



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *JK*

FROM: Director, OARDEC (U) *10/11/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 757 (MAURITANIA)

- o ~~(S//NF)~~ Subject ARB was held on 8 Aug 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),

(b)(1),(b)(5)

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value:
- Other Factors:

- o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

- o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *JK* 10-6
 Or Transfer _____ Release _____

- o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~SECRET//ORCON//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 757

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Task Force (JTF)-Guantanamo Bay Staff Judge Advocate (SJA) for delivery to the detainee. The AMO received a written affidavit of delivery to the detainee from the SJA.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-45.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (7)
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~~SECRET//ORCON//NOFORN~~

SECRET//ORCON/NOFORN

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Fltman~~

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4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources~~
~~Declassify On: 25X1 Human~~

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(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)


~~Derived From: Multiple Sources
Declassify On: 20X1-Human~~

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(b)(5),(b)(7)(A)

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(b)(1),(b)(5)

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(b)(5),(b)(7)(A)

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(b)(1),(b)(5)

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Declassify On: 25X1-Human~~

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(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, U.S. Navy
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (7)
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UNCLASSIFIED

**Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba**

30 July 2008

To: **AZIZ, AKHMED**

Subject: **UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AZIZ, AKHMED**

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he became a friend of the Libyans and established ties with them while he lived in Mauritania in 1992. The detainee stated he was never a member of the Libyan Islamic Fighting Group, but did agree with their ideologies and joined the Libyans to actively fight and die to overthrow the Libyan government. (DMO-14)
 - a. The Libyan Islamic Fighting Group has pledged to overthrow Muammar Qadhafi's Libyan government. Some members are aligned with Usama bin Laden's al Qaida organization or are active in the international mujahedin network. (DMO-33)
- 2) The detainee stated he was forced to find support from the Libyan Islamic Fighting Group members because they shared a common bond of not agreeing with the government and its officials. (DMO-12)
- 3) The detainee stated he heard about the Taliban from his friends and valued the Taliban's religious beliefs. The detainee further stated he supported the Taliban's resistance against the Northern Alliance. (DMO-15)
- 4) The detainee stated he began working at the Institute in Afghanistan as an Arabic Language Teacher. (DMO-16)

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DMO Exhibit 1
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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AZIZ, AKHMED**

- 5) The detainee stated he was employed at the Institute of Arabic Studies in Kandahar from December 1999 through summer 2001. The detainees supervisor was reportedly also the Minister of Education for the Taliban. (DMO-37)
 - a. The detainee's direct supervisor was reportedly the personal adviser of Usama bin Laden, led the Mauritanian al Qaida cell and recruited several individuals, to include the detainee. (DMO- 24)
- 6) The detainee stated that his supervisor told him that al Qaida needed a good administrator and approached him on al Qaida's behalf. (DMO-23)
- 7) The detainee stated Arabs were in Afghanistan fighting jihad to establish the perfect Islamic state. The detainee stated his supervisor played a major part in this effort and was the primary reason why the detainee fought and learned along his side when he was at the Kandahar Institute. (DMO-18)
- 8) ~~(C//FOUO-LES)~~ The detainee stated he traveled to Afghanistan in September 1999. The detainee stated he heard about the Taliban regime and thought what they were doing was good. (DMO-37)
- 9) The detainee stated the Libyan Islamic Fighting Group helped the detainee travel to Turkey for safe passage into Europe. However, when the Turkish government began to arrest foreigners without visas, the Libyans assisted the detainee to travel to Afghanistan. (DMO-12)
- 10) The detainee stated he traveled from Mauritania to Syria; then traveled through Turkey to Pakistan and then to Afghanistan. (DMO-21)
- 11) The detainee stated he traveled from Jalalabad to Kabul, Afghanistan. The detainee further stated he believed that going to Kabul was important because it is the capital and the center of power for the Taliban. (DMO-15)
- 12) The detainee stated he stayed in Kabul for seven to ten days then traveled to Kandahar where he met his previous supervisor at the Institute. (DMO-16)
- 13) The detainee stated, during the summer 2000, he traveled to Kabul for a second time to observe the war at the front line. (DMO-16)
- 14) The detainee stated he traveled from Afghanistan to Karachi, Pakistan in the summer of 2000 and in May 2001. The detainee stated he used someone else's passport to travel. (DMO-34)

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AZIZ, AKHMED

- 15) The detainee stated, in December 2001, he left Afghanistan with four others, of which he knew one to be associated with al Qaida. (DMO-28)
- 16) The detainee stated he also wanted to observe the front line of the war against the opposition. The detainee further stated he visited a camp in Kabul that he was told to go to by a Libyan friend from the guest house in Jalalabad. (DMO-40)

b) Connections/Associations

- 1) The detainee reportedly was a member of al Qaida and pledged bayat to Usama bin Laden sometime between September 1991 and February 1992. (DMO-36)
- 2) The detainee stated he stayed in a guest house in Jalalabad that was operated by Abu Leith al Libi (NFI). The guest house was possibly affiliated with the Libyan Islamic Fighting Group. Some individuals who visited the house were responsible for training camps (NFI). (DMO-19)
- 3) The detainee identified one of Usama bin Laden's compounds located near the Institute. The detainee stated he visited the compound before and after it was bombed. The detainee further identified an al Qaida guest house in Kandahar. (DMO-42)
- 4) The detainee provided information on senior al Qaida members, Usama bin Laden bodyguards and associates, trainers and operators of al Qaida camps, and al Qaida personnel on the front lines. (DMO-39)
- 5) The detainee admitted escaping to Quetta with someone he knew to be affiliated with al Qaida in December 2001 and that he gave him 5,000 dollars in United States currency for travel and expenses. (DMO-34)
- 6) It was identified that following the fall of Kandahar, Afghanistan, the detainee was part of a group of 25 al Qaida and al Qaida-affiliated Arabs that traveled from Afghanistan to Quetta, Pakistan. (DMO-25)
- 7) The detainee stated he attended the wedding of Usama bin Laden's son in late 1999 or beginning of 2000. (DMO-16)
- 8) The detainee confirmed he did visit Usama bin Laden's compound when al Zawahiri recently joined al Qaida. (DMO-16)
- 9) The detainee stated he attended a speech by Usama bin Laden at Tarnak Farms near Kandahar in approximately November 1999. The detainee was shown a video of an 8 January 2000 speech by Usama bin Laden and noted the difference between the speeches. (DMO-35)

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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AZIZ, AKHMED**

- 10) The detainee stated he saw al Qaida leaders visit the Institute in Kandahar during his two years of employment. He saw Usama bin Laden visit the Institute on three occasions. The detainee stated he spoke with Usama bin Laden about the Institute in October 2000. The third time Bin Laden visited the Institute was in March 2001. (DMO-16)

c) Training

- 1) The detainee stated he went to the front line in Kabul in the summer of 2000. He spent about six weeks training at the front line with an artillery unit. The detainee was trained on 82 mm and 120 mm mortars, Kalashnikov and the RPG-7. (DMO-45)
- 2) The detainee reportedly had extensive training in weapons, tactics, explosives and leadership. The detainee reportedly received all the training that was given in Afghanistan. (DMO-41)
- 3) The detainee stated he visited a camp in Kabul where he was told to go by a Libyan friend from the guest house in Jalalabad. The detainee stated that while at the front line, he received "theoretical" training on the use of the Kalashnikov. (DMO-40)

d) Intent

- 1) The detainee stated when he is released, he planned to do whatever he can to take vengeance against the Pakistani authorities because they helped the Americans capture him and eventually sold him to the filthy American military animals. The detainee's ultimate dream is to free the south of Pakistan and return it to India. (DMO-8)
- 2) The detainee stated he could not change his beliefs, because he was a fundamentalist, an extremist and an al Qaida member. The detainee stated he supported the acts by Usama bin Laden and Ayman Zawahiri and was glad America was attacked the way it was. (DMO-38)
- 3) The detainee feels his son and his family will avenge his captors and they will all pay with their lives. (DMO-18)
- 4) The detainee stated he refused to wear a tan uniform as a protest and as proof of his commitment to being a mujahedin and a martyr. The detainee stated Muslims will fight to the end, by all means necessary and gave an example of the heroism of the Chechnyan Mujahedin. (DMO-38)
- 5) The detainee stated that even in captivity, he continues to fight against American oppression of all Muslims, all over the world. (DMO-38)

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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AZIZ, AKHMED**

- 6) The detainee sang a song similar to a running cadence, "Every where we go, people wanna know, who we are, we are Muslim, fighting for Allah, fighting for Bin Laden, to kill Americans, to kill white devils." (DMO-31)

e) Other Relevant Data

- 1) In Afghanistan, the detainee received military training and fought on the front lines against the Northern Alliance. (DMO-26)

4. The following primary factors favor release or transfer:

- a) The detainee denied being a member of al Qaida. (DMO-45)
- b) The detainee stated he never pledged bayat to Usama bin Laden. (DMO-45)

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
 at U.S. Naval Base Guantanamo Bay, Cuba
 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *Suff*

FROM: Director, OARDEC (U) *10/9/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 760 (MAURITANIA)

o ~~(S//NF)~~ Subject ARB was held on 31 Jul 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
(b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *10-10-08*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #133
 Source Marked: *[initials]*
 Source Dated: 4 Aug 2008

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 760

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-37.

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 760
Enclosure (6)
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c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

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Declassify On: 25X1 Human~~

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Enclosure (6)
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(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)


(b)(5),(b)(7)(A)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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(b)(1),(b)(5)



~~Derived From: Multiple Sources~~
~~Declassify On: 25Y1-Human~~

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Enclosure (6)
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b. ~~(S//NF)~~ Intelligence Value.

