

Summary of Administrative Review Board Proceedings for ISN 654

The Administrative Review Board was called to order.

The Detainee entered the proceedings.

Presiding Officer: Good afternoon, sir.

Detainee (*through translator*): Good afternoon.

Presiding Officer: Do you pronounce your name Abdul Hamid Abdalsalam Alghazawy?

Detainee (*through translator*): Not Abdul Hamid. My name is wrong.

Presiding Officer: How do you pronounce your name?

Detainee (*through translator*): As I told the translator before, my name is Abdul Hammed, not Abdullah Hamid.

Presiding Officer: How can I address you today, Abdul?

Detainee (*through translator*): Abdul Hammed.

Presiding Officer: Abdul Hammed. Okay. Welcome to the Review Board.

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 and offered the Muslim oath.

The Detainee took 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.

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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 21 September 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 wanted to attend the ARB but expressed concern about when the ARB was going to be held because he was not feeling well. The Detainee was quiet but polite during the interview. A copy of the English and Arabic translated Unclassified Summary of Evidence were provided to the Detainee upon his request. The Detainee's follow-up interview was conducted on 25 September 2006. When asked if he still wanted to attend his ARB, the Detainee stated that he would attend the ARB. The Detainee was more responsive during the follow-up interview and said that he would respond verbally to statements in the Unclassified Summary. The Detainee was cooperative and polite during the follow-up interview. The Detainee made the following oral statement in response to the spelling of his name in the Unclassified Summary of Evidence: The Detainee stated that the correct spelling and pronunciation of his name was Abdul Hammed not "Abdullah Hamid". The Detainee stated that there was another individual he had met in Afghanistan and that was here as a Detainee with the name "Abdullah Hamid" and that individual was released.

Detainee (*through translator*): Abdullah Hamid, the one that left, and my name are different. My name is written wrong on the Unclassified Summary. There's a difference between Abdul Hammed and Abdullah Hamid.

Presiding Officer: Noted.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-4 to the Administrative Review Board.

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 of Evidence as it was presented.

Detainee (*through translator*): By the name of God, as I have said in the past, there are some things in there that do not have any value and do not have anything to do with the government of the United States. I talked about it more than one time. I will go through it in general but, if you have anything you want to ask about, I will answer.

Presiding Officer: Okay. Thank you.

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Detainee (*through translator*): I can give you details.

Presiding Officer: The Designated Military Officer will read each factor from the Unclassified Summary. We will then provide you a chance to respond. Board members may ask you questions based on your response.

Designated Military Officer: (3.a.1) The Detainee stated he was imprisoned in Afghanistan because he entered Afghanistan with a fraudulent Iraqi passport.

Detainee (*through translator*): By the name of God, in the past, as a matter of fact and as I have said before, it does not have anything to do with you. If there is any accusation against me, if I have committed any crime against the United States or its allies, they will interrogate me for that, not to ask me if I entered any country with a fraudulent passport in an illegal way. I don't think this is something that has to be on this Summary. But in any case, I entered Afghanistan without a passport. The whole border is open to everyone.

Presiding Officer: Were you imprisoned for this?

Detainee (*through translator*): Yes, I was imprisoned for one year and four months because I entered the country not in the right way.

Presiding Officer: Okay. Thank you. We would like to read the next allegation.

Designated Military Officer: (3.a.2) The Detainee traveled extensively between 1987 and 2001 to cities in Saudi Arabia, Malta, Pakistan, Afghanistan, Bangladesh, India, Tunisia, Algeria, Morocco, Malaysia, Dubai, Sudan, Yemen, Egypt, Jordan, and the United Kingdom. The Detainee requested asylum in the United Kingdom and Malta and attempted to immigrate to Malaysia, Thailand, Singapore, and Norway.

Detainee (*through translator*): This is the same thing as I had said about number 1. Suppose I went to all these countries. Is there something forbidding me to do it? I have the right to go anywhere. There is no law to tell me "no".

Presiding Officer: Who paid for all your travel and lodging?

Detainee (*through translator*): My own money.

