

Summary of Administrative Review Board Proceedings for ISN 258

The Administrative Review Board was called to order.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Designated Military Officer (DMO) was sworn.

The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were sworn.

The Presiding Officer asked the Detainee if he wished to make a statement under oath. (Muslim oath offered.)

The Detainee declined 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 27 February 2006 and lasted 57 minutes and on 28 February 2006 and lasted 15 minutes, respectively. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. 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 to each statement of the information in the Unclassified Summary of Evidence after it was presented. The detainee was very cooperative, attentive, and cordial throughout the interview. A copy of the English and Arabic translated Unclassified Summary of Evidence were provided to the detainee upon his request.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and Exhibits DMO-2 and DMO-3 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had previously been made available to the Assisting Military Officer and the Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.

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: (3.a.1) The detainee attended a lot of mosques in Saudi Arabia. When it was time to pray, he would stop at the nearest one. An imam named Ibnothermin told the class the detainee was attending and that they should be the ones going to Afghanistan to fight for jihad. A student gave the detainee 4,000 riyals to go to Afghanistan.

Detainee (through translator): Not True.

Designated Military Officer: (3.a.2) The detainee left Saudi Arabia via bus to Kuwait. The detainee then flew to Syria. The detainee then flew to Iran and then took a bus to Afghanistan. The detainee paid for the trip with the funds he received from the student at the mosque.

Detainee (through translator): True.

Designated Military Officer: (3.a.3) The detainee met with a man who was in charge of the Arab guesthouse in Kandahar, Afghanistan. The man told the detainee that he had to go to camp for training prior to participating in jihad. He took the detainee's passport.

Detainee (through translator): True.

Presiding Officer: I have a question. Why would you give someone your passport?

Detainee (through translator): He asked me to have my passport so that he can keep it in a safe place so I would not lose it.

Presiding Officer: Why would you give up your passport?

Detainee (through translator): If I was going to the training then I might have lost it during training. If there was a Saudi Embassy I would have gone and handed it over to them.

Presiding Officer: Isn't the safest place to keep your passport in your pocket?

Detainee (through translator): When I was issued a passport in Saudi Arabia they asked

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me to do two things. I had to keep it in a safe place or hand it to over to the Saudi embassy.

Presiding Officer: I'm just curious as to why these passports would have different people's pictures on them.

Detainee (*through translator*): I did not do that.

Presiding Officer: Did you ever see your passport again?

Detainee (*through translator*): No.

Presiding Officer: Did you give it to him knowing that it was probably going to be used as a tool for terror?

Detainee (*through translator*): He deceived me.

Presiding Officer: You were lied to?

Detainee (*through translator*): Yes.

Presiding Officer: Thank you.

Detainee (*through translator*): The guy told me that it was not only me who gave up my passport, everyone that comes to the camp has to give up there passport.

Presiding Officer: What would have happened to you if you said "No I am not going to give you my passport"?

Detainee (*through translator*): Nothing would have happened.

Designated Military Officer: (3.b.1) The detainee went to al Farouq, Afghanistan for about 15 days. The detainee received training on the Kalashnikov rifle, PK machine guns, and rocket-propelled grenade systems. The detainee said that he received training only on these weapons.

Detainee (*through translator*): Not True.

Designated Military Officer: (3.b.2) The detainee knew that al Farouq, Afghanistan belonged to Usama Bin Laden, and the detainee realized upon arrival that al Farouq was a terrorist training camp with political motivations, not religious goals.

Detainee (*through translator*): True.

Designated Military Officer: (3.b.3) After the detainee left al Farouq, Afghanistan he proceeded to the Moroccan camp in Jalalabad as the detainee thought the Moroccans could assist him to get to Peshawar, Pakistan, and then into Saudi Arabia. He stayed for three months at the Moroccan camp in Jalalabad. At this camp he observed individuals talking about artillery training but did not observe any weapons.

Detainee (*through translator*): True.

Designated Military Officer: (3.b.4) On the matter of the Moroccan training camp, the detainee first denied having any such training, then admitted to maybe training for one or two days on mortars. However, the detainee stated he did not complete the training their either.

Detainee (*through translator*): Not true.

Designated Military Officer: (3.c.1) An individual identified the detainee as being present at the city tactics course.

Detainee (*through translator*): How do you want me to answer this question when I do not know this guy?

Presiding Officer: Then this is false?

Detainee (*through translator*): False.