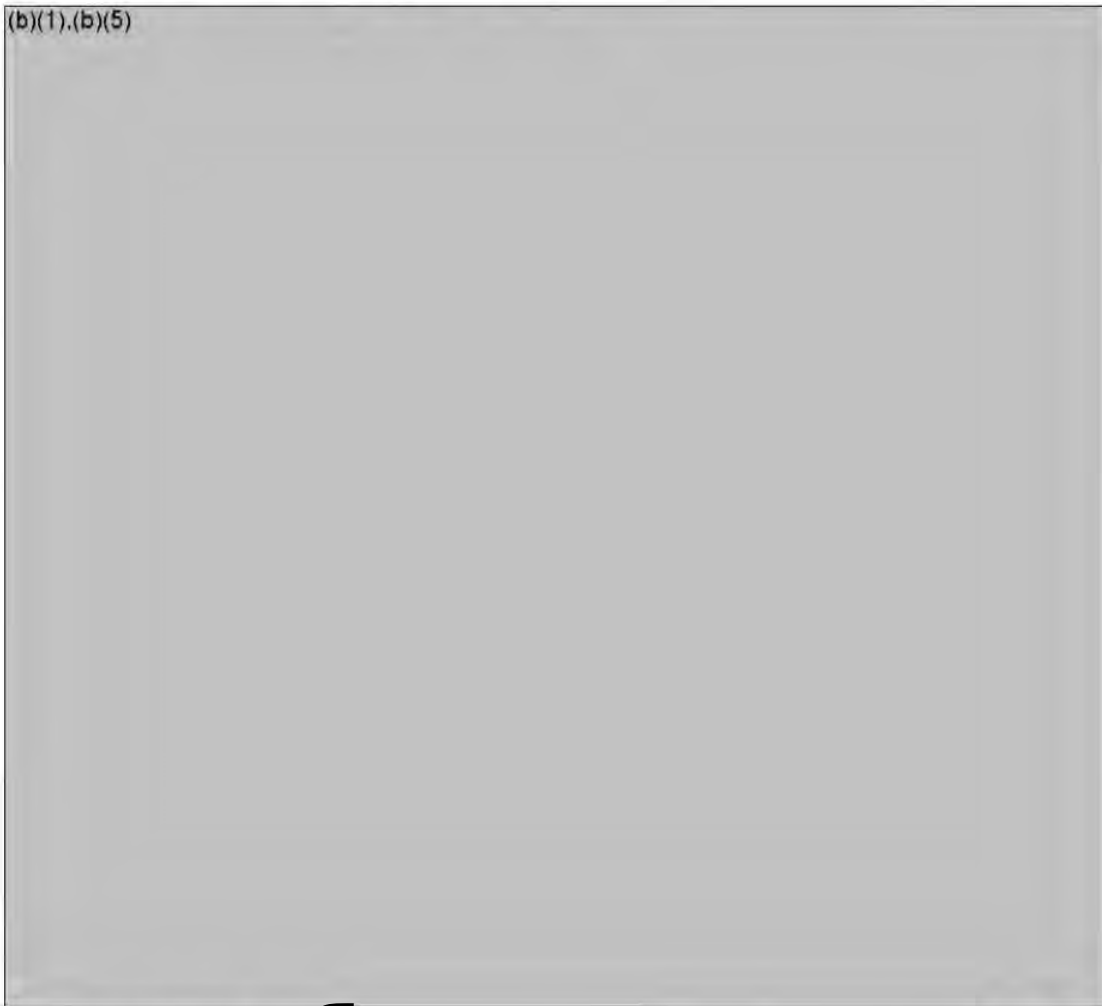
(b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



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~~Declassify On: 25Y1-Human~~

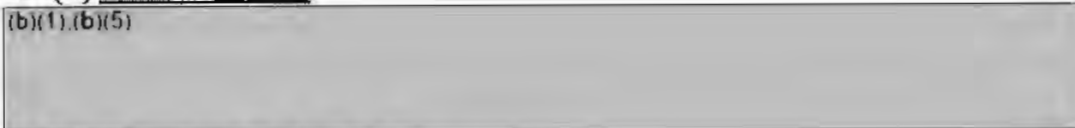
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(b)(1),(b)(5)



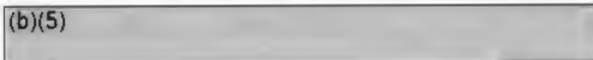
d. (U) Recommendation.

(b)(1),(b)(5)

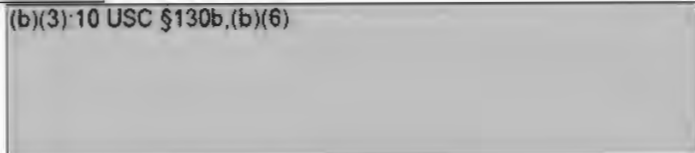


8. (U) Board Members' Voting Results

(b)(5)



(b)(3); 10 USC §130b,(b)(6)



CAPTAIN, U.S. Navy
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Program~~

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Enclosure (6)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

24 July 2008

To: SLAHL, MOHAMEDOU OULD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SLAHL, MOHAMEDOU OULD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated that he was active in two Islamic organizations during his youth in Mauritania: the Muslim Brotherhood and the Tablighi Jamat-al. The detainee stated that the Muslim Brotherhood originated in Egypt and believes that all the problems in the Islamic world stem from the abandonment of Islamic principles and that Islam has the answers for all economic, social, and political problems.
 - a. The preachers of Jamat-al-Tabligh have been supporting Islamic terrorist groups in South and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani Terrorist Organizations and the al Qaida network.
- 2) The detainee stated that his goal in Afghanistan was to become a martyr by dying for Islam.
- 3) The detainee stated that while in Afghanistan in 1992, he traveled to Gardiz to fight and was assigned to a mortar battery.
- 4) The detainee stated that he went to Afghanistan in 1992 to help the Afghans fight the Commies.

DMO Exhibit 01
Page 1 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SLAHL, MOHAMEDOU OULD

- 5) The detainee stated that he actively recruited for jihad from 1992 to 1997. The detainee felt it was an important function and would often speak of jihad while he preached at two mosques in Germany.
 - 6) The detainee stated that he received tasks from a key al Qaida operative from 1993 through 1999. The detainee was tasked to set up a radio broadcasting station in Sudan, to assist in counterfeiting money, especially United States currency, in Afghanistan, and to help establish greater internet connectivity between Sudan and Afghanistan.
 - 7) According to a foreign government source, the detainee recruited and facilitated the training of an individual who is an expert in radio and electronics. The individual was an important and influential member of, and swore allegiance to al Qaida. The detainee arranged, with the help of his brother-in-law Abu Hafs, for the individual's meeting with Usama bin Laden.
 - 8) According to an al Qaida operative source, the detainee is an al Qaida facilitator who played a part in recruiting jihadists to fight in Afghanistan and Chechnya, and to become suicide hijackers in the west. The detainee convinced the source and three future world trade center suicide hijackers to undergo al Qaida basic military training in Afghanistan.
 - 9) The detainee stated that shortly after his arrival in Montreal in December 1999, he was asked to become the temporary imam at a local mosque. The detainee thought that the Algerian Armed Islamic Group and the Salafis might have had a presence at the mosque.
 - a. The Armed Islamic Group has been designated by the United States Secretary of State as a Foreign Terrorist Organization. An Islamic extremist group, the Armed Islamic Group aims to overthrow the secular Algerian regime and replace it with an Islamic state. Since 1992, the Armed Islamic Group has conducted a terrorist campaign of civilian massacres.
 - b. The Salafist Group for Call and Combat (GSPC) has been designated by the United States Secretary of State as a Foreign Terrorist Organization. The Salafist Group, an outgrowth of the Armed Islamic Group, appears to have eclipsed the Armed Islamic Group since approximately 1998, and is currently the most effective armed group inside Algeria. The Salafist Group continues to conduct operations aimed at government and military targets. Such attacks include false roadblocks and attacks against convoys transporting military, police, or other government personnel.
- b) **Connections/Associations**
- 1) The detainee stated he prayed at a mosque in Germany whose director was the leader of the Egyptian Islamic Jihad in the area.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SLAHLI, MOHAMEDOU OULD

- a. Egyptian Islamic Jihad extremist group has been active since the late 1970s, and merged with Usama bin Laden's al Qaida organization in June 2001, but may retain some capability to conduct independent operations. Its primary goals are to overthrow the Egyptian government and replace it with an Islamic state and to attack United States and Israeli interests in Egypt and abroad.
 - 2) The detainee stated that while in Germany, he worked with a friend who was an active high ranking member of Jamat-al Tabligh and recruited people to go fight jihad in Afghanistan.
- c) Training**
- 1) The detainee stated that he attended the University of Duesberg in Duesberg, Germany from 1990 to 1995 and received a degree in electrical engineering.
 - 2) The detainee stated that in late 1990 and early 1991, he traveled to Afghanistan for six weeks of military training at a jihad camp.
 - 3) The detainee stated that in January 1991 he trained for six weeks at Camp al Farouq in Afghanistan. The training consisted of physical exercises and weapons training on the Kalashnikov rifle, Semionoff, Uzi, M16, Makaroff pistol and rocket propelled grenades.
- d) Intent**
- 1) The detainee stated that if he had never been captured, he would probably be in Iraq or Afghanistan right now.
- e) Other Relevant Data**
- 1) According to an al Qaida operative source, the detainee facilitated the individual's initial travel to Afghanistan and his initial introductions to Usama bin Laden and Abu Hafs, in Kandahar, Afghanistan.
 - 2) The detainee stated he was involved in money laundering activities. The detainee stated he wired money for Abu Hafs three times, in sums of 2500, 5000 and 5000 United States dollars.
 - 3) When asked to explain documents that were found on one of the detainee's computers, the detainee stated that the documents were related to the purchase and shipping of radio equipment used to setup the radio system for al Qaida between Kandahar, Afghanistan and Quetta, Pakistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SLAHL, MOHAMEDOU OULD

- 4) The detainee stated he traveled from Germany to Mauritania in April 2000. Mauritanian government officials seized his passport and detained him after the 11 September 2001 attacks in the United States. After approximately eight months in Jordanian custody, the detainee was taken to a United States base in Bagram, Afghanistan.

4. The following primary factors favor release or transfer:

- 1) The detainee stated he did not know or meet Usama bin Laden and rejected pledging bayat or making any other pledge to Usama bin Laden or an Emir.
- 2) The detainee stated that he did not know of a certain al Qaida operative's involvement in terrorism when the detainee transmitted money for him.
- 3) The detainee strongly stated he did not help anyone travel to Chechnya or Afghanistan.
- 4) The detainee stated he had no knowledge of the attacks in the United States prior to their execution on 11 September 2001, and also stated he had no knowledge of any rumors or plans of future attacks on the United States or United States interests.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *2/27*

FROM: Director, OARDEC (U) *18 17/4/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 782 (AFGHANISTAN)

o ~~(S//NF)~~ Subject ARB was held on 05 Aug 2008, resulting in a (b)(1),(b)(6) recommendation to (b)(1),(b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)
 [Redacted]

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	[Redacted]

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer Release *11-3-08*

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: ~~Presiding Officer's Memorandum of Administrative Review Board Panel #139~~
 Source Marked: ~~25X1-Human~~
 Source Dated: ~~11 Aug 08~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 782

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee wanted the assistance of the AMO, affirmatively declined to appear personally in the ARB proceedings, and wanted to present documents to the board. The AMO verbally summarized comments the detainee made during the AMO's interview. This statement is documented in Exhibit EC-B. The AMO further presented correspondence presented by the detainee as Exhibit EC-C1 and EC-C2, identified herein as enclosure (4).

