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Summary of Administrative Review Board Proceedings for ISN 507

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 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 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 on 26 July 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, and wished to respond to each statement of information in the Unclassified Summary of Evidence after it is presented. The Detainee was very cooperative, attentive, and cordial throughout the interview. Copies of both the English and Arabic translated Unclassified Summary were provided to the Detainee upon his request. The Detainee's follow-up interview was conducted on 27 July 2006. The Detainee presented to the Assisting Military Officer responses to each statement of information in the Unclassified Summary. The Detainee requested that he read this at the Administrative Review Board. The responses and written statement were translated by the linguist and is presented here within. The Detainee was cooperative and attentive throughout the follow-up interview.

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The Designated Military Officer presented the Unclassified Summary of Evidence, DMO-1, the FBI Redaction Memorandum, DMO-2, and the CITF Redaction Memorandum, 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.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment. (3.a.1) The Detainee went to Afghanistan for training, but all of the camps were closed when he arrived.

Detainee (through translator): This statement has no truth to it, because I did not enter Afghanistan and I did not go there and I did not receive any military training.

Board Member: Sultan, did you ever go to Afghanistan?

Detainee (through translator): No.

Presiding Officer: The only thing I'll point out to you is that you are adding some things to what is in the EC-B. So we can modify that afterwards but I'm just letting you know you added a few extra comments.

Designated Military Officer: (3.a.2) In 2001, about four months before Ramadan, the Detainee decided to depart Saudi Arabia. The Detainee traveled to Pakistan because he wanted to try something different.

Detainee (through translator): Yes. I did go to Pakistan but it was not for the purpose of trying something different. I went to Pakistan for medical treatment and tourism at the same time.

Board Member: Sultan, why did you need to have medical treatment?

Presiding Officer: Let me rephrase that. What kind of medical treatment did you go for?

Detainee (through translator): It was not a medical treatment. It was something like magic something about magic.

Presiding Officer: That's what you mean by "something different", going to try magic?

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Detainee (through translator): When I went to Pakistan, it wasn't for something different. It was just magic. It was like a treatment; that's what they call it. It's like learning how to do magic.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.a.3) The Detainee did not tell his family exactly where he was going because he did not know where he would end up.

Detainee (through translator): On the contrary, I told my family that I was going for treatment in Pakistan. I didn't leave until they agreed and gave me permission to leave.

Designated Military Officer: (3.a.4) The Detainee traveled from Saudi Arabia, to Baghram, to Karachi, Pakistan, to Quetta, Pakistan, to Kandahar, Afghanistan, to Jalalabad, Afghanistan, and finally to Kabul, Afghanistan.

Detainee (through translator): Yes. I traveled from Saudi Arabia to Baghram and from Baghram to Abo Dabbi. After that, to Karachi, Pakistan only. I did not go to Kandahar, Afghanistan, nor to Jalalabad, Afghanistan, nor to Kabul, Afghanistan. That was the way from Saudi to Pakistan so the trip through Baghram would be cheaper. I'm a person with limited money. I didn't have a lot of money to go directly to Pakistan.

Designated Military Officer: (3.a.5) The Detainee met a member of the Islamic based organization, Jamaat al Tabligh, who convinced him to travel to Afghanistan.

Detainee (through translator): I did not meet any member from al Qaida or Jamaat al Tabligh, nor did I travel to Afghanistan.

Board Member: Sultan, did you meet up with anyone to discuss further travels?

Detainee (through translator): I did not meet with anyone.

Board Member: Thank you.

Designated Military Officer: (3.a.6) The Jamaat al Tabligh, a Pakistan based Islamic missionary organization is being used as a cover to mask travel and activities of terrorist, including members of al Qaida.

Detainee (through translator): I don't have any information or any participation with this Jamaat al Tabligh.

Board Member: Sultan, have you ever heard of Jamaat al Tabligh?

Detainee (through translator): Yes, I have.

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Board Member: What was your belief on what they did?

Detainee (through translator): That they represent the Muslim religion in the right way.

