Detainee: Yes.

Presiding Officer: Since there are no further questions we will proceed.

Detainee: I apologize for not answering any of our questions but that's what my lawyer asked him to do and this is the American rules.

Board Member: It is not the American rules. This is your choice whether you want to answer the questions or not.

Detainee: That's what my lawyer told me. This is the rules of the United States. From the time I came here I have spoken without any conditions with anybody, but this is what my lawyer asked of me.

Presiding Officer: That's fine.

*Presiding Officer states this concludes the Unclassified Review Board Session.*

Detainee: The CSRT also told me that they would notify me of their decision in two months. One year has completely passed and this is the second time. Can you estimate when I will be notified about this decision?

Presiding Officer: Unfortunately, no.

Board Member: Do you know the difference between the CSRT and the ARB?

Detainee: I know, but that's what they told me in the CSRT.

Presiding Officer: We will go back and check to find out exactly what has happened.

Translator states I would like to remind him that this is not court.

ISN 651  
Enclosure (5)  
Page 5 of 7

UNCLASSIFIED ~~FOUO~~

UNCLASSIFIED ~~FOUO~~

(Revised 1 Dec 05)

**Detainee:** This board finds out if I pose a threat to the United States or not. The results you conclude is whether I will stay here or they will release me. Is that the way?

**Board Member:** We make a recommendation as to where you go from here and what would help us to make that recommendation is by you answering our questions. I understand that you have been drilled many times by many people but we are here to make an assessment.

**Detainee:** I am not going to answer but if you decide that I pose a threat to the United States that means that I am going to stay here another year correct?

**Board Member:** We make a recommendation whether to transfer, release, or keep you here. The decision comes from Washington.

**Detainee:** If it's you or the person in the United States, if you find out that I pose a threat that means I stay another year? There is another part to go through, is that correct?

**Presiding Officer:** Yes, that is correct.

**Detainee:** If you find that I do not pose a threat to the United States then supposedly I will be released.

**Presiding Officer:** Correct, released or transferred.

**Detainee:** A year has passed and they did not give you an answer whether I pose a threat or not?

**Board Member:** The CSRT was to determine whether you were an Enemy Combatant or not. They determined you to be an Enemy Combatant. We are here to determine whether or not you are still a threat. If you are no longer a threat then we will make a recommendation to transfer or release you. If we feel that you are still a threat we will make a recommendation that you stay.

**Detainee:** From last February they notified me saying that I had to go through the new ARB and that was nine months ago. The time has passed on my account because I am still here.

**Board Member:** Did you go through an Administrative Review Board before or did you just go through the CSRT? Is this your first ARB?

**Detainee:** Yes.

**Board Member:** The intent is different. The intent being that we will assess the information and what you share with us can help to determine whether or not you will stay or go home. The notification for this board was done well in advance and it notified

ISN 651  
Enclosure (5)  
Page 6 of 7

UNCLASSIFIED ~~FOUO~~

UNCLASSIFIED//~~FOUO~~

(Revised 1 Dec 05)

you to get things together such as letters from relatives, friends, or your lawyer and it gave you an ample amount of time to get that information for you to present to the board.

Detainee: Yes.

Presiding Officer: We will continue then.

*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.

Colonel, USAF  
Presiding Officer

ISN 651  
Enclosure (5)  
Page 7 of 7

UNCLASSIFIED//~~FOUO~~