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 782
Enclosure (5)
Page 1 of 5

new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) **Summary of Information Considered**

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-40.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)




(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 782
Enclosure (5)
Page 2 of 5

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusion and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.


(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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Enclosure (5)
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(b)(1),(b)(5)



(b)(5)



(b)(1),(b)(5)



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Declassify On: OX1-Human~~

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Enclosure (5)
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(b)(1),(b)(5)

[Redacted]

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

8. (U) Board Members' Voting Results

(b)(5)

[Redacted]

(b)(3):10 USC §130b,(b)(6)

[Redacted]

CAPTAIN, U.S. Navy
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 782
Enclosure (5)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

(b)(5)

25 July 2008

To: GUL, AWAL

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF GUL, AWAL

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment:**
 - 1) The detainee stated that he hid at home for three days to keep from being inducted into the communist regime after graduating from the Nangarhar Technical School. He then went outside the city in 1981 to enlist with a local commander of the Mujahedin. (DMO-12)
 - 2) The detainee stated he would travel from Peshawar, Pakistan to jihad with the local commander. (DMO-12)
 - 3) The detainee stated that when the Taliban took power in Afghanistan in 1996, he fled to Pakistan for approximately one month. He then returned to retake command of Military Base Number Four, at the Taliban's request. (DMO-12)
 - 4) The detainee reportedly fought against the Northern Alliance in Kabul, Afghanistan on the Gul-Da-Da-Ra front lines and was a commander in charge of ten men. (DMO-14)

ISN 782
DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF GUL, AWAL

- 5) The detainee stated that for three Afghan years he was in charge of logistical support for the Jalalabad, Afghanistan highway. His duties included distributing food, oil, and supplies for the Mujahedin front line. (DMO-12)
- 6) The detainee stated that when the Mujahedin took over Jalalabad, he became Commander of Military Base Number Four from 1992-1996. Military Base Number Four was a staging area for Mujahedin arriving from Kabul, Afghanistan, to fight in Jalalabad. The detainee stated Military Base Number Four consisted of approximately 300-400 men. The base had a tank unit, personnel, and ammunition. (DMO-12)

b) Connections/Associations:

- 1) Reportedly, the detainee was a part of the Islami Hezb. In the beginning, during the fight against the Russians, he was a Mujahed. After the Russians left he was put in charge of supplies. (DMO-24)
- 2) The detainee was identified as working with Usama bin Laden and al Qaida, and helped many of them. The detainee was identified as commanding Emir in Jalalabad and vicinities. When the Northern Alliance took over Jalalabad, they couldn't hurt the detainee because he was strong and protected by his tribe, which represented the overwhelming majority in Nangarhar, Jalalabad. (DMO-22)
- 3) The detainee stated that he saw and or met with Usama bin Laden on three separate occasions. The first time was in 1990 during the jihad against the Soviets. The second time was about 1995 when his commander invited the detainee to go with him to see Usama bin Laden. They were able to talk to Usama bin Laden for approximately 15 minutes. The third time was during the Taliban take over of Jalalabad. The conversation lasted 10 to 15 minutes. (DMO-25)
- 4) The detainee reportedly led Taliban troops for the purpose of protecting Usama bin Laden during his travels through areas of Afghanistan in October 1996. (DMO-19)
- 5) The detainee reportedly escorted Usama bin Laden and other operatives to areas in Afghanistan, to be met by other associates of Usama bin Laden. (DMO-17)
- 6) The detainee reportedly provided a Sheikh and Usama bin Laden with logistical support. Usama bin Laden and the Sheikh reportedly visited the detainee's house. Usama bin Laden and the Sheikh traveled from the detainee's house to the mountains of a province in Afghanistan. (DMO-23)
- 7) The detainee reportedly attended a meeting, hosted by Usama bin Laden, in March 2000 for Terrorist Leaders based in Afghanistan. (DMO-20)

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF GUL, AWAL

- 8) The detainee reportedly received 100,000 United States Dollars from Usama bin Laden to pass to local tribal commanders in an Afghan province, in order to help Arabs attempting to flee to Pakistan. (DMO-34)
- 9) The detainee reportedly managed a home owned by Usama bin Laden, though Usama bin Laden did not own the house in his own name; it was in the detainee's name. The detainee was in charge of all of the Taliban in Jalalabad. (DMO-26)
- 10) The detainee reportedly owned a guest house and was a highly regarded leader during the jihad against the Soviets in Afghanistan. (DMO-28)
- 11) The detainee reportedly was a member of a cooperative of narcotic smugglers with contacts in many different countries. (DMO-32)

c) Training:

- 1) The detainee has practical knowledge of light weapons and knowledge of guerilla and Taliban tactics and training. (DMO-13)

d) Intent:

- 1) The detainee stated that, if released, he would return to his country and work for the government since they invested so much in him. (DMO-33)

e) Other Relevant Data:

- 1) The detainee stated he was arrested when he went to speak with United States representatives. (DMO-21)
- 2) The detainee stated that the last time he was in command of Military Base Number Four was on 01 Dec 2001, which is the day he was captured. (DMO-12)
- 3) The detainee stated he was born in 1962 in Lagham Province, Afghanistan and speaks Pashtu, Dari, Farsi. The detainee stated he had 11 daughters, six sons and an unknown child that was born after his capture. The detainee also stated he attended Nangarhar Technical School in Jalalabad City until twelfth grade where he studied electrical routing and circuits for construction purposes. (DMO-12)

4. Factors Favoring Release or Transfer:

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF GUL, AWAL

- a) The detainee stated he saw mistakes and was straight forward in saying that they should be helping the Americans. The detainee told the Taliban that he was not going to cooperate anymore and stated that he had had enough. (DMO-21)
- b) The detainee stated that he never held a Taliban government position. (DMO-37)
- c) The detainee stated he tried to resign from the Taliban twice, but his resignation was rejected. The detainee stated the Taliban weakened his unit because they feared the detainee would use his soldiers in an attempt to attack them. The detainee stated he would not cooperate with the fighting. (DMO-30)
- d) The detainee stated that a true Muslim is one that believes in God, never hurts people, and deals with people in a good way. The detainee stated he is proud that he did not hurt anyone. (DMO-30)
- e) The detainee stated that all people are different and have different religions which make them different. We should not step on each others rights. (DMO-33)
- f) The detainee swore on the Koran and signed a contract stating he did not help al Qaida flee from Afghanistan and he did not help Usama bin Laden. (DMO-24)
- g) The detainee stated he never received money from al Qaida or Usama bin Laden. (DMO-35)
- h) The detainee stated he never worked for Usama bin Laden, nor did he ever travel with Usama Bin Laden. (DMO-37)
- i) The detainee stated Usama bin Laden and countries like Pakistan used Afghanistan for their own personal purpose. They used the Afghani people. They hid their crimes and criminals and used Afghanistan for their own benefit. Instead of building Afghanistan, they brought their own problems with them. (DMO-24)
- j) The detainee stated Usama bin Laden is responsible for his own actions and the detainee does not support him. The detainee stated he thought it was good that the United States entered Afghanistan and that Americans came and helped free them. The detainee added that Usama bin Laden is wrong in saying that America is against Islam since America allows religious freedom. (DMO-36)
- k) The detainee stated he knew of four Non-Governmental Organizations and assisted three of them while serving as a commander in Jalalabad, to help with the removal of land mines, the recovery of stolen cars, and the provision of security for workers and for food distribution operations. (DMO-25)

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF GUL, AWAL

- l) The detainee stated that he was tired from war and thirsty for peace. The detainee stated he had worked for the Taliban because he did not want to be killed. (DMO-37)
- m) The detainee stated that he would not do anything against his country. He would not fight against any countries who come to help Afghanistan. The detainee stated that he has a big family and does not want to see war. (DMO-37)

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *10/5/08*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 832 (Afghanistan)

o Subject ARB was held on 7 Apr 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1), (Detain) *[Signature]*
 Or Transfer _____ Release _____ *6-5-08*

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 832

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee. The AMO received written confirmation of delivery to the detainee from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) **Summary of Information Considered**

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-48.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1) (b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

7. (U) Board Members' Voting Results

(b)(6)

[Redacted]

(b)(3):10 USC §130b.(b)(6)

Colonel, U.S. Army
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

1 April 2008

To: NABI, MOHAMMED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF NABI, MOHAMMED

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a. Commitment
 1. The detainee stated that while unemployed from 1993 to 1994 the Taliban began to take power and local villagers pressured the detainee to take a job with the Taliban so as to avoid being considered part of the opposition.
 2. The detainee stated that in 1995 he was chief of security forces in Kalat, Afghanistan.
 3. The detainee stated that from 1998 to 2001 he was chief of the Taliban border security department at Kabul, Afghanistan.
 4. On 28 January 2002 at a peaceful demonstration in Khowst Afghanistan, the detainee was reportedly a Taliban commander.
 5. As of early February 2002, the detainee reportedly attended weekly al Qaida planning meetings in Khowst, Afghanistan.
 6. The detainee was identified as a leader of Taliban and religious fundamentalists who opposed United States-led Coalition efforts. The detainee opposed the Coalition efforts and was active in organizing anti-Coalition efforts through the local Madrasas.