Designated Military Officer: (3.c.2) The detainee stated that he was injured in the Moroccan camp by a United States air strike. The detainee suffered injuries to his face, arms, hands, thigh and ear, which still bother him. He was taken to Afghanistan hospital in Jalalabad, where he remained in a coma for a while.

Detainee (*through translator*): True.

Designated Military Officer: (3.c.3) At one point in an interview, the detainee became angry and accused the interviewers of torture. He then related a dream he had which he described as a vision from the prophet Mohammed. In this vision the prophet appeared to him and told him that Mohammed saw all that is happening and all those responsible for keeping the detainee in Cuba are going to burn in a big fire in hell with the devil and will suffer forever. He also said that Jesus agreed with Mohammed.

Detainee (*through translator*): Not True.

Designated Military Officer: (4.a.) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001 and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee (*through translator*): True.

Designated Military Officer: (4.b.) The detainee was queried regarding any knowledge or planning of internal uprisings at the Guantanamo Detention Facility with negative results.

Detainee (*through translator*): True.

Designated Military Officer: (4.c.) The detainee explained that jihad is not killing innocent women and children or stealing. The detainee said that terrorism and jihad are two different things.

Detainee (*through translator*): True.

Designated Military Officer: (4.d.) When the detainee found out that the goal of al Farouq was to train persons for suicide and terrorists missions, it was not the detainee's style or his goal and it was his time to leave the camp. The detainee began arguing with his instructors and told them that he wanted to leave the training.

Detainee (*through translator*): True.

Designated Military Officer: (4.e.) The detainee said that he wanted to participate in jihad for religious purposes and to help people in need of food distribution. The detainee said this would strengthen his relationship with God. The detainee said that his goal was to help for two months and then return home.

Detainee (*through translator*): True.

Designated Military Officer: (4.f.) The detainee was told that another individual identified him as being present during the City Tactics course outside of Kandahar, Afghanistan. The detainee was asked if he received this training. The detainee said that he was not present at this training and the other detainee must be mistaking him for someone else.

Detainee (*through translator*): True.

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 Presiding Officer had the Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee requested that the media not be present during the ARB due to "leaks" during last year's process. The detainee was told that the press would not be present during his ARB. Additionally, he requested a specific female translator, as "she understood him." The request for the female translator was denied for unspecified reasons.

The Detainee made the following statement:

Detainee (*through translator*): I would like to say something about my behavior, which depends on two things: The first, my comments on the basics, that does not change and number two has changed. For example, the basics of my religion. My religion is Islam.

Presiding Officer: Wait, hold on. You are supposed to be making a statement about whether you should be detained, transferred or released. That does not have anything to do with Islam.

Detainee (*through translator*): What I am saying relates to releasing me.

Presiding Officer: How?

Detainee (*through translator*): I want to explain that I am no longer causing a threat to anyone.

Presiding Officer: Then that is all you have to tell me.

Detainee (*through translator*): Okay.

Presiding Officer: Is your statement going to be because you believe in Islam you are not going to be a violent person?

Detainee (*through translator*): The basics, as I said is related to religion. I am a Muslim and that has not changed. The thing that has changed is traveling. I will travel for jihad or something else if I need to. That thing about travel will change from time to time. It is not in my belief to travel always, but I travel sometimes. Some things now will stop me from traveling. Things like taking care of my parents; that is one of the basics to me. Education is another basic. Traveling is not one of my basics. When I traveled in the past that was something inside of me, sympathy. It was what I wanted to do. The wisdom I have to do something good. I traveled the last time because of emotion, because I saw a picture of a little baby that had dirty clothes and her hair was not combed or cut.

Presiding Officer: Was this baby in Afghanistan?

Detainee (*through translator*): She was next to a hut/house in a desert in Afghanistan. Something came out of that emotion when I saw the picture. Something that was inside of myself made me cry.

Presiding Officer: On a scale of one to ten, ten being the best there is and one being the lowest, how well do you speak English?

Detainee (*through translator*): Four.

Presiding Officer: Can you write?

Detainee (*through translator*): Arabic or English?

Presiding Officer: Yes, English.

Detainee (*through translator*): Four.

Presiding Officer: Okay. On a scale of one to ten, how well do you write Arabic?

Detainee (*through translator*): Ten.

Presiding Officer: Would you go to Afghanistan again if you knew what you know now?

Detainee (*through translator*): No.