Board Member: Thank you.

Designated Military Officer: (3.b) Connections/Associations. (3.b.1) The Detainee was identified among a translated list of al Qaida Mujahedin. The contents of their trust accounts were found on files recovered from various computer media seized during raids against al Qaida associated safe houses.

Detainee (through translator): I did not own any bank account, or trust account, or any papers that is not for me in Pakistan or in Saudi Arabia. There might be similarity in the names.

Designated Military Officer: (3.b.2) The Detainee stated that the person he met, while traveling to Karachi, Pakistan, was a member of the Islamic based organization, Jamaat al Tabligh.

Detainee (through translator): I did not meet any person in Karachi, Pakistan, that was a member of al Qaida organization or al Tabligh.

Designated Military Officer: (3.c) Other Relevant Data. (3.c.1) The Detainee telephoned his family from a market in Kabul, Afghanistan. The Detainee's family was not happy about him being in Afghanistan.

Detainee (through translator): I did not enter Afghanistan and I did not call my family from this place, a market, in Kabul, because I did not enter Afghanistan.

Board Member: Sultan, did you call your family from where you were?

Detainee (through translator): Yes, from Pakistan. It was not from Kabul.

Board Member: Thank you.

Presiding Officer: Sultan, I'm just curious why we have so many references to you being in Afghanistan that are in this Summary that we are reading to you. Can you help explain that to me?

Detainee (through translator): Yes, I will. When the United States got attacked, the United States advertised that, if any Arab person is caught and handed over, there would be a reward of about \$5,000 to do so. At the same time, I was kidnapped by either an Afghani or a Pakistani. They thought they hit the jackpot when they sold me as an Arab person because they were poor people. They kidnapped and took me to Afghanistan and

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entered Afghanistan with me. When I entered Afghanistan, they put me in jail for about a month. There were some other prisoners in that prison. Some of the prisoners were Pakistani and others were Arabs. The Afghanis hit me many times and asked me to say and admit that I was with the prisoners there in that prison and that we were from Tora Bora. The tortures there were so big. We were tortured during the day, in the evening, and in the afternoon. You almost have to say that you are Usama bin Laden so they would stop torturing you.

Presiding Officer: Who was this that was doing the torturing?

Detainee (through translator): The Afghanis.

Presiding Officer: Military, civilians or police?

Detainee (through translator): I don't know exactly who they were.

Presiding Officer: Okay.

Detainee (through translator): Some of them were wearing civilian clothes and some were wearing police clothes.

Presiding Officer: All right. Continue.

Detainee (through translator): After they made me admit to all these things and say all these things, they handed me over to the Americans.

Board Member: Sultan, you said that the Afghanis that kidnapped and took you to Afghanistan, put you in prison, and then made you admit that you were in Tora Bora and did all these things. After they turned you over to the Americans, did you ever tell anyone that you had gone to Afghanistan?

Detainee (through translator): When they handed me over to the Americans in Baghram, I tried to tell them my story and that that was the story, but the Americans refused to listen to it. After that, I was tortured by the Americans and I had to say the same things that I said when I was in Afghanistan.

Presiding Officer: I'm sorry. Say that again.

Detainee (through translator): The Americans tortured me and made me admit to the things that I stated when I was in Afghanistan.

Presiding Officer: So the Americans tortured you also?

Detainee (through translator): Yes.

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Presiding Officer: And were these military or police?

Detainee (through translator): Military.

Board Member: Was this in Baghram?

Detainee (through translator): Yes.

Board Member: So in Baghram, you told the Americans the same thing you told the Afghans?

Detainee (through translator): I told them that I came there for treatment and they didn't believe me. They told me to say that, "You were in Tora Bora and you are from the al Qaida."

Board Member: Did you ever tell anyone that you had gone to Afghanistan after you were transferred to here at Guantanamo Bay? You told the Afghans that you went to Afghanistan when they told you to say that. You told the Americans in Baghram the same story. Once you arrived here at Guantanamo, did you ever tell anyone that you had gone to Afghanistan?