ISN 832
DMO Exhibit 1
Page 1 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NABI, MOHAMMED

7. The detainee was identified as having had a cache of Taliban weapons in the village of Sobarai, Afghanistan. When the United States Coalition forces started the bombardment of Khowst, Afghanistan, the detainee took many of the Taliban's weapons including mortars, artillery pieces and rounds, rockets, and various small arms.
 8. The detainee was identified as an intelligence officer for the Mujahedin and for the Taliban.
 9. The detainee was reportedly the former general, who commanded frontier outposts of Afghanistan and conducted activities in the vicinity of Khowst, Afghanistan that was supportive of al Qaida efforts.
 10. The detainee was identified as being responsible for rocket attacks on United States forces in Khowst, Afghanistan.
 11. Approximately 300 Hezb-e-Islami Gulbuddin and al Qaida fighters organized into 3 groups. The detainee was identified as having led one of the groups.
 12. The detainee was reportedly instrumental in the al Qaida southern exfiltration routes from Khowst, Afghanistan to Pakistan.
- b. Connections/Associations
1. The detainee stated he was appointed by the Taliban as Chief of Border Department in Kabul, Afghanistan. The detainee answered to the Minister of Border Department, who reported directly to a leader of the Taliban. The detainee stated his duties included controlling smuggling.
 2. The leadership for the Union of Mujahedin had formed an alliance with support, guidance, and funding provided by al Qaida and the Jamiat Ulma Islami, a Pakistani terrorist organization.
 3. The detainee reportedly attended an early August 2002 Union of Mujahedin meeting. At the meeting leaders of the Union of Mujahedin discussed the need for future plans and operations, designed to discredit and undermine the Afghan Transitional Administration representatives in Khowst, Afghanistan.
 4. As of late August 2002, individuals associated with al Qaida were planning an attack against American aircraft using the airport at Jalalabad, Afghanistan. The detainee

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NABI, MOHAMMED

reportedly helped two al Qaida associates smuggle missile components across the border from Pakistan to Afghanistan.

5. The detainee was identified as having attended a meeting of Hezb-e-Islami Gulbuddin commanders, during which plans were made to distribute weapons to Hezb-e-Islami Gulbuddin family members, followers, and supporters. The weapons would be used to attack government and military targets in the Ghazni area of Afghanistan.
6. Hezb-e-Islami Gulbuddin is listed as a terrorist organization and has long-established ties with Usama bin Laden.
7. The detainee was identified as having taken part in a meeting to form an alliance between Taliban and al Qaida in the Khowst province of Afghanistan.
8. The detainee was identified as having received logistic support, money, and food from an Afghan warlord, because, both the warlord and the detainee opposed the governor in Khowst, Afghanistan.

c. Other Relevant Data

1. The detainee stated from 1992 to 1993 he was a policeman in Khowst, Afghanistan.
2. The detainee stated he was introduced to a CIA agent four to five months before his capture. The detainee met the CIA agent at the old Khowst, Afghanistan airport. The detainee stated the CIA agent gave him 500 United States dollars and a cellular phone and tasked the detainee with finding a leader of the Taliban.
3. The detainee stated that on the day of his capture a messenger told him the Americans at the old Khowst, Afghanistan airport wished to talk with him. Upon arriving at the airport the detainee was arrested by the American forces and flown to the Bagram, Afghanistan airfield. The detainee stated he still does not know why he was arrested by the American forces.

4. The following primary factors favor release or transfer:

- a. The detainee denied all connections with individuals and groups who are suspected of having or do have affiliations with al Qaida.
- b. The detainee claims to have had no prior knowledge of the attacks against the United States on 11 September 2001 or any future attacks.
- c. The detainee stated he has no knowledge of al Qaida training procedures.

ISN832
DMO Exhibit 1
Page 3 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NABI, MOHAMMED

- d. The detainee claims to have no knowledge about bomb making of any kind.
 - e. The detainee stated that he didn't fight the Russians.
 - f. The detainee stated he hadn't received poison or poison training from United States forces.
 - g. The detainee denied he ever assisted al Qaida or Taliban member move across the border.
 - h. When asked if there were any United States force members injured during the timeframes the detainee fought, the detainee stated he didn't fight.
 - i. The detainee denied he commanded the frontier forces of Afghanistan.
 - j. The detainee stated he did not attend weekly meetings at the home of an al Qaida affiliated individual.
 - k. The detainee denied attending a meeting where they were going to decide a new governor for Khowst province, Afghanistan.
 - l. The detainee denied being an intelligence officer for the Mujahedin or the Taliban.
 - m. The detainee denied accepting money and food from an Afghan warlord.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

RE
6 Feb 09



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: ~~Deputy~~ Deputy Assistant Secretary of Defense for Detainee Affairs (U) *Steb*

FROM: Director, OARDEC (U) *12/29/09*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
ICO ISN 837(Yemen)

o ~~(S//NF)~~ Subject ARB was held on 19 Nov 08 resulting in a ~~(b)(1),(b)(5)~~ recommendation to ~~(b)(1),(b)(5)~~ ~~(b)(1),(b)(5)~~ based on the following:

- Threat Assessment: ~~(b)(1),(b)(5)~~
- Intelligence Value: ~~(b)(1),(b)(5)~~
- Other Factors: ~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	(b)(1),(b)(5),(b)(7)(A)

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: ~~(b)(1),(b)(5)~~

~~(b)(1),(b)(5)~~
~~(b)(1),(b)(5)~~ (Detain) *12-29-09*

Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: ~~Presiding Officer's Memorandum of Administrative Review Board Panel #837~~
Source Marked: 25X1
Source Dated: 12 Dec 08

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN# 837

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee; however, the detainee was unresponsive throughout the interview. Copies of both English and Arabic translations of the Unclassified Summary of Evidence were offered to the detainee; however, the detainee did not accept them.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 1 of 6

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-41.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (8).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



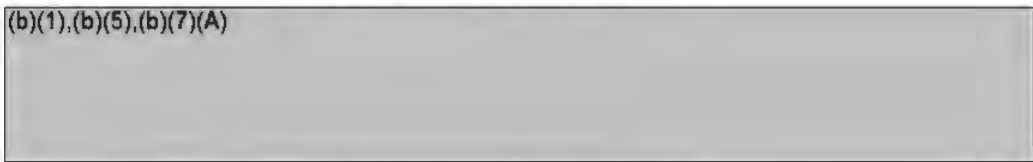
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

~~Derived From: Multiple Sources
Declassify On: 25 Jul Human~~

ISN 837
Enclosure (7)
Page 2 of 6

(b)(1), (b)(5)

(7) (U) Office of Military Commissions (OMC)

(a) ~~(S//NF)~~ The detainee may become a candidate to be tried for violations of the law of war, but no determination has yet been made. (DMO-05)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

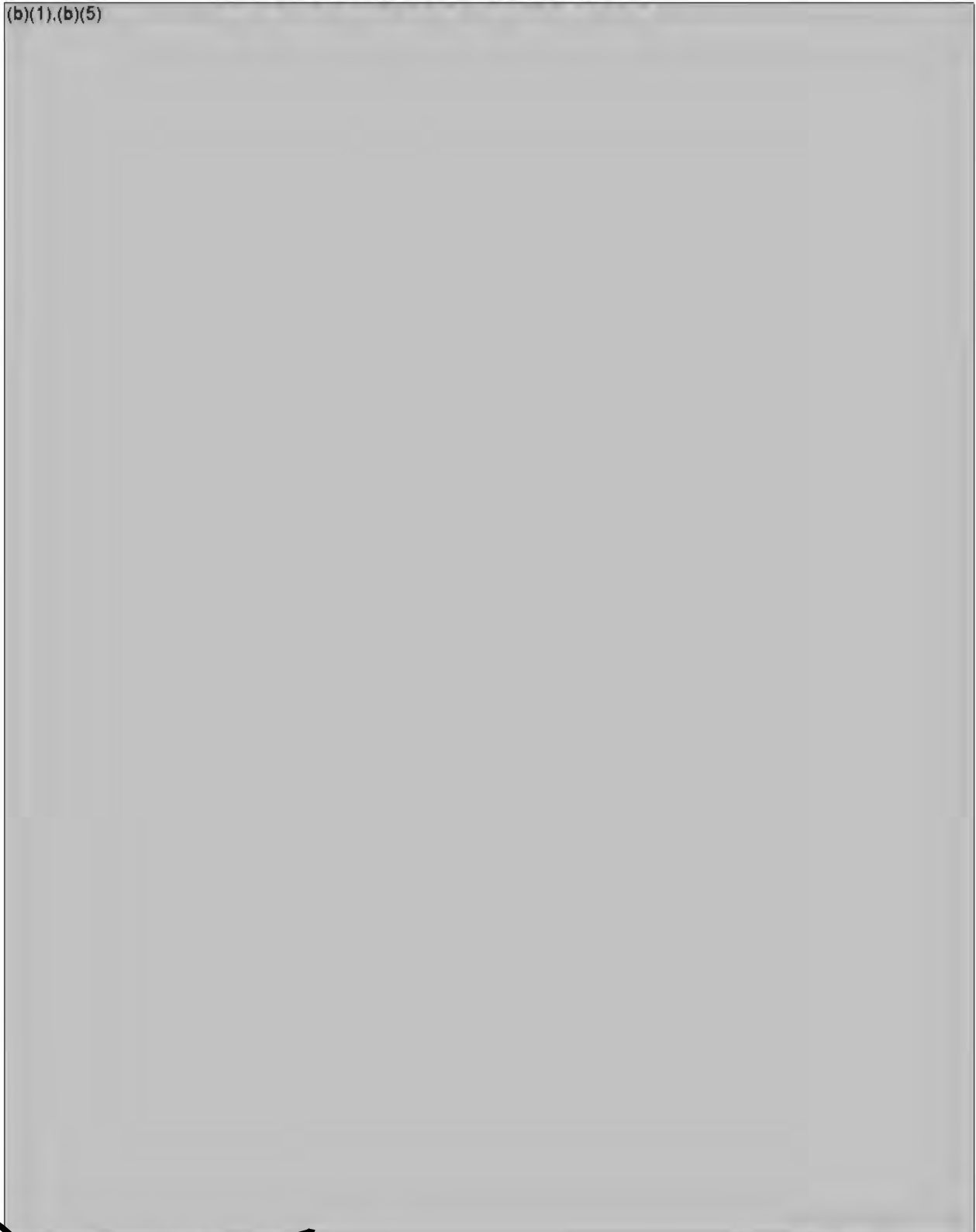
a. ~~(S//NF)~~ **Threat Level.** (b)(1), (b)(5)

(b)(1), (b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 3 of 6

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

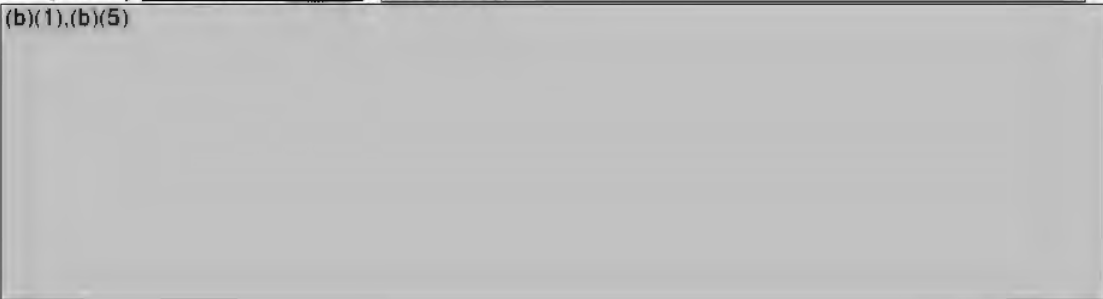
ISN 837
Enclosure (7)
Page 4 of 6

(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)