Presiding Officer: And the purpose for your travels?

Detainee (*through translator*): There are a lot of reasons, not one reason. I went for religious purposes to visit Saudi Arabia. Some of them, I just went through going to another country. One of them, I asked for political asylum. Some of them, to immigrate. That's it.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.a.3) The Detainee was listed by the Libyan authorities as belonging to the Libyan Islamic Fighting Group.

Detainee (*through translator*): Same thing. I want to ask, from when did you start trusting the Libyan government? You know the history of Libya, and you know their situation, and what they did to you. I am very surprised how you believed this. I answered this that I am not a member of the Libyan Fighters. Suppose that I am a member with them. What is the relation between that and you if I am a member of that group? But on the contrary, you should be happy, not mad at me, for being with this group because it is for your interest. I don't know what to say but, in the past, you tried to topple Qaddafi's regime. Why are you denying the purpose or the situation of those Libyan Muslim terrorists against Qaddafi?

Designated Military Officer: (3.a.4) The Libyan Islamic Fighting Group is a foreign terrorist organization.

Detainee (*through translator*): I don't have any relation with them and I don't care. The British government was behind this group to support them. In this case, you have to put the British government as terrorists, too. Officially, the Libyan government accused the British government of that. This is a contradiction.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.5) An al Qaida operative stated the Detainee was a member of the Libyan Islamic Fighting Group.

Detainee (*through translator*): This is not right.

Presiding Officer: Is that all you have to say?

Detainee (*through translator*): That's it because I am not a member.

Presiding Officer: Okay. Thank you.

Detainee (*through translator*): I said everything before that I am not a member of this group.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.6) A member of the Libyan Islamic Fighting Group stated the Detainee took part in the fighting in Afghanistan.

Detainee (*through translator*): Never. I never participated in the fighting from the time of the Russians, and never when the parties were fighting between each other, and never on the Taliban's time. They arrested me in my house, not from the front lines. All my life, I worked in a restaurant, in a school, and I have a little store.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.7) The Detainee stated that, when he went to Afghanistan to attend training, he did not tell his family what he was going to do. Instead the Detainee informed his family that he was going to Pakistan to look for gold and to check things out.

Detainee (*through translator*): This is not right also. I went to Pakistan really just to buy gold. At that time, I was willing to get married. I did not go there for training.

Presiding Officer: The sentence is that you went to Afghanistan for training. You told your family you were going to Pakistan to find gold. Did you go to Afghanistan for training? That's the first sentence.

Detainee (*through translator*): If I went to Pakistan or Afghanistan, it was never for training.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.1) The Detainee stated he spent approximately one year on active duty with the Libyan Navy. According to the Detainee, he attended basic training where he learned basic tasks such as firing a weapon and trained on small patrol boat operations.

Detainee (*through translator*): Also, this is not supposed to be with the Summary. The people of every country have the right to have their own Army. They can train. What's wrong with this? That's all I have for this one.

Presiding Officer: The Board understands.

Designated Military Officer: (3.b.2) The Detainee stated he went to the Jaji and Sadah Training Camps.

Detainee (*through translator*): By the name of God, as I told you before, I went to Pakistan and Afghanistan not for training. Why is this question here? It's not an accusation. That's it.

Designated Military Officer: (3.b.3) The Detainee stated that, at the Sada Camp, he received training on several different types of firearms, including 6-mm and 8-mm pistols, a machine gun, and a Kalashnikov rifle.

Detainee (*through translator*): This is not right.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.4) The Detainee identified the 7.62-mm RPK rifle as the weapon he trained on while at the Khalden Training Camp.

Detainee (*through translator*): It's not right. And I want to add something. By the name of God, 6-mm or 7-mm, I don't know what that means. That's it.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.5) The Detainee stated that, after attending training in Sudda, Pakistan, he traveled to a camp in Khowst, Afghanistan. The Detainee trained there for approximately 15 days, receiving training on an unnamed heavy machine gun and the Kalashnikov rifle.

Detainee (*through translator*): It's not right. I never went to a place named Sudda.