Presiding Officer: What would you do if you went back to your country?

Detainee (*through translator*): I would build my future, the one that was destroyed.

Presiding Officer: Do your parents know that you are here?

Detainee (*through translator*): Yes.

Presiding Officer: What do your parents have to say?

Detainee (*through translator*): They just pray for me.

Presiding Officer: Whose fault is it that you were taken as a prisoner?

Detainee (*through translator*): A lot of people.

Presiding Officer: Let's talk. Tell me, who is to blame?

Detainee (*through translator*): I took advice from an imam. He didn't ask me to, but I went and asked him for advice. He told me if I wanted to help someone else then I could go. The student that was with me in the mosque, I asked him for advice also and he said if you can go, then you can go. I didn't ask him for help, but he helped me. The person

that took my passport in Afghanistan, he twisted my leg and took me to al Farouq. I didn't know about al Farouq.

Presiding Officer: Do you like Usama bin Laden? Do you like what he stands for?

Detainee (*through translator*): I don't like somebody. I work on mistakes.

Presiding Officer: What does that mean?

Detainee (*through translator*): I don't like Usama bin Laden and somebody else.

Presiding Officer: Who else?

Detainee (*through translator*): Some people like Usama bin Laden.

Presiding Officer: Do you like him?

Detainee (*through translator*): No.

Presiding Officer: What about Mullah Omar?

Detainee (*through translator*): I don't like him.

Presiding Officer: Do you believe in the slaughtering of innocents?

Detainee (*through translator*): No.

Presiding Officer: Is there anything that anyone could say to you that could convince you, if we release you, to go back and fight jihad against the United States?

Detainee (*through translator*): Never.

Presiding Officer: What do you want to do when you get out of here?

Detainee (*through translator*): To continue my education.

Presiding Officer: What do you want to study?

Detainee (*through translator*): I have two years left to finish high school.

Presiding Officer: Do you have a particular trade that you are interested in?

Detainee (*through translator*): That would depend on my dad.

Presiding Officer: What can you tell me to convince me that you are not putting on a show here and that when you get out of here you are not going to go back to fighting? Convince us. Speak to us from your heart.

Detainee (*through translator*): It is not from my basics. I left because of emotions when I saw that picture, now I will never do that again. I will never fight again. Islam is not just jihad. To take care of my parents is better and more important to me than jihad.

Presiding Officer: What do you think of Abu Musab al-Zarqawi?

Detainee (*through translator*): I don't know him. I heard of him here.

Presiding Officer: He blows people up. He kills children, women ... He likes to kill people. He blows up bombs all the time all over Iraq.

Detainee (*through translator*): You asked me about Usama bin Laden. I read a lot about him here. I don't know about Abu Musab al-Zarqawi.

Presiding Officer: Okay. What do you think about al Qaida?

Detainee (*through translator*): The group of Mujahedin, they have some mistakes.

Presiding Officer: A little more than mistakes wouldn't you say? Like some big mistakes.

Detainee (*through translator*): Yes, they have problems and the consequences are big.

Presiding Officer: Yes, very good. Where were you from May through September 2001? What were you doing? I am a little sketchy about that reading through your file. What were you doing?

Detainee (*through translator*): I was in Afghanistan, but I don't know what I was doing. I don't remember that was four years ago.

Presiding Officer: Yes, it was four years ago, but I am very uncomfortable releasing you or you leaving GTMO until I know what you were doing. So take a minute to collect your thoughts. Do your best.

Detainee (*through translator*): At that time, if I had a passport, I would have left Afghanistan. I didn't have a passport, so I couldn't move.

Presiding Officer: Why did you want to leave Afghanistan?

Detainee (*through translator*): You know that.

Presiding Officer: No.

Detainee (*through translator*): I was in the wrong place.

Presiding Officer: We are recording all of this. I want to get your side of the story. Why were you in the wrong place? What was going on all around you?

Detainee (*through translator*): I was in the wrong place because I was like a ... in a net. In a trap. They hunted me.

Presiding Officer: Who hunted you?

Detainee (*through translator*): The terrorists.

Presiding Officer: The terrorists were hunting you? Why were the terrorists hunting you? Al Qaida? Why?

Detainee (*through translator*): Al Qaida or the Taliban.

Presiding Officer: Why were they hunting you?