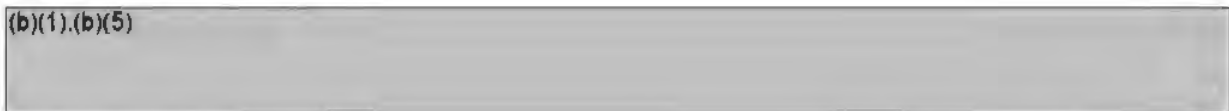
c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 5 of 6

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §1306.(b)(6)

Colonel,
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

14 November 2008

To: AL-MARWALA, BASHIR NASIR ALI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he originally left Yemen to go to Afghanistan to receive training, so that he could go to Chechnya and help the Muslim brothers fight.
 - 2) The detainee stated he heard about the jihad against the Russians in Afghanistan. He said he was not recruited and wanted to go on his own. The detainee stated he met an individual in June or July 2000 who prepares people to fight in the Mujahedin.
 - 3) The detainee stated an individual helped the detainee go to Afghanistan. The detainee stated this individual gave the detainee an airline ticket and 500 Saudi Riyals. The detainee stated he paid 17,000 Yemeni Riyals for a passport and a visa.
 - a. The individual in the previous statement reportedly headed the Syrian Muslim Brotherhood in Pakistan. The Syrian Muslim Brotherhood reportedly provided fraudulent Syrian passports.
 - 4) The detainee stated he made his first trip to Afghanistan in September 2000. The detainee stated he traveled from Sanaa, Yemen, to Quetta, Pakistan, via United Arab Emirates and Karachi, Pakistan. There he stayed at the Dafter Taliban guest house.

ISN 837
DMO Exhibit 01
Page 1 of 6

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- a. Reportedly, the Taliban office called Daftare Taliban in Quetta, Pakistan, provided Arabs different means to cross the border into Afghanistan and lodging while traveling. The Daftare Taliban informs travelers of different lodging options in Afghanistan cities according to travel plans.
- 5) The detainee stated that he was taken by taxi to the Afghanistan border. There smugglers took him by motorcycle around the border check point into Afghanistan. They met back with the taxi and were taken to Spin Buldak, Afghanistan. Then he was taken by bus to Kandahar, Afghanistan, and stayed at the Hage Habash guest house for three days.
 - a. Reportedly, al Qaida maintained a safe house in Kandahar, Afghanistan, near the Haji Habash mosque. Arabs who came to Kandahar for military training at the al Farouq training camp used this house. Usama bin Laden spent a brief period of time at this house.
- 6) The detainee stated that his passport was taken and he filled out a registration form at the Hage Habash guest house. The detainee stated he and others were taken to the al Farouq training camp in September 2000.
 - a. Reportedly the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq consisted of two week periods of weapons training, a basic commando course, topography and explosives.
- 7) After two weeks, the detainee stated that he left the camp because of the United States Ship Cole attack. Two or three days after the attack, the detainee went to the Hage Habash house, then by bus to Kabul, Afghanistan where he stayed for about two weeks.
- 8) The detainee stated that he was then sent to the Malik Military Center near Shakerderah Marad Beik, Afghanistan. He stayed at the Malik center for about one and a half months.
 - a. Camp Malek reportedly provided basic and advanced mortar training, and basic anti-aircraft training.
- 9) After training, the detainee declined going to the front lines and went back to Yemen via the same route he came into Afghanistan. He stated that he got his passport and visa back when he arrived back at the Dafter Taliban house around November 2000. The detainee stated that he was home, in Yemen, by December 2000.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- 10) After finishing his nursing certification, the detainee stated that on 13 August 2001 he left Sanaa, Yemen, to the Dafter Taliban house in Quetta, Pakistan, via Dubai, via United Arab Emirates and Karachi, Pakistan. After three days he left for Kandahar, Afghanistan and stayed at the al Nebras guest house before returning to the al Farouq camp.
 - a. Reportedly the Nebras guest house was used by fighters going to al Farouq training camp, and by Usama bin Laden. Usama bin Laden would come to Nebras to greet the fighters before they went to training. At the Nebras guest house, passports, money, tickets, and other important documents were taken from each person.
- 11) The detainee stated that about two weeks before 11 September 2001, Usama bin Laden visited the al Farouq camp, according to the detainee. The detainee stated training was interrupted because of the 11 September 2001 attacks and everyone was evacuated from the camp to Kandahar, Afghanistan, on 12 September 2001. The detainee stated he was then taken to the Dar el Aman safe house in Kabul, Afghanistan, where he stayed for one week. The detainee then went to Omar Saif Center in Bagram, Afghanistan, where he stayed for one week.
 - a. Reportedly, the Umar al Saif was reportedly a Taliban center located on the outskirts of Kabul, Afghanistan.
- 12) While in the area of Bagram, Afghanistan the detainee stated that he was on the rear of the front lines for one week. The detainee stated that during this period he moved around several times between the Omar Seif center and the Dar al Aman house, Kabul, Afghanistan until a retreat was ordered.
- 13) The detainee stated that he retreated to Khowst, Afghanistan via Kabul, Lukar (or Lugar) and Gardez, Afghanistan. There he stayed in a valley the month of Ramadan 2001. A couple days after Ramadan, he went to Zurmutt, Afghanistan, got his passport back, dropped off his weapons, and stayed for one week. The detainee stated he went into Pakistan through Brumal Wazirestan, Afghanistan, on mini buses.
- 14) Once in Pakistan, the detainee stated that he went to Moltair, Pakistan, via Miram Shak, Bannu, and Lahore, Pakistan. The detainee stayed in a safe house from January 2002 until the beginning of March 2002 in Moltair. The detainee was then moved by train to an apartment in Karachi, Pakistan.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- 15) The detainee stated that he stayed in about six locations in Karachi, Pakistan, before being captured in a raid on an apartment in the Defense Housing area on September 11, 2002.

b) Connections/Associations

- 1) The detainee stated he was sorry he got involved in Afghanistan. He said he did not want to go back to al Qaida.

c) Training

- 1) The detainee stated in approximately September 2000 he trained for two weeks at al Farouq. The detainee stated he received basic weapons training, including familiarization training on the Kalashnikov, RPK machine gun, and Simonov rifle.
- 2) The detainee was reportedly a trainee at Khalden Training Camp and took the Jihad-Wal training course that reportedly lasted about two months.
- 3) The detainee stated that at the Malik center he trained on a handgun, the AK47, the Dragunov rifle, PK machine gun, hand grenades, RPG, and map reading for about one and ½ months between September and November 2000.
- 4) The detainee stated between August and September 2001, he took specialized training at the al Farouq training camp. He was trained with a handgun and in positional shooting with an AK47.

d) Intent

- 1) The detainee made a will prior to a suicide operation. He mentions his plan to be a martyr, that God ordered us to kill the infidels, and asks God for success as a Mujahedin and to accept him as a martyr.
- 2) A senior al Qaida operational planner acknowledged detainee's intent of becoming a martyr.
 - a. The individual in the previous statement was reportedly a senior lieutenant of Usama bin Laden. Reportedly, he was a big supporter of Usama bin Laden and ordered his subordinates to follow Usama bin Laden's guidance. He reportedly had unfettered access to Usama bin Laden.

e) Other Relevant Information

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- 1) The detainee stated that he was born in al Marwalah, Yemen in 1979. His native language is Arabic and also speaks and understands a little English but is not fluent. He said he is known as Abu Fida in Afghanistan.
- 2) The detainee stated that the only reason he went to Afghanistan was to fight jihad and that he fought for religious reasons.

4. The following primary factors favor release or transfer:

- a) The detainee stated he declined going to the front lines after completing his training at the Malik center in 2000. He didn't think it was right to join a fight that was Muslim against Muslim.
- b) The detainee stated that he never went to the front lines.
- c) Reportedly an individual stated that he did not think the detainee was a member of or working with or for al Qaida. Nor did he think the detainee was involved in any type of terrorist operation in any way.
- d) The detainee stated that none of the men with whom he shared an apartment had at any time, ever instructed him to hide, protect or destroy letters, documents or any other type of correspondence. The detainee swore to Allah that they had never done so. The detainee swore that he would help the United States in any way. The detainee stated the men he was arrested with were not his brothers or members of his family.
- e) The detainee stated he was never approached to join al Qaida.
- f) The detainee stated that he has no allegiance to Usama bin Laden or al Qaida.
- g) The detainee stated that he has never volunteered for a martyrdom mission.
- h) The detainee stated he has no knowledge of the United States Ship Cole bombing and left Yemen prior to the attack.
- i) The detainee stated he did not have any knowledge of the attacks in the United States prior to their execution on 11 September 2001 or knowledge of any rumors or plans of future attacks on the United States or United States interests.
- j) The detainee stated he found the attacks of 11 September 2001 as beyond imagination and was saddened by the deaths of so many people. He stated the United States has helped many Muslim countries and helped the Muslims in Bosnia gain freedom.