Presiding Officer: Have you ever been to Khowst, Afghanistan?

Detainee (*through translator*): Yes, I have.

Presiding Officer: What were you doing there?

Detainee (*through translator*): Why are you asking me this question? It has nothing to do with it.

Presiding Officer: Can you tell me what year you were there?

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

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.c.1) The Detainee stated that he resided at a madafa in Pakistan where many people came to train before they went to the front lines of Afghanistan.

Detainee (*through translator*): Same thing.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.2) The Detainee stated he stayed in the Libyan Islamic Fighting Group house in Jalalabad, Afghanistan in 1997.

Detainee (*through translator*): Yes, I stayed with them. What's wrong with that? I was simply in Afghanistan. I'm not cut from a tree. There were people living around me there, Afghans, Arabs, Muslims, and non-Muslims. I had some interest to deal. People would buy from me, sometimes on credit. Sometimes they don't come to pay their dues, so I have to go to their houses to collect money.

Presiding Officer: What business were you involved in?

Detainee (*through translator*): I have a little shop for food and materials.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.3) The Detainee stated that he stayed at the Libyan madafa for approximately a total of five months from 1997 to 1998. While residing at this madafa, the Detainee was shown a video of an attempted assassination of a Libyan leader. The Detainee stated all of the residents of this madafa, except for himself, were members of the Libyan Islamic Fighting Group.

Detainee (*through translator*): Same thing. I never stayed five months there. I was married and I had my own house. As I've said, it doesn't have any meaning if I went to a madafa and I saw this and that. What did I do wrong against you? You can ask me if there is anything you want to accuse me around this subject. Answer what question? There is nothing to answer. You asked me if I trained in my country, and if I went to a madafa, what I sold in my shop. The God and creator, who created me, can ask me. He never asked me something like that. God will ask me if I did something wrong to anybody and treated them bad. He's the only one. But don't ask me these questions. That's my answer.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.4) The Detainee stated that, when he was in Pakistan, there were many al Qaida members and that he met people from al Qaida.

Detainee (*through translator*): This kind of question is okay. It's good. Secondly, I don't know anybody from al Qaida, not in Pakistan or Afghanistan. That's it.

Designated Military Officer: (3.c.5) A noted jihadist stated the Detainee was a security leader for Usama bin Laden during a trip to a guesthouse in Afghanistan.

Detainee (*through translator*): I don't know what to say about this. The last time, you accused me that I was a guard with the guards of Usama bin Laden. Now, I'm a leader. Next time I will be Usama bin Laden himself. By the name of God, this is a big swear for me. I want to tell you I have never seen Usama bin Laden in front of me personally. I have never talked to him in person or on telephone. How can I be one of his guards when I have never seen him or talked to him?

Presiding Officer: What are your feelings concerning Usama bin Laden?

Detainee (*through translator*): He is a human being like other human beings. He made mistakes. He brought a big problem for the Islamic nation. That's my thought.

Designated Military Officer: (3.c.6) An al Qaida operative stated he saw the Detainee several times between 2000 and 2001 in Jalalabad, Afghanistan and believed the Detainee was in charge of a guesthouse for the Libyans.

Detainee (*through translator*): This is never right. It's right that I was in Jalalabad. Yes, in 2001, they arrested me. Also, it's not a good question. You know I was in Pakistan and Afghanistan. This is a waste of time and a waste of paper. That's all I have.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.1) The Detainee had a Casio F-91W watch in his possession at the time of apprehension.

Detainee (*through translator*): This is not a good question, too. If I search this camp, I will find a lot of people that have Casio watches. What does that mean? Is that a crime if I have a Casio watch?

Presiding Officer: Let us read the next allegation.

Designated Military Officer: (3.d.2) The type of Casio watch the Detainee had in his possession at the time of apprehension has been used in bombings that have been linked to al Qaida and radical Islamic terrorist groups with improvised explosive devices.

Detainee (*through translator*): Do you mean the one I had on my hand or that kind of Casio?

Presiding Officer: That type of Casio watch.

