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**Summary of Administrative Review Board Proceedings for ISN 705**

***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, 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 03 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 attend the ARB and respond to each statement of information in the Unclassified Summary of Evidence after it is presented. In preparation for his ARB, the detainee was furnished with writing materials and allowed time to prepare some personal notes for use at the ARB. The detainee was very cooperative throughout the entire course of the interview. Copies of both the English and Arabic translated Unclassified Summary of Evidence were offered to the detainee, but he declined to retain them.

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*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit 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.*

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

*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) The following factors favor continued detention: (3.a) Commitment. (3.a.1) The detainee left Algeria in search of work during 1987 when there was much political unrest in Algeria.

Designated Military Officer: (3.a.2) The detainee left Algeria and intended to travel to Mecca, Saudi Arabia. He traveled to Bamako, Mali and stayed there for several months. While there, he resided at a local mosque. From Mali, he traveled to Nouakchott, Mauritania, and remained there for several months.

Detainee (through translator): These points are not true. They are wrong and unfair. I did not have the capabilities to travel directly to Mecca, Saudi Arabia, because the government forbade me to have a passport. The government had no reason and no right to do so as they forbade a lot of people this national right. I traveled to Mali by land because it had been used by a lot of people in Algeria to escape, especially to Europe. People were hiding in vessels in search of a better life. I preferred to live in Mecca or Al-Madina. In Nouakchott, things got easier; I traveled to Saudi and went to Mecca.

Designated Military Officer: (3.a.3) The detainee traveled from Mauritania to Jeddah, Saudi Arabia. He then went to Mecca, Saudi Arabia, and stayed there for several months living off charity. While in Mecca, the detainee went to Hiyat-al-Igatha, the Islamic Relief Organization, for assistance.

Detainee (through translator): I did not live on charity; I worked with other workers building a hospital in Munaa.

Presiding Officer: Where is that?

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Translator: Munaa is a city near Mecca.

Presiding Officer: Did you go to the Islamic Relief Organization for assistance?

Detainee (through translator): Yes.

Designated Military Officer: (3.a.4) The detainee was able to find work with the Islamic Relief Organization while in Jeddah, Saudi Arabia. The Islamic Relief Organization told the detainee that they had a job for him in Pakistan.

Detainee (through translator): When I went to the Islamic Relief Organization in Jeddah looking for a job, they apologized and informed me that there was no job available. They also said that I could find a job in Pakistan. They could not let me work and reside in Saudi Arabia, so they suggested that I work in Pakistan. I agreed and traveled to Pakistan.

Designated Military Officer: (3.a.5) The detainee flew from Jeddah, Saudi Arabia, to Islamabad, Pakistan. Hiyat-al-Igatha employees met him. The detainee stayed there before traveling to Beshar, a village on the Pakistan/Afghanistan border, for training.

Detainee (through translator): When I got to Islamabad Airport, there was a car waiting for me that belonged to the Islamic Relief Organization. I traveled with them to the office of the Relief Organization in Peshawar. I did not go for training; I did not go to a training camp. During my work with the Relief, I went to an Afghani refugee camp in an area close to the boarder where I used the Kalashnikov. It was very common in that area and also in Pakistan to have a piece of weapon like the Kalashnikov or a pistol for self defense and to protect the house and family.

Board Member: Did they show you how to use the Kalashnikov?

Detainee (through translator): I learned how to use it.

Presiding Officer: Is that the training you are referring to?

Detainee (through translator): Yes.

Designated Military Officer: (3.a.6) At the end of training, the detainee returned to Peshawar, Pakistan, and began working for Hiyat-al-Igatha full time. He would assist in preparing packages of relief supplies to be taken to the people of Afghanistan.

Detainee (through translator): I have never been trained. I never went to any training center. The proof is that I got married right after I earned some money from work. I lived in my wife's village. I did not go to any other places near Afghanistan. I had never been to Afghanistan at that time.

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Presiding Officer: You had training on the Kalashnikov?

Detainee (through translator): It was not in a training camp; it was in an Afghani refugee camp.

Designated Military Officer: (3.a.7) In 1988, the detainee stopped working with Hiyat-al-Igatha and began working for Hya Assuna Laytam School in Peshawar, Pakistan, as a deliveryman. The detainee worked for this school until approximately 1990.

Detainee (through translator): I did not stop working for Hiyat-al-Igatha in 1998 because I worked at the school that belonged to them until 1990. I just changed my occupation.

Presiding Officer: You switched from the home office to the school.

Detainee (through translator): Yes.

Board Member: You say that prior to the refugee camp, you used the Kalashnikov. Was this the first time you had ever used the Kalashnikov?

Detainee (through translator): Yes.

Board Member: Thank you.