UNCLASSIFIED

UNCLASSIFIED

**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI**

- k) The detainee stated that since his capture, his opinion of Americans has totally changed for the better. The detainee stated he regretted going to Afghanistan, and that it was a stupid decision.
 - l) The detainee stated he had no anger against Americans. The detainee stated he knows within himself that he is not a terrorist and has not killed anyone.
 - m) The detainee stated he was not a criminal or terrorist and had not committed any crimes or killed anyone.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

RE
6 Feb 09



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: ~~Deputy~~ Deputy Assistant Secretary of Defense for Detainee Affairs (U) ~~Steph~~

FROM: Director, OARDEC (U) ~~Steph~~ 1/29/09

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
ICO ISN 837(Yemen)

o ~~(S//NF)~~ Subject ARB was held on 19 Nov 08 resulting in a ~~(b)(1),(b)(5)~~ recommendation to ~~(b)(1),(b)(5)~~ based on the following:

- Threat Assessment: ~~(b)(1),(b)(5)~~
- Intelligence Value: ~~(b)(1),(b)(5)~~
- Other Factors: ~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: ~~(b)(1),(b)(5)~~

~~(b)(1),(b)(5)~~ (Detain) ~~Steph~~ 2-9-09

Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #837
Source Marked: 25X1
Source Dated: 12 Dec 08~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN# 837

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee; however, the detainee was unresponsive throughout the interview. Copies of both English and Arabic translations of the Unclassified Summary of Evidence were offered to the detainee; however, the detainee did not accept them.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

~~Derived from Multiple Sources
Declassify On: 25/01 Human~~

ISN 837
Enclosure (7)
Page 1 of 6

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-41.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (8).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1), (b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1), (b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5), (b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1), (b)(5), (b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1), (b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 2 of 6

(b)(1),(b)(5)

[Redacted]

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

[Redacted]

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

[Redacted]

(b)(1),(b)(5)

[Redacted]


(b)(1),(b)(5)

[Redacted]

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 837
Enclosure (7)
Page 3 of 6

(b)(1),(b)(5)



~~Derived From: Multiple Sources~~
~~Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 4 of 6

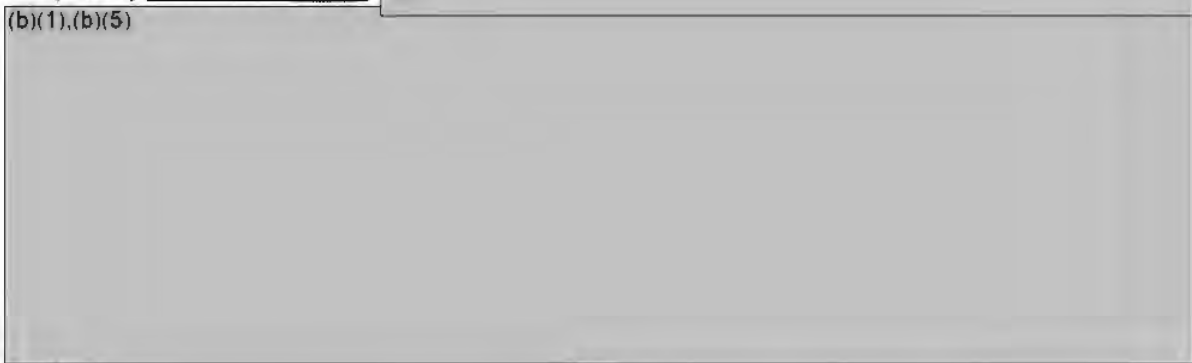
(b)(1),(b)(5)



(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

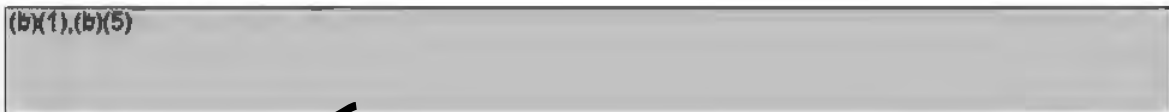


(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: ZSXI-Human~~

ISN 837
Enclosure (7)
Page 5 of 6

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b.(b)(6)
Colonel,
Presiding Officer

~~Derived From Multiple Sources
Declassify On: 25X1-Human~~

ISN 837
Enclosure (7)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

14 November 2008

To: AL-MARWALA, BASHIR NASIR ALI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he originally left Yemen to go to Afghanistan to receive training, so that he could go to Chechnya and help the Muslim brothers fight.
 - 2) The detainee stated he heard about the jihad against the Russians in Afghanistan. He said he was not recruited and wanted to go on his own. The detainee stated he met an individual in June or July 2000 who prepares people to fight in the Mujahedin.
 - 3) The detainee stated an individual helped the detainee go to Afghanistan. The detainee stated this individual gave the detainee an airline ticket and 500 Saudi Riyals. The detainee stated he paid 17,000 Yemeni Riyals for a passport and a visa.
 - a. The individual in the previous statement reportedly headed the Syrian Muslim Brotherhood in Pakistan. The Syrian Muslim Brotherhood reportedly provided fraudulent Syrian passports.
 - 4) The detainee stated he made his first trip to Afghanistan in September 2000. The detainee stated he traveled from Sanaa, Yemen, to Quetta, Pakistan, via United Arab Emirates and Karachi, Pakistan. There he stayed at the Dafter Taliban guest house.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- a. Reportedly, the Taliban office called Daftare Taliban in Quetta, Pakistan, provided Arabs different means to cross the border into Afghanistan and lodging while traveling. The Daftare Taliban informs travelers of different lodging options in Afghanistan cities according to travel plans.
- 5) The detainee stated that he was taken by taxi to the Afghanistan border. There smugglers took him by motorcycle around the border check point into Afghanistan. They met back with the taxi and were taken to Spin Buldak, Afghanistan. Then he was taken by bus to Kandahar, Afghanistan, and stayed at the Hage Habash guest house for three days.
 - a. Reportedly, al Qaida maintained a safe house in Kandahar, Afghanistan, near the Haji Habash mosque. Arabs who came to Kandahar for military training at the al Farouq training camp used this house. Usama bin Laden spent a brief period of time at this house.
- 6) The detainee stated that his passport was taken and he filled out a registration form at the Hage Habash guest house. The detainee stated he and others were taken to the al Farouq training camp in September 2000.
 - a. Reportedly the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq consisted of two week periods of weapons training, a basic commando course, topography and explosives.
- 7) After two weeks, the detainee stated that he left the camp because of the United States Ship Cole attack. Two or three days after the attack, the detainee went to the Hage Habash house, then by bus to Kabul, Afghanistan where he stayed for about two weeks.
- 8) The detainee stated that he was then sent to the Malik Military Center near Shakerderah Marad Beik, Afghanistan. He stayed at the Malik center for about one and a half months.
 - a. Camp Malek reportedly provided basic and advanced mortar training, and basic anti-aircraft training.
- 9) After training, the detainee declined going to the front lines and went back to Yemen via the same route he came into Afghanistan. He stated that he got his passport and visa back when he arrived back at the Dafter Taliban house around November 2000. The detainee stated that he was home, in Yemen, by December 2000.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- 10) After finishing his nursing certification, the detainee stated that on 13 August 2001 he left Sanaa, Yemen, to the Dafter Taliban house in Quetta, Pakistan, via Dubai, via United Arab Emirates and Karachi, Pakistan. After three days he left for Kandahar, Afghanistan and stayed at the al Nebras guest house before returning to the al Farouq camp.
 - a. Reportedly the Nebras guest house was used by fighters going to al Farouq training camp, and by Usama bin Laden. Usama bin Laden would come to Nebras to greet the fighters before they went to training. At the Nebras guest house, passports, money, tickets, and other important documents were taken from each person.
- 11) The detainee stated that about two weeks before 11 September 2001, Usama bin Laden visited the al Farouq camp, according to the detainee. The detainee stated training was interrupted because of the 11 September 2001 attacks and everyone was evacuated from the camp to Kandahar, Afghanistan, on 12 September 2001. The detainee stated he was then taken to the Dar el Aman safe house in Kabul, Afghanistan, where he stayed for one week. The detainee then went to Omar Saif Center in Bagram, Afghanistan, where he stayed for one week.
 - a. Reportedly, the Umar al Saif was reportedly a Taliban center located on the outskirts of Kabul, Afghanistan.
- 12) While in the area of Bagram, Afghanistan the detainee stated that he was on the rear of the front lines for one week. The detainee stated that during this period he moved around several times between the Omar Seif center and the Dar al Aman house, Kabul, Afghanistan until a retreat was ordered.
- 13) The detainee stated that he retreated to Khowst, Afghanistan via Kabul, Lukar (or Lugar) and Gardez, Afghanistan. There he stayed in a valley the month of Ramadan 2001. A couple days after Ramadan, he went to Zurmutt, Afghanistan, got his passport back, dropped off his weapons, and stayed for one week. The detainee stated he went into Pakistan through Brumal Wazirestan, Afghanistan, on mini buses.
- 14) Once in Pakistan, the detainee stated that he went to Moltair, Pakistan, via Miram Shak, Bannu, and Lahore, Pakistan. The detainee stayed in a safe house from January 2002 until the beginning of March 2002 in Moltair. The detainee was then moved by train to an apartment in Karachi, Pakistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- 15) The detainee stated that he stayed in about six locations in Karachi, Pakistan, before being captured in a raid on an apartment in the Defense Housing area on September 11, 2002.

b) Connections/Associations

- 1) The detainee stated he was sorry he got involved in Afghanistan. He said he did not want to go back to al Qaida.

c) Training

- 1) The detainee stated in approximately September 2000 he trained for two weeks at al Farouq. The detainee stated he received basic weapons training, including familiarization training on the Kalashnikov, RPK machine gun, and Simonov rifle.
- 2) The detainee was reportedly a trainee at Khalden Training Camp and took the Jihad-Wal training course that reportedly lasted about two months.
- 3) The detainee stated that at the Malik center he trained on a handgun, the AK47, the Dragunov rifle, PK machine gun, hand grenades, RPG, and map reading for about one and ½ months between September and November 2000.
- 4) The detainee stated between August and September 2001, he took specialized training at the al Farouq training camp. He was trained with a handgun and in positional shooting with an AK47.

d) Intent

- 1) The detainee made a will prior to a suicide operation. He mentions his plan to be a martyr, that God ordered us to kill the infidels, and asks God for success as a Mujahedin and to accept him as a martyr.
- 2) A senior al Qaida operational planner acknowledged detainee's intent of becoming a martyr.
 - a. The individual in the previous statement was reportedly a senior lieutenant of Usama bin Laden. Reportedly, he was a big supporter of Usama bin Laden and ordered his subordinates to follow Usama bin Laden's guidance. He reportedly had unfettered access to Usama bin Laden.

e) Other Relevant Information

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- 1) The detainee stated that he was born in al Marwalah, Yemen in 1979. His native language is Arabic and also speaks and understands a little English but is not fluent. He said he is known as Abu Fida in Afghanistan.
- 2) The detainee stated that the only reason he went to Afghanistan was to fight jihad and that he fought for religious reasons.