Detainee (*through translator*): By the name of God, if I had a Casio watch and somebody else had a Casio watch, and they used it to hurt others, what is my fault? Go to that company and ask them to take it out of production.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.3) The Detainee stated he is wanted in Libya for not complying with orders to serve again in the Navy.

Detainee (*through translator*): It's also not a good question. It is not a concrete accusation.

Presiding Officer: Okay.

Designated Military Officer: (4.a) The Detainee stated he is not a member of either al Qaida or the Libyan Islamic Fighting Group.

Detainee (*through translator*): That's right.

Designated Military Officer: (4.b) The Detainee stated he had gone to Pakistan originally to find work, not to fight as a jihadist. The Detainee stated he did not fight at all in Afghanistan and that he did not have the will to fight.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.c) The Detainee denied receiving any terrorist training or being a fighter.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.d) The Detainee stated that, in the total of 13 years in which he lived in Afghanistan, he never fired a single shot.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.e) The Detainee stated that he was pressured to train as a fighter, but he refused.

Detainee (*through translator*): Yes, but nobody pressured me; they advised me so I wouldn't face any problems from not entering any training. Also, after that, I heard some people talking about me as to why I didn't go into training and fighting. They accused me of things that were biased and not right. That's it.

Designated Military Officer: (4.f) The Detainee stated the only support he gave the jihad was to teach the children of the Mujahedin. For this, the Detainee stated he received a salary, so it was not voluntary work for the jihad.

Detainee (*through translator*): What I did do, I gave a very humanitarian thing teaching reading and writing to the kids of immigrants from Afghanistan in Pakistan. This is something very human to do. It doesn't have anything to do with fighting. That's all I have.

Designated Military Officer: (4.g) An al Qaida operative stated the Detainee is not a member of al Qaida or of the Libyan Islamic Fighting Group.

Detainee (*through translator*): That's right. This is right. This is evident that what you wrote before is not right. It's a contradiction. That's it.

Designated Military Officer: (4.h) The Detainee claimed to have no prior knowledge of the 11 September 2001 attacks in the United States. The Detainee stated that if anyone knew of such attacks but failed to act to prevent them would be just as guilty as the perpetrators of the attack.

Detainee (*through translator*): Of course. I don't have any knowledge. But I don't remember saying the rest of the statement.

Presiding Officer: Do you agree with that?

Detainee (*through translator*): But it's right. There's no doubt about it that it's right. The whole thing is right.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (4.i) The Detainee stated that all religions teach peace and that killing innocents is not acceptable. The Detainee stated that individuals and/or groups that engage in terrorism are not preaching real religion; they are merely distorting Islam.

Detainee (*through translator*): There is no doubt about that.

Presiding Officer: Thank you.

The Designated Military Officer confirmed that she 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 Assisting Military Officer stated that he had no additional comments or documents on behalf of the Detainee.

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*): By the name of God, the only God, I was not convinced to come in front of the ARB because I find that the rules and procedures in this place are not right. It does not go parallel with international and American laws. Like for me here, there is not anything against me. If I committed any crime against the United States or its allies, I would have been at my house a long time ago. Some of the people that were here in this place accused of things found to be right, some of them were from the front lines, some were leaders within the Taliban government, but they were let go back to their homes. I challenge anybody who can bring any proof that I fired one shot against any human being in the time of the Russians or after that. I also challenge anybody to bring proof that I was a member of Taliban, or al Qaida, or that I participated in anything against the United States in any way. I have stayed in this place for almost four and a half years. I am a sick man. I am suffering from a lot of things. You can find out about my diseases by asking for my record from the hospital. I came to this place as a normal man and not suffering from anything. I only had one or two problems, but I was a regular man. I was jogging, playing, eating, drinking, but now I am in a different situation. My health is deteriorating and I am going down. I cannot pose any threat to the United States. I had never been a threat to the United States when I was in good health. How about now? How can I pose a threat to the United States while in this situation? I am an innocent man. I never did anything wrong against you or your allies. But if I did something else, I was forced to do it under difficult circumstances relating to immigrating from place to place with real passports. I am not the only one in this world to travel from country to country. I have the right to travel and I have the right to live anywhere in peace without bringing any problems to others. It's a freedom; nobody can stop me from that. God gave me that right. The laws and rules give me those same rights. You can look at my background through these four and a half years here, in spite of the problems and difficulties, which made me to be in this situation, and find out if I spate on or threw number 1 or 2 to any of the soldiers. You will not find anything like that on me.