Detainee (*through translator*): At the beginning, I was there for help. Not to be one of them or any group. Not because of the Taliban government but because of the poor people of Afghanistan. The procedures of entering the country made me go to the Taliban or the terrorist. That is the reason why they hunted me.

Presiding Officer: Did you ever shoot at an American soldier?

Detainee (*through translator*): I didn't see any Americans at all. They weren't there.

Presiding Officer: Do you have any other statements you would like to make?

Detainee (*through translator*): I want you to look at my behavior for the last four years. I don't have any problems. I don't spit on anybody or throw things. The interrogators took off my shackles before, two years ago, if I wanted to be a threat I could have been. I could have done whatever I want, but they know that I don't pose a threat.

Presiding Officer: How are you treated here at Guantanamo?

Detainee (*through translator*): If I respect the soldiers, they respect me. The interrogators are something else.

Presiding Officer: Why, what happened?

Detainee (*through translator*): All they want is to collect information. They don't care about me. They don't respect me. They do whatever they want to do. I have a hard time through most of the interrogations I went through.

Presiding Officer: How?

Detainee (*through translator*): For example, there was a female interrogator ...

Presiding Officer: Where?

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Detainee (*through translator*): On the other block, camp one, yellow. She asked me about the name of the high school that I went to. I refused to answer her and she started like psychologically hurting me. She hit me in the chest more than once. Something like that.

Presiding Officer: She hit you?

Detainee (*through translator*): I know the styles that they use in the interrogations.

Presiding Officer: Did she hurt you?

Detainee (*through translator*): No. I don't care about what happens to me in the interrogations.

Presiding Officer: So, she did not hurt you?

Detainee (*through translator*): No.

Presiding Officer: Okay, is that it?

Detainee (*through translator*): That's why I can handle anything that happens in the interrogation, because this is something that happens through the interrogations.

Presiding Officer: So were there any other incidents other than the female hitting you in the chest that didn't hurt you?

Detainee (*through translator*): There was another one before I came here to detention. I know that the interrogators have the right to do these things because he wants the information.

Presiding Officer: What interrogator?

The ARB went into a brief recess so that the translator could get some water.

Detainee (*through translator*): There was not another incident.

Presiding Officer: Do either of the board members have any questions?

Board Member: Have you ever visited Kabul, Afghanistan?

Detainee (*through translator*): Yes.

Board Member: What did you do while in Kabul?

Detainee (*through translator*): I went to fix my ... (*inaudible*).

Board Member: And how long did that take?

Detainee (*through translator*): Three weeks.

Board Member: And after that, where did you go?

Detainee (*through translator*): Jalalabad.

Board Member: Okay. That is all the questions I have.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had the following questions for the Detainee.

Designated Military Officer (*addressing the Presiding Officer*): Sir, I have a question from the detainee's statement.

Designated Military Officer (*addressing the Detainee*): In your statement, when you were asked who is to blame, I believe you said a couple of people in a mosque helped you to leave Afghanistan? I assume they were the ones that helped you with a contact to get you started once you got into Afghanistan.

Detainee (*through translator*): When I was in the mosque, I asked for advice from the imam, just privately. The imam asked me if I was going to Afghanistan to help the people for a religious concern, because I am going to a country where there is conflict. I am the one who asked him for advice, not the imam.

Designated Military Officer: Did they set you up with a point of contact? A way to get started once you arrived in Afghanistan, a place to go, a person to contact?

Detainee (*through translator*): No. They didn't.

Designated Military Officer: How did you know where to go once you got to Afghanistan?

Detainee (*through translator*): I went and asked the country.

Designated Military Officer: So, just by chance you ran into this man who took your passport and directed you toward a camp?

Detainee (*through translator*): At the border, there were some officials from the Taliban regime and they asked me why I wanted to get inside Afghanistan. I told them that I wanted to give a little help to the poor people for two months and then I would leave. The one who met me at the border took me to the guest house and they would then tell me what to do.

Designated Military Officer: Did you think it was "fishy" that you were asked to go to a camp simply to learn how to pass out food?

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Detainee (*through translator*): I went to the Arab guest house and they told me I was in a conflict area. You can defend yourself so you have to go to learn how to use the weapons to defend yourself. I didn't know that these people were from Usama bin Laden. I thought they were people that worked for the government and this was the procedure. I thought that anybody who went to the border would go through the same thing. He asked me to go for a short period of time to learn how to use the weapons and then leave and go anywhere to help people.

Designated Military 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.



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