4. The following primary factors favor release or transfer:

- a) The detainee stated he declined going to the front lines after completing his training at the Malik center in 2000. He didn't think it was right to join a fight that was Muslim against Muslim.
- b) The detainee stated that he never went to the front lines.
- c) Reportedly an individual stated that he did not think the detainee was a member of or working with or for al Qaida. Nor did he think the detainee was involved in any type of terrorist operation in any way.
- d) The detainee stated that none of the men with whom he shared an apartment had at any time, ever instructed him to hide, protect or destroy letters, documents or any other type of correspondence. The detainee swore to Allah that they had never done so. The detainee swore that he would help the United States in any way. The detainee stated the men he was arrested with were not his brothers or members of his family.
- e) The detainee stated he was never approached to join al Qaida.
- f) The detainee stated that he has no allegiance to Usama bin Laden or al Qaida.
- g) The detainee stated that he has never volunteered for a martyrdom mission.
- h) The detainee stated he has no knowledge of the United States Ship Cole bombing and left Yemen prior to the attack.
- i) The detainee stated he did not have any knowledge of the attacks in the United States prior to their execution on 11 September 2001 or knowledge of any rumors or plans of future attacks on the United States or United States interests.
- j) The detainee stated he found the attacks of 11 September 2001 as beyond imagination and was saddened by the deaths of so many people. He stated the United States has helped many Muslim countries and helped the Muslims in Bosnia gain freedom.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MARWALA, BASHIR NASIR ALI

- k) The detainee stated that since his capture, his opinion of Americans has totally changed for the better. The detainee stated he regretted going to Afghanistan, and that it was a stupid decision.
 - l) The detainee stated he had no anger against Americans. The detainee stated he knows within himself that he is not a terrorist and has not killed anyone.
 - m) The detainee stated he was not a criminal or terrorist and had not committed any crimes or killed anyone.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJH*

FROM: Director, OARDEC (U) *12/10/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 838 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 3 Oct 2008 resulting in a (b)(1), (b)(5) recommendation to (b)(1), (b)(5) based on the following:

- Threat Assessment: (b)(1), (b)(5)
- Intelligence Value: (b)(1), (b)(5)
- Other Factors: (b)(1), (b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1), (b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1), (b)(5), (b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1), (b)(5)

(b)(1), (b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *12-30-08*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 838

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation of delivery to the detainee from the JDG.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

~~Derived From: Multiple Sources~~
~~Declassify On: 25X1-Human~~

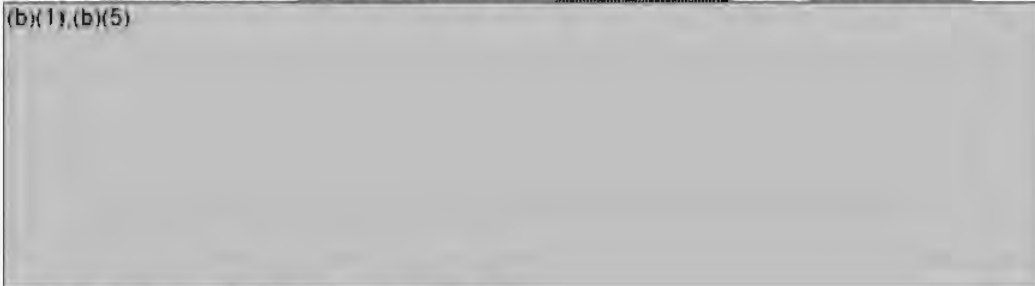
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Enclosure (5)
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b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-34.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (6).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1), (b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1), (b)(5)



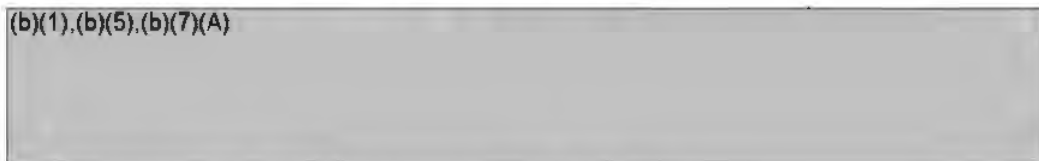
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5), (b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1), (b)(5), (b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1), (b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1), (b)(5)



(7) (U) Office of Military Commissions (OMC)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

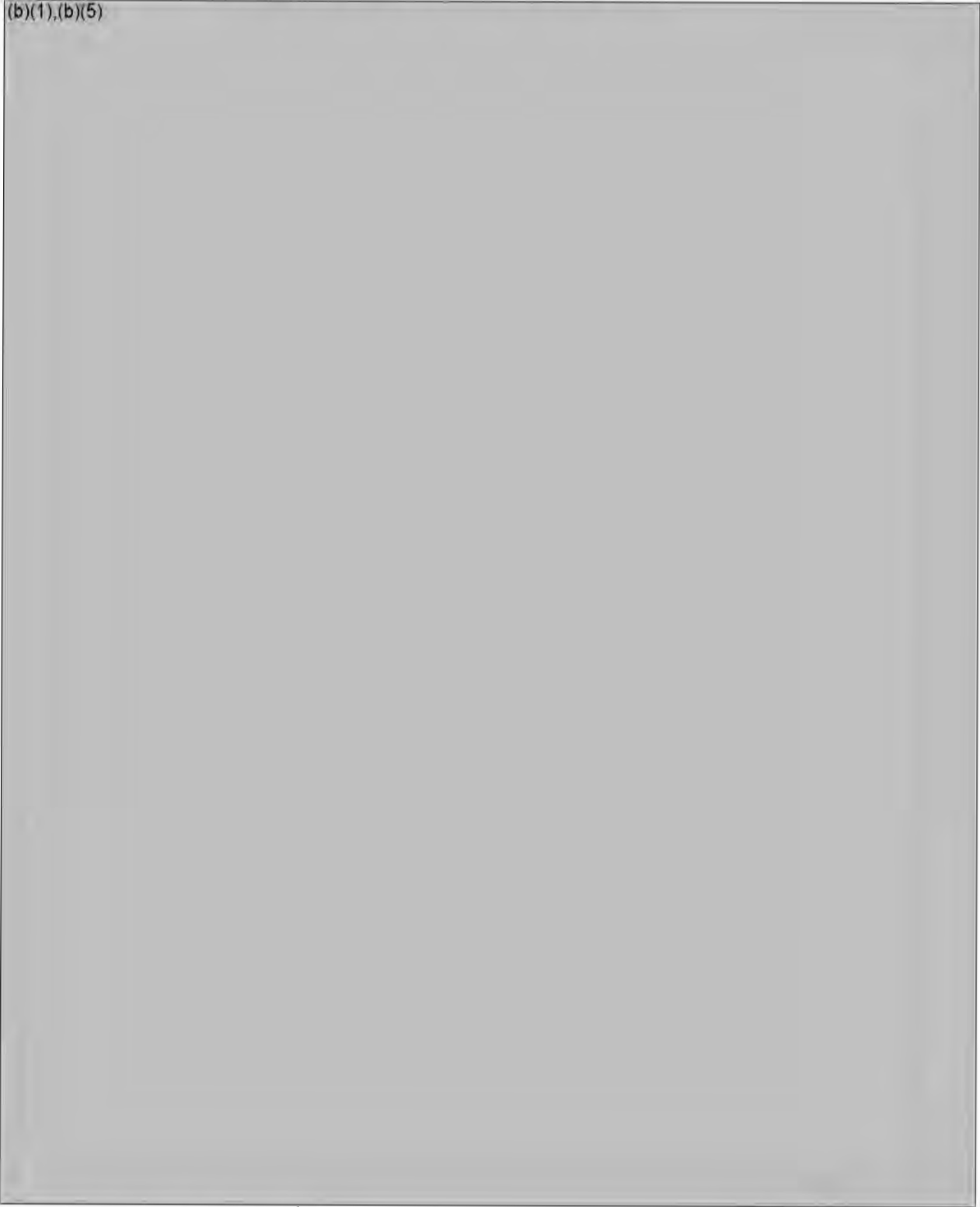
a ~~(S//NF)~~ Threat Level (b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 2031-Human~~

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Enclosure (5)
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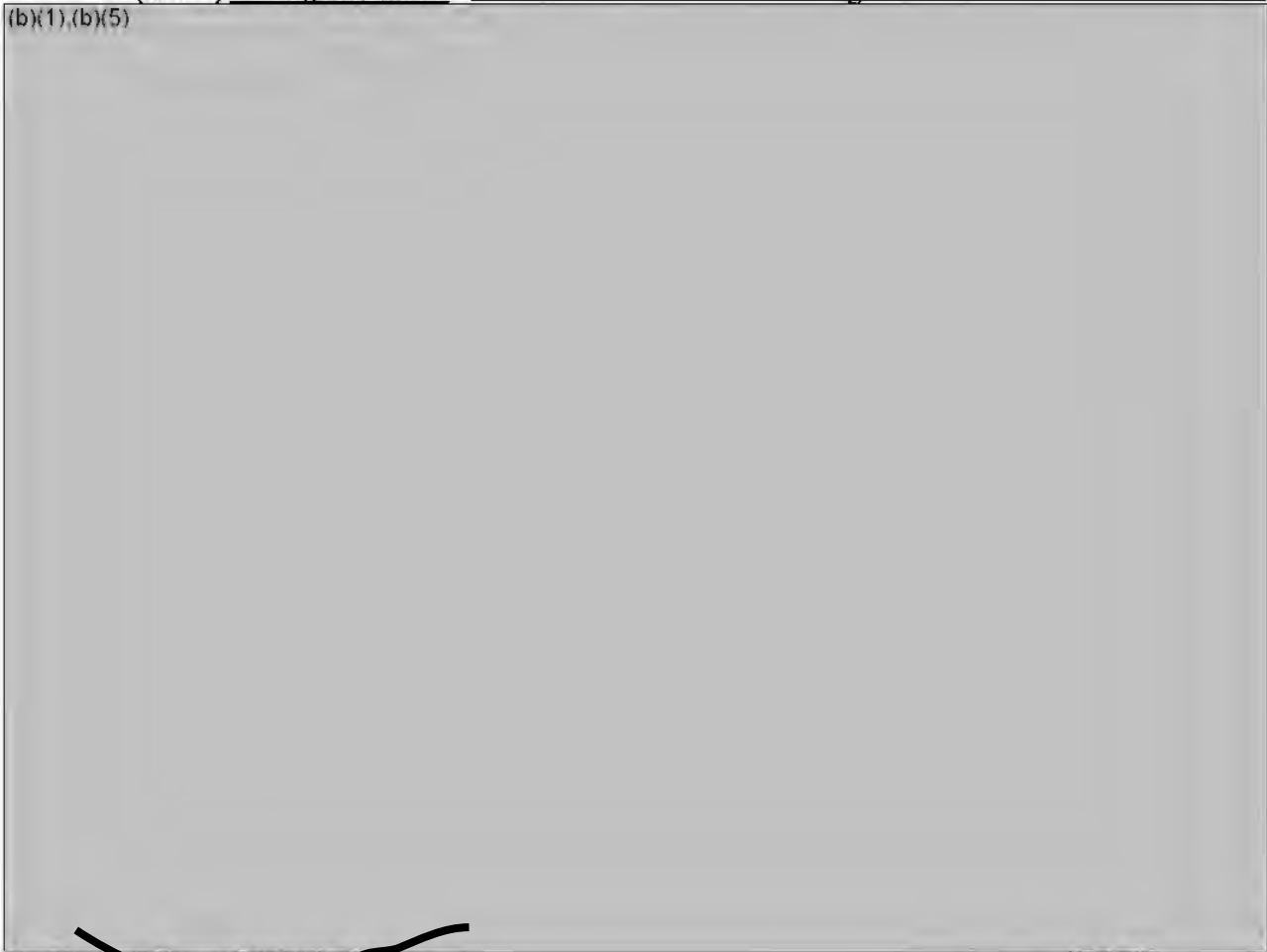
(b)(1),(b)(5)



