

Summary of Administrative Review Board Proceedings for ISN 329

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 wishes 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 Notification of the Decision of the Administrative Review Board 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 in 16 June 2006. 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 just to make a mockery of the board. The detainee was argumentative and skeptical throughout the interview. Copies of both the English and Arabic translated Unclassified Summary of Evidence was provided to the detainee upon his request.

At 1130 on 19 June 2006, a pre-ARB interview was conducted with the detainee. The detainee stated that he was not allowed access to the Unclassified Summary of Evidence and did not have adequate time to prepare for his ARB. The detainee stated he felt uncomfortable attending the ARB without making written notes or being able to review

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the unclassified summary of evidence, and did not want to attend. The detainee was polite and attentive during this interview.

The AMO verified through proper channels that it was a fact the detainee was not allowed access to the unclassified summary of evidence due to a new policy change. Permission was obtained from the appropriate personnel for the detainee to keep and view the unclassified summary of evidence in his cell in preparation for the ARB. On 19 June 2006, the Unclassified Summary of Evidence was delivered to the detainee, who had permission to keep the documents in his cell.

At 1400 on 20 June 2006, a follow-up interview was conducted with the detainee. The detainee stated he had in fact received a copy of his unclassified summary of evidence and had time to review it. The detainee said he would attend his ARB, and in addition, would provide oral responses to the unclassified summary of evidence. The detainee was polite, attentive, and appeared interested in the process.

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 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) A foreign intelligence organization has provided information that indicates that the detainee was a member of a terrorist cell disbanded by foreign authorities.

Assisting Military Officer: The detainee stated that during the CSRT and the first ARB he told them this statement was not correct. The detainee stated he was not a part of a cell or organization in Syria or any other place.

Detainee: *(through translator)* I do not have anything.

Designated Military Officer: (3.a.2) Originally from Syria, the detainee arrived in Afghanistan in 2000 after spending several months in Iran.

Assisting Military Officer: The detainee stated he spent two months in Iran before going to Afghanistan.

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Detainee: *(through translator)* Yes, that is true.

Designated Military Officer: (3.a.3) The detainee stayed in a house reserved for Syrians, which was located in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he stayed in a house in Kabul with seven Syrians.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.b.1) The detainee attended training from a sheik while residing at the Syrian guesthouse in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he did not get any military training in Afghanistan or Iran. The detainee said the sheik was not a military sheik, but a religious sheik. The detainee stated he attended Arabic religious sessions only, and that was just for 15 to 30 minutes, and on occasions. The Sheik was teaching, interrupting and hadith of the Koran.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.b.2) The sheik, an Egyptian, was an Amir in Egyptian Jihad Organization and was also the chief Mufti of al Qaida.

Assisting Military Officer: The detainee stated the sheik spoke standard Arabic language. The detainee said that he did not know the sheik was from Egypt or what. The detainee said the sheik was an older man who he only observed from a great distance. The detainee said he did not know if the sheik was al Qaida, he only heard that here.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.b.3) A foreign intelligence organization has provided information that indicates that the detainee joined an al Qaida training camp upon arriving in Afghanistan.

Assisting Military Officer: The detainee stated in all interviews I have told them this is not correct; I went to the Syrian house and did not leave until I left Afghanistan. The detainee said he did not receive any military training what so ever, not in Afghanistan or Syria.

Detainee: *(through translator)* Not in Syrian Army or Syrian military.

Designated Military Officer: (3.c.1) The detainee lived with three other detainees at the Syrian house in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he stayed in a house in Kabul, Afghanistan with seven Syrians.

Detainee: *(through translator)* Yes, owner of that house was also Syrian.

Designated Military Officer: (3.c.2) The Syrian house was located in the al Qaida enclave area of Wazir Akhbar Khan in Kabul, Afghanistan.

Assisting Military Officer: The detainee stated he did not hear the area was an al Qaida enclave until he was here. The detainee said during the CSRT and the first ARB this was a Taliban area, now it is an al Qaida area. If this statement is true then the Red Cross is al Qaida too because they were working in that area too.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.c.3) The Syrian group guesthouse was associated with al Qaida and was used for money and document forgery operations.

Assisting Military Officer: The detainee stated one person who was a refugee owned the house. The detainee said it was not true about forgery operations, this is the first time I have heard about this unit. There was no money or documents, even the interrogators did not mention this. Now I have heard it from you.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.c.4) A Yemeni detainee also stayed at the Syrian house on several occasions.