Detainee (through translator): Even when I arrived here, during interrogation, I never mentioned that I went to Afghanistan. I told them that I did not go to Afghanistan.

Board Member: Thank you.

Designated Military Officer: (3.c.2) The Detainee heard about the terrorist attacks of 11 September 2001 from television and radio announcements. The Detainee knew that Usama bin Laden was a key suspect in the 11 September 2001 attacks.

Detainee (through translator): All the people watched the event that took place in America on September 11, 2001 on television and in the news. I did not know that Usama bin Laden was the main suspect in the attacks on September 11, 2001.

Board Member: Sultan, after you watched the attacks on September 11th on television and radio, how long was it before you were kidnapped by the Afghan or Pakistan gang?

Detainee (through translator): I saw the attacks the day after it happened. It was just a short period of time after that when I got kidnapped.

Board Member: Thank you.

Designated Military Officer: (3.c.3) The Detainee decided to leave Afghanistan after 11 September 2001. For two months, the Detainee tried to depart Afghanistan. The

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Afghan/Pakistan border was closed and the Detainee could not leave. The advancing Northern Alliance forced the Detainee to leave Kandahar, Afghanistan, for the Tora Bora Mountains of Afghanistan.

Detainee (through translator): I did not enter Afghanistan to be able to leave it and I did not go to Tora Bora in Afghanistan.

Designated Military Officer: (3.c.4) The leader of the Detainees group, who had ties to Jamaat al Tabligh, was killed in the air strike they encountered while the Detainee was surrendering from the Tora Bora Mountains of Afghanistan.

Detainee (through translator): I was not under any group or any leader and not with al Qaida or al Tabligh.

Presiding Officer: Were you turned over to Pakistani forces?

Detainee (through translator): No.

Presiding Officer: You were captured or picked up by whom?

Detainee (through translator): I was kidnapped by the Pakistanis and then I was handed over to the Afghani gang.

Presiding Officer: Okay. So the Afghani gang then turned you over to the Afghanis, who turned you over to the U.S. forces?

Detainee (through translator): Yes.

Presiding Officer: When this Afghani gang captured you and turned you over, was there another group of people with you or did they capture a bunch of people?

Detainee (through translator): I was alone.

Presiding Officer: Okay. Then when the Afghanis turned you over to the U.S. forces, approximately how many people were there when you were turned over? Was it just you or were there other people?

Detainee (through translator): I'm guessing probably around 20 or a little over 20 people.

Presiding Officer: Okay. And you knew none of them?

Detainee (through translator): No.

Presiding Officer: Thank you.

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Designated Military Officer: (3.c.5) The Detainee surrendered after 28 days in the Tora Bora Mountains of Afghanistan. The Detainee was wounded during an air strike. The Detainee was taken to an Afghan village for medical attention and recovery.

Detainee (through translator): I did not enter Afghanistan and I did not surrender. I was kidnapped from Pakistan and there was a gang that heard that I was an Arab. Bringing me there was a reward of \$5,000 American dollars. They saw me in Pakistan while I was receiving medical treatment and kidnapped me and sold me to the American forces.

Board Member: Sultan, what was your illness for which you were receiving medical treatment?

Detainee (through translator): I told the interrogators, during interrogation, that I was receiving more of a magic treatment. They performed magic on me.

Board Member: What was the purpose for performing magic on you? You seem like a perfectly healthy guy just by looking at you.

Detainee (through translator): This magic that they perform are more for preventing you from getting married. They performed this magic to prevent me from getting married for the rest of my life.

Board Member: I see. Were you ever wounded?

Detainee (through translator): No.

Board Member: Did you ever receive medical treatment for a wound-like ailment?

Detainee (through translator): I did not receive any medical treatment.

Board Member: Thank you.

Designated Military Officer: (3.c.6) Afghan Forces placed the Detainee in Baghram Prison, Afghanistan, after he recovered from his wounds. Following detention in Baghram Prison, Afghanistan, the Detainee was moved to a prison in Kandahar, Afghanistan, with a final prison destination of Camp Delta, Guantanamo Bay, Cuba.