Presiding Officer: Sir, does that conclude your statement?

Detainee (*through translator*): Yes, almost. Excuse me for sitting on the floor and talking to you.

Presiding Officer: Sir, does that conclude your statement?

Detainee (*through translator*): I will repeat some of these things again. They don't have the right to keep me all this time and treat me this way. I am an innocent man. I never committed any crime against the United States or its allies; not in the past and not in the future. Also, the United States cannot ask me about certain things and consider it an accusation to hold me all this time. In fact, it's not right and it's not within the law. It's

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against all the laws, international or American laws. I remember there was one American here that had been arrested in Afghanistan. They brought him to the United States and put him through trial. They said he committed crimes. His trial was out in months. Maybe he is close to leaving prison, but I'm still here. Why? Is that because he is an American and I am not an American? That's what it appears to me. I never did anything and I'm still here. The American is the one who committed crimes against his country. He was tried for months and is close to leaving now. As a matter of fact, this is wrong and it's against all international laws. That's all I have.

Presiding Officer: Thank you, sir.

The Assisting Military Officer did not have further exhibits or information to be presented on behalf of the Detainee to the Administrative Review Board.

The Assisting Military Officer had the following question for the Detainee:

Assisting Military Officer: If you are released or transferred to your home country, what are your intentions?

Detainee (*through translator*): I talked about my health situation. I reached a point where I cannot do anything about it. The most I can do would be to just sit in my shop selling and buying from people. That's the most I can do. I cannot do anything else. When I wash my shirt, it will make me lay in my bed for an hour. This is my end. I am sure I will not be a threat to you. I couldn't do anything else as I have said. The only thing I am concerned about is my health. Taking care of myself and finding treatment will be very complicated. I will be staying at home because I can't do anything else. And as I have said before, you can ask the doctor and he will tell you the problems I have. I am sure you will be shocked. That's it.

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

The Administrative Review Board members had the following questions for the Detainee:

Member: Abdul, have you had any contact with your family since you've been in Guantanamo?

Detainee (*through translator*): I sent a lot of letters to my family in Libya, but I had not received answers, except only one old message through Red Cross from my brother. It looks like that message was from my brother. That's all through these four and a half years. I have my wife and a little baby in Afghanistan. I receive one letter every three months from them. That's it.

Member: When you were living in Afghanistan, did you become a legal citizen of Afghanistan?

Detainee (*through translator*): Yes, they naturalized me. I have an Afghan ID or citizenship. It's not just myself. There are a lot of other Arabs that got it, too, at the time when Raban was the head of the regime.

Member: Okay. Okay. That's all I have. Thank you very much for attending today.

Presiding Officer: Sir, you were in Afghanistan for approximately 13 years?

Detainee (*through translator*): That's not right. It's between Afghanistan and Pakistan, almost 15 years between the two countries.

Presiding Officer: Where did you own a home in Afghanistan?

Detainee (*through translator*): I don't own a home. I lived in Jalalabad, but I don't have a house.

Presiding Officer: You lived in Afghanistan when the Taliban was in control of the government?

Detainee (*through translator*): Yes.

Presiding Officer: Do you support that type of government?

Detainee (*through translator*): Never.

Presiding Officer: If you were transferred to your home country, Libya, how do you think you would be received by the Libyan government?

Detainee (*through translator*): I don't know. When I was in Libya, I fled the country. There were a lot of things on me like, when I was in the Army, I was supposed to finish my time in the Army, but I did not. So I don't know if that is going to be a problem. Maybe it is going to be a problem. The regime changed, as I have heard, and it is not like it was before. I'm not sure about that. Things are different now.

Presiding Officer: Thank you, sir, for attending today.

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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