Designated Military Officer: (3.a.8) In 1991, the detainee flew from Pakistan to the capital of Algeria due to favorable government conditions. The political situation in Algeria worsened, and the detainee left Algeria and traveled to Tunisia and then to Tripoli, Libya.

Designated Military Officer: (3.a.9) The detainee traveled to Karachi, Pakistan, and then to Peshawar, Pakistan. He found a job with Mecktamir, which is a Saudi organization that made furniture.

Detainee (through translator): I did not travel to Algeria in 1990. I traveled in January 1991 because the situation got better in Algeria. I liked that because I missed my country. I went back to Pakistan to bring my wife and live in my country for good, but the situation in Algeria worsened and it was hard for me to go back to Algeria with my wife and kids. I waited for the situation to get better, and while I was waiting I found a job with Mecktamir, a construction bureau in a Saudi charity organization.

Presiding Officer: Where were you waiting? In Algeria or in Pakistan?

Detainee (through translator): In Pakistan.

Presiding Officer: You went to Algeria in 1991. When did you go back to Pakistan?

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Detainee (through translator): In approximately July 1991.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.10) In 1994, the detainee left Pakistan and traveled to Yemen. The detainee worked for a construction company based in Sanaa, Yemen. In 1997, the detainee left Yemen, and returned to Peshawar, Pakistan. He then moved to Afghanistan in 1998. From 1998 through 2001, the detainee sold honey.

Detainee (through translator): I did not leave Pakistan to travel to Yemen in 1994. I traveled to Yemen in April 1995. I stayed there for two years with my family. I did not work for a company; I was a self-employed blacksmith. In 1998, I entered the City of Jalalabad. I opened a business selling propane gas; I rented my business out to an Afghani, and I sold honey.

Presiding Officer: You sold honey from 1998 to 2001?

Detainee (through translator): Yes.

Presiding Officer: You left for Yemen in 1995?

Detainee (through translator): Yes, I entered Yemen in 1995 and left for Pakistan in 1997.

Designated Military Officer: (3.a.11) After two months in Pakistan, the detainee got in contact with an individual from Jalalabad, Afghanistan, who could help the detainee and his family get set up in Afghanistan to live. The Taliban gave the detainee a house outside of Jalalabad, Afghanistan, to live with his family.

Detainee (through translator): I did not know anybody when I went to Jalalabad; I met an individual who was a co-worker at the orphanage school. His name is Abu-Ali Al-Tunisie. He advised me to see the mayor who can help me find a house for my family. I got an old abandoned house made of clay. Nobody liked to live there. I repaired the house and sheltered myself and my family.

Designated Military Officer: (3.a.12) The detainee worked for the al Wafa organization between June and August 2001.

Detainee (through translator): I went to the al Wafa organization asking for help to travel to Algeria. The manager apologized to me because he did not have a special budget for that purpose; he found me a job at the organization so that I can earn some money to cover the expenses for the trip to Algeria. I contacted Algeria and informed them that I found a good job at a humanitarian organization and that I would go back to Algeria within months.

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Designated Military Officer: (3.a.13) The detainee ran the Kandahar, Afghanistan, office of al Wafa in the absence of the regular director.

Detainee (through translator): I was never a manager; I was a clerk repairing mosques and drilling wells.

Presiding Officer: You say that you were not a manager. When the director was absent, who took over?

Detainee (through translator): I was not the manager. I could not do anything on my own; I had to call the manager at the head office, a Syrian clerk, for guidance.

Presiding Officer: You were planning to return to Algeria. Had the conditions changed favorably for you to be able to return?

Detainee (through translator): Yes. The new president, Abdul Aziz Butfleqa, changed a lot of things and the situation was very good.

Designated Military Officer: (3.a.14) In September 2001, the al Wafa organization closed. The detainee returned to Peshawar, Pakistan, and prepared to return to Algeria. The detainee was arrested at his home on 28 May 2002.

Detainee (through translator): Yes. After the al Wafa organization closed, I went back to Peshawar, Pakistan, to prepare myself and my family to go back to Algeria. My wife was pregnant so I could not go back to Algeria until after she delivered the baby.

Presiding Officer: Did your wife have a successful pregnancy?

Detainee (through translator): Yes, she delivered the baby a month and one half after I was captured. She delivered the baby when I was sent to Bagram.

Presiding Officer: Was anyone else arrested with you?

Detainee (through translator): Yes.

Presiding Officer: Can you give me his name? If so, is he here as well?

Detainee (through translator): Yes, he is here. His name is Abdul Aziz.

Designated Military Officer: (3.b) Training. (3.b.1) The detainee took light and heavy weapons familiarization training but only fired the Kalashnikov.