Assisting Military Officer: The detainee stated I did not see anyone else, only Syrians. I never saw a Yemeni.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.c.5) The detainee's name or alias appears on a document recovered from safe house raids on suspected al Qaida.

Assisting Military Officer: The detainee stated the name found on the computers, Abu Omar Mohammad is wrong. I told the interrogators during previous sessions they had the wrong name; my Konya is Abu Omar Al Hamwie, not Abu Omar Mohammad.

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.d) The detainee was captured on 3 January 2002, on the Pakistan border.

Assisting Military Officer: The detainee stated he can not remember the date but it was in the Pakistan border.

Detainee: *(through translator)* Yes.

Designated Military Officer: (4) 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.

Assisting Military Officer: He did not provide me a response to that one. He may want to answer it now.

Detainee: *(through translator)* About those issues, the attacks I only heard these things from the interrogators here. I never heard of September 11th attacks before. Only from interrogators they talk about it and they show me movies about it.

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 the following questions for the Detainee.

Assisting Military Officer: Would you please explain to the board why you are no longer a threat to the United States or its allies?

Detainee: *(through translator)* Before previously, I was never a threat to the United States or any other, so why would I be a threat now? Even in Syria, I never carried a weapon or fought or even fought with the Syrian military, I never done that. So I was not a threat in the beginning, so why would I be a threat now?

Assisting Military Officer: Explain your goals for your future if you were released or transferred?

Detainee: *(through translator)* Of course I will go back to my job working, to live my normal life.

Assisting Military Officer: Would you explain your behavior to the board while you are detained here?

Detainee: *(through translator)* I am usually quiet and well behaved, but sometimes because of the pressure I will overreact, but most of the time I am quiet and well behaved. Because of the illness I have I get upset, but I have never over talked and I never have any problems and the interrogators know this. I do not even like mixing up with a lot of people; interacting with a lot of people, I do not like that.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Could you explain to the board why you decided to go to Afghanistan?

Detainee: *(through translator)* Honestly, in the beginning I did not go to Afghanistan, I went to work in Iran. Then from Iran I went to Saudi Arabia. I was not able to obtain work permission or a visa. I did not have enough money to live there, so I was forced or I decided to go to Afghanistan. I did not find a good job in Iran. I was not left with any money. I did not have any more money to spend there, so I was forced to leave Iran to go somewhere else. I was not able to go back to Syria because I did not have any more money to go back. The only reason I stayed in Afghanistan, I was waiting to make some money so I can leave the country, so I was able to leave the country. All those incidents happened and I decided to leave and I was arrested at the borders.

Board Member: If you were to be released where exactly would you go to live to find work?

Detainee: *(through translator)* If the situation in Syria as well and I would not be tortured in prison, I would want to go back to my city in Syria, Hamah.

Board Member: Could you please explain. I need more clarification you left Iran because you could not find a job and that is why you went Afghanistan?

Detainee: *(through translator)* I worked there but the salary and the people, how the people treated me, I could not take it anymore. The salary was not much at all. The culture and way of life was not like mine. The language, a lot of culture clash, a lot of difficulties.

Board Member: What did you do for a job in Iran?

Detainee: *(through translator)* A butcher, in Syria and in Iran I was a butcher.

Board Member: If you wanted to go to Saudi, why did you go to Iran first?

Detainee: *(through translator)* Because someone in Saudi Arabia has to sponsor you. You need a residency; you need a lot of things before you go there. It is very difficult to go directly from Syria to Saudi Arabia and my money was not enough, it did not help me to go there; the money I had with me at the time.

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Board Member: Was there a particular reason why you left Syria in 2000? Was it just at that point in your life that you decided to leave?

Detainee: *(through translator)* Opportunity at my age, I was 19 years old. I was able to get a passport and I was allowed to leave.

Board Member: Is 19 the first time you can get a passport?

Detainee: *(through translator)* At 18 years old it is very difficult because that is the military age time. It might take once before you can get it because of the military, because of the army.

Board Member: It states here that you were picked up in Pakistan or near Pakistan. Why were you there?

Detainee: *(through translator)* Because of the war in Afghanistan I wanted to leave; I left towards Pakistan. There was a tax and war there so I wanted to leave. Because I am Arab, they find me in Afghanistan they will kill me. So I went to Pakistan so I can leave and I was arrested at the border.

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.