Detainee (through translator): When the Pakistanis kidnapped me and brought me to Afghanistan, they handed me over to another Afghani gang in Kabul, Afghanistan. I spent one whole month there. I received torture from the Afghans every day because they wanted me to be affiliated with al Qaida. After that, they handed me over to the American forces in Baghram and then to Kandahar.

Presiding Officer: Sultan, are you familiar with al Qaida?

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Detainee (through translator): I heard about al Qaida for the first time when the Afghanis held me. They mentioned to me that I was part of al Qaida.

Presiding Officer: But you don't know who they are?

Detainee (through translator): No, I don't.

Presiding Officer: Thank you.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The Detainee stated that any comments he made, regarding a Muslim's duty to Jihad and the desire to kill nonbelievers and Americans, had been mistranslated. The Detainee had simply repeated an Islamic hadith stating that Muslims should seek to rid the world of infidels and kill Jews. The Detainee never advocated violence and would only kill Americans in self-defense.

Detainee (through translator): Yes. I don't like to kill and I don't like bloodshed. I did not state to kill anyone and I did not state that Muslims want to kill the infidels and Jews. I have freedom of religion. Every person has his own religious freedom and I don't have the right to say that Muslims want to kill the infidels and Jews. Yes, I say that I don't support any kind of violence. I did not state to kill Americans not in self-defense or by attacking them.

Board Member: Sultan, when these statements were made, were you repeating a hadith? You're saying now that you didn't state that or that the statements you made were mistranslated. In the statement we read to you, you said that you were simply repeating an Islamic hadith stating that Muslims should rid the world of infidels and kill Jews. Did you repeat a hadith that said that or do you know of a hadith that said that?

Detainee (through translator): I really don't know. I don't have any knowledge if it says that or not in a hadith.

Board Member: Thank you.

Designated Military Officer: (4.b) The Detainee wishes no ill will to Americans, as they want peace all over the world.

Detainee (through translator): I don't wish or want any ill will to the Americans from any person because they want peace and security all over the world.

Designated Military Officer: (4.c) The Detainee stated that the killing of innocent people, especially women and children, is against the teachings of Islam. The Detainee stated that, "If you have an enemy, you fight the enemy and not make war against civilians."

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Detainee (through translator): Yes. Killing the innocent people, especially the women, children, and the elderly, is against the teachings of Islam. Thank you.

Presiding Officer: Sultan, thank you for your comments.

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 Detainee was asked if he would like to make an oral statement to the Administrative Review Board.

The Detainee made the following statement:

Detainee (through translator): I just have one thing. I don't have any ill will in my heart for the Americans. I've been told that I'm from al Qaida. I deny all allegations that were said against me. If I had anything against the Americans, the Americans were close to me in Saudi Arabia. I had a good reputation in Saudi Arabia. I have never been in prison in Saudi Arabia. This is just for your own information. Thank you.

Presiding Officer: Sultan, does that conclude your statement?

Detainee (through translator): Yes.

Presiding Officer: Thank you.

The Assisting Military Officer stated that he had no additional comments.

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: Sultan, if released to your home country of Saudi Arabia, what are your future plans?

Detainee (through translator): I wish to have a family, raise a family, find a job, and try to be stable and live a stable life. I would never travel again.

Board Member: 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.

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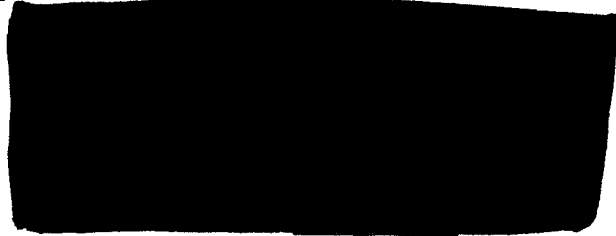
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The Presiding Officer opened the classified portion of the session.

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.



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