Detainee (through translator): I did not receive any training at any camp; I did not have a desire to do so. As I said before, while I was in an Afghan refugee camp working for the Islamic al-Igatha organization, I had the opportunity to learn about Kalashnikov only.

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Presiding Officer: Kalashnikov only, no heavy weapons?

Detainee (through translator): Kalashnikov only.

Designated Military Officer: (3.b.2) The training camp lasted approximately two weeks.

Detainee (through translator): I did not go to a training camp. I went to help people in an Afghan refugee camp.

Presiding Officer: Where was this camp?

Detainee (through translator): On the boarder of Pakistan and Afghanistan.

Presiding Officer: Was the camp in Pakistan or Afghanistan?

Detainee (through translator): In Pakistan.

Presiding Officer: Was that separate from the refugee camp?

Detainee (through translator): The camp was in Pakistan and it consisted of tents and mud huts. I went there to help those people. That's where I had the opportunity to be familiar with the Kalashnikov. It was a special place to shoot, not too far from the refugee camp. The trainers were all Afghanis.

Presiding Officer: It was approximately two weeks?

Detainee (through translator): It was two weeks training and helping other people.

Presiding Officer: Did you stay in the camp or did you go back to the refugee camp each night to sleep?

Detainee (through translator): There was a special place for me to sleep at night.

Board Member: How long total were you at the refugee camp and the special place where you shot?

Detainee (through translator): I trained on the Kalashnikov for several days and helped people after that. The total time was two weeks.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The detainee was part of the Chaabani network. The detainee's specialization was forging documents. The Chaabani network was an extremist network that was activated and financed by Usama bin Laden.

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Detainee (through translator): This is the first time I have heard of the name Chaabani. I do not know anything about it. I have never associated with any organized group; I do not believe in any organized group. I have always liked to live free. I do not want anybody to guide me as a mule in my personal and political interests. Thank God I had a job; I was happy with my simple life, and I did not need any favor from anybody.

Board Member: Did you forge any documents?

Detainee (through translator): No. I just bought a passport from somebody and used it to travel to Yemen.

Board Member: From which country was that passport?

Detainee (through translator): Iraqi passport.

Board Member: Was that a forged Iraqi passport?

Detainee (through translator): It was a brand new Iraqi passport on which my name was added.

Board Member: The person you bought it from did this?

Detainee (through translator): Yes.

Presiding Officer: So, you did not get it at a passport office?

Detainee (through translator): No.

Designated Military Officer: (3.c.2) The detainee's name was found on a computer that was associated with an al Qaida operative among a list of names of captured Mujahedin.

Detainee (through translator): I was not a Mujahedin or a fighter or associated with any organizations. I am a peaceful man; I do not want any problems. I do not want to take any chance because I am afraid of my mighty God. The mighty God said that killing somebody without guilt is like killing everybody; bringing somebody to life is like bringing everybody to life. I always prefer doing good things for people to bring them to life.

Presiding Officer: So you have no idea how your name may have gotten on that computer?

Detainee (through translator): I am here. I do not know what happened.

Designated Military Officer: (3.c.3) The detainee stayed in a Usama bin Laden guesthouse in Saudi Arabia in 1987.

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Detainee (through translator): When I was living in Saudi in 1994, I stayed at Mecca Sanctuary. I did not go to any house or guesthouse.

Presiding Officer: You left Algeria in 1987 to go to Saudi Arabia, so you were in Saudi Arabia and Mauritania in 1987, then Munaa which is near Mecca?

Detainee (through translator): I left Algeria in 1986.

Presiding Officer: Were you in Saudi Arabia in 1987?

Detainee (through translator): Yes.

Presiding Officer: Where did you stay while you were there?

Detainee (through translator): In the Mecca Sanctuary.

Designated Military Officer: (3.c.4) The detainee was arrested in his residence in Peshawar, Pakistan, by Pakistani police. At the time of the arrest, the detainee had a member of the Lashkar-e-Tayba terrorist organization living with him.

Detainee (through translator): The Pakistani Police wrongfully kidnapped me. If I had any involvement with a terrorist organization I would have left a long time ago. I had nothing to do with al Qaida or the Taliban. The person who was with me at the time I was kidnapped was a normal person. He came to me for advice when he heard that I was an Algerian married to a Pakistani woman. He wanted me to help him marry a Pakistani woman. I advised him to go back to Algeria and marry a native girl from there. I told him that it would be best for him not to marry a foreigner because of the language barrier and also that he would have to keep buying airfare tickets. I had not met that individual before.

Board Member: Are you talking about Abdul Aziz?

Detainee (through translator): Yes.

Presiding Officer: Was he also Algerian?

Detainee (through translator): Yes.

Board Member: Do you know why your friend was in Pakistan?

Detainee (through translator): No.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The detainee has a very good opinion of America and, if offered, said he would gladly live there.

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Detainee (through translator): You say that I have a good opinion of America, and if offered I would gladly live there. Frankly I do not like to live in any other country. I want to go to my country because my country is the best. I am tired of living away from my country. I am not thinking about traveling to any country in the future just for Hajj or Omra, and only for a reward from God.

Board Member: Which country are you referring to?

Detainee (through translator): Algeria.

Presiding Officer: Are your wife and child living in Algeria?

Detainee (through translator): No. My wife and kids are in Pakistan. When I leave, I will take them with me to Algeria.

Designated Military Officer: (4.b) The detainee has no idea why people would dislike the United States. Everyone the detainee knows either liked the United States or wanted to go there.

Detainee (through translator): I do not want to interfere and ask other people whether they like to live in the United States or not because I do not have an interest to know. A good thing about Islam is to leave people alone with their own interest.

Presiding Officer: Did you make this comment at all?

Detainee (through translator): I never said that.

Designated Military Officer: (4.c) The detainee claimed that al Wafa did not have any ties to the Taliban or al Qaida.

Detainee (through translator): This is what I saw and knew during the time that I worked at the al Wafa organization.

Presiding Officer: You say that al Wafa did not have any ties to al Qaida or the Taliban while you worked there; you obviously were familiar with al Qaida or Taliban members to know that they did or did not work there?

Detainee (through translator): I worked for three months there; I was busy with the mosques and drilling wells. I did not know anything about the administration; I did not know what the manager was doing.

Designated Military Officer: (4.d) The detainee claimed to be completely unaware of any extremist activities linked to Wafa, although he conceded that his work responsibilities in Kandahar, Afghanistan, did not give him a complete picture of the activities therein.

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Detainee (through translator): That is what I noticed during the time I worked for them. I do not know their hearts' secrets. Only God knows. I do not want to search or look in people's hearts.

Designated Military Officer: (4.e) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001.

Detainee (through translator): I heard about the disaster that happened in the United States on television. I do not agree with that action because our true religion does not allow such thing. This action was wrong and against a lot of innocent people inside the United States and against Muslims outside the United States. A lot of innocent people were arrested because of this disaster.

Designated Military Officer: (4.f) The detainee denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Detainee (through translator): I do not know anybody or organization which may have future plans against the United States.

Designated Military Officer: (4.g) The detainee denied any knowledge or planning of internal uprisings at the Guantanamo Bay, Cuba detention facility.

Detainee (through translator): I do not expect any of the detainees to think of internal uprising at the Guantanamo detention facility. What happened because of the Koran and other things could have been avoided had you consulted with senior detainees about some matters. With my regret, the miscommunication and mistreatment created problems and uprising. I am sorry for the ones who killed themselves recently. If they were around me, the wise one, the senior, I would have stopped it from happening because it is against my religion. I ask God to fix things and take care of mankind.

***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 made the following statement:***

Detainee (through translator): My case is very clear. They kidnapped me from my house. I am not against the United States or its allies. I am not against anybody. I am a peaceful man; I left my country because of the wrong things that happened there. If I liked problems I would have stayed there, but I prefer to live with my wife and kids in a village away. I would like to go back to my country with my wife and kids and live a peaceful life. Please help me to go back to my wife and kids and to my country.

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Presiding Officer: Does that conclude your statement?

Detainee (through translator): Yes.

Presiding Officer: Is there any reason why you do not look at the Board members while talking to them?

Detainee (through translator): I cannot see you because I am wearing reading glasses.

*[The detainee took his glasses off and made eye contact with the board members.]*

*The Assisting Military Officer had no further questions for the Detainee.*

Presiding Officer: We will take a brief recess while the detainee uses the facilities.

*Presiding Officer: The Administrative Review Board for Mustafa Ahmed Hamlily is now reconvened in the open session.*

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

*Administrative Review Board Member's questions:*

Presiding Officer: If released to your country, what are your plans?

Detainee (through translator): I would like to build a house for my family and work in the field. I would like to live with my family in peace away from problems.

Presiding Officer: I realize that you denied a lot of the allegations against you in regards to al Qaida and the Taliban; should you return to Algeria, what kind of assurances can the Board have that you are not going to return to this kind of activity again?

Detainee (through translator): If I wanted to be one of them, I would have worked for them before I got to this detention. I did not participate before and I will never do that in the future. I pray and fast; I read the Koran. I am a Muslim. I am a peaceful man. I like to do good things to people, which is what our prophets teach us. What's happening now with these groups is not a representation of Islam because Islam is very clear. Islam religion is a humane religion. Islam teaches people to work together.

Presiding 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.*

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*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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