(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)

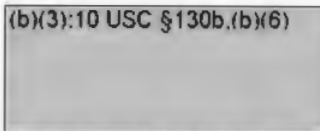


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



COLONEL, USMC
Presiding Officer

~~Derived From Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (5)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

30 September 2008

To: BA ZAHIR, SHAWQI AWAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF BA ZAHIR, SHAWQI AWAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) Transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he joined the jihad in April 2001.
 - 2) The detainee stated he left for Afghanistan around April or May of 2001. He decided to go to Afghanistan after viewing a video about Chechnya, and became concerned about the Palestinian struggle for independence.
 - 3) The detainee stated that he and three others left for Karachi, Pakistan on 6 June 2001. The detainee traveled to Quetta, Pakistan on 9 June 2001 and stayed at the Daftar Taliban guest house.
 - 4) The detainee stated he traveled across the Pakistan-Afghanistan border and then traveled to Afghanistan. The detainee stated he lived at the al Nibrass guest house before training at al Farouq.
 - a) The Nibras guest house was the place where new students gathered before deploying via bus to al Farouq camp for basic training.
 - b) The al Farouq Training Camp, located in Afghanistan, was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA ZAHIR, SHAWQI AWAD

training at al Farouq consists of two week periods of weapons training, a basic commando course, topography and explosives.

- 5) The detainee stated he turned in his passport and valuables for safekeeping prior to entering the training camp.
- 6) The detainee stated he arrived at al Farouq camp in June 2001. During this time, new recruits underwent a background check and were screened and tested for endurance and alertness. Trainees were awakened in the middle of the night by gun fire or grenade explosions nearby to see how they would react.
- 7) The detainee stated he was at the rear of the front line near a city in Afghanistan. The detainee stated he never fired his weapon, an AK47, and stated that he was in the al Farouq camp during the September 11, 2001 attacks.
- 8) The detainee stated he fled to Afghanistan in December 2001 after the fall of Kandahar and lived with a group of about 60 Arabs in the mountains of Afghanistan near Zormat.

b) Connections/Associations

- 1) The detainee and other personnel arrested at the apartments that were raided on 11 September 2002 were heavily armed and were reportedly part of a special terrorist team deployed to attack targets in Karachi, Pakistan.
- 2) The detainee is one of the al Qaida members, who were detained by Pakistani authorities following a firefight at an apartment in Karachi Pakistan, on 11 September 2002.
- 3) The personnel in the apartment were there to conduct a "special mission" and were armed with rifles and hand grenades, which they proceeded to fire and throw at the Pakistani officials when the officials were approaching the safe house.
- 4) The detainee was reportedly one of the Mujahedin who fled to Iran after the American invasion.

c) Training

- 1) The detainee stated he received training on the following weapons at al Farouq: Kalashnikov, pistol, Uzi, PK machine gun, rocket propelled grenade, RPK rifle, dynamite and hand grenades.
- 2) The detainee stated he learned tactics training, and how to attack structures, bases and buildings while at al Farouq.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA ZAHIR, SHAWQI AWAD

- 3) The detainee stated that after training, he went to a known Center in Afghanistan.
 - a) Reportedly, the Center was a Taliban run Training Camp located in the vicinity of Khawlgar, Afghanistan.
 - 4) The detainee stated Usama bin Laden visited the al Farouq camp approximately one month prior to the September 11 attacks. The detainee stated Usama bin Laden talked about the importance of unity with Egyptian Islamic Jihad.
 - a) The Egyptian Islamic Jihad is identified as a foreign terrorist organization by the United States Department of Homeland Security. This extremist group has been active since the late 1970s, and has merged with Usama bin Laden's al Qaida organization. However, the organization may retain some capability to conduct independent operations. Egyptian Islamic Jihad aims to overthrow the Egyptian government and replace it with an Islamic state and to attack United States and Israeli interests in Egypt and abroad.
 - 5) The detainee stated Usama bin Laden visited al Farouq. Usama bin Laden spoke of a big event soon would take place against non-believers. During the remainder of his training period at al Farouq, the detainee received training on light weapons, explosives, topography and physical education. The detainee's training was interrupted by the events of 11 September 2001. The detainee and other Mujahedin were ordered to scatter and hide in the mountainous areas near Khowst, Afghanistan.
 - d) **Other Relevant Data**
 - 1) After raiding the detainee's residence, Pakistani forces found several envelopes containing several passports belonging to several members of Usama bin Laden's family.
 - 2) The detainee stated he hates Americans because he feels he is being detained unjustly.
4. The following primary factors favor release or transfer:
- a) The detainee stated that he was not involved in armed resistance to the Pakistani police who attempted to arrest the group of Arabs living on the apartment.
 - b) The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11th. He also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA ZAHIR, SHAWQI AWAD

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

RE
31 Jan 09

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: *[Signature]* Deputy Assistant Secretary of Defense for Detainee Affairs (U)

FROM: Director, OARDEC (U) *10/1/09*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 839 (Yemen)

o ~~(S//NF)~~ Subject ARB was held on 20 November 2008 resulting in a ^{(b)(1),(b)(5)} recommendation to ^{(b)(1),(b)(5)} based on the following:

- Threat Assessment: ^{(b)(1),(b)(5)}
- Intelligence Value: ^{(b)(1),(b)(5)}
- Other Factors: ^{(b)(1),(b)(5)}

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

^{(b)(1),(b)(5)}

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	^{(b)(1),(b)(5),(b)(7)(A)}
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: ^{(b)(1),(b)(5)}

^{(b)(1),(b)(5)} (Detain) *[Signature]*
 Or Transfer _____ Release _____ *2-2-09*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: ~~Presiding Officer's Memorandum of Administrative Review Board Panel #155~~
 Source Marked: 25
 Source Dated: 23 Dec 08

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 839

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview, and provided an oral statement made by the detainee to the AMO during the interview. This statement is documented in Exhibit EC-B. The AMO further presented correspondence from the detainee as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

e. (U) The AMO responded verbally, on behalf of the detainee, to an allegation under the category of Training and two allegations under the category of Other Relevant Data in the Unclassified Summary.

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (7)
Page 1 of 6

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-39.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (8):

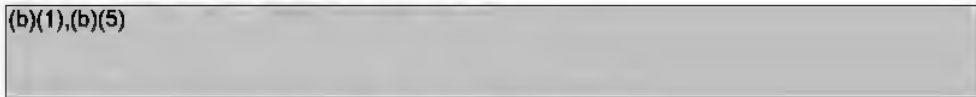
(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



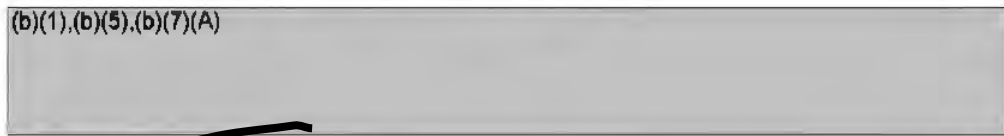
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



~~Derived From: Multiple Sources~~
Declassify On: 25X1-Human

ISN 839
Enclosure (7)
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(b)(1),(b)(5)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 20X1 Human~~

ISN 839
Enclosure (7)
Page 3 of 6

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 839
Enclosure (7)
Page 4 of 6

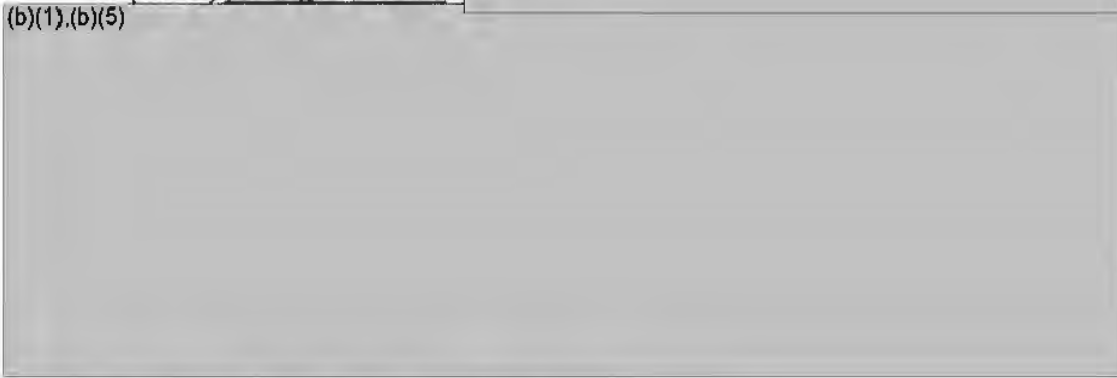
(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 839
Enclosure (7)
Page 5 of 6



d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, USN
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 839
Enclosure (7)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

21 October 2008

To: AL-MUDWANI, MUS'AB OMAR ALI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-MUDWANI, MUS'AB OMAR ALI

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he was recruited to join the jihad in Yemen by recruiters who preached about the need to help the Afghan people. The detainee was convinced to go to Afghanistan in order to receive weapons training.
 - 2) The detainee stated he was recruited in Yemen by two former mujahedin who were recruiting for the jihad in Afghanistan. The detainee stated that one of the recruiters paid for everything to get the detainee to Afghanistan.
 - 3) The detainee stated he left Yemen in July 2001 and flew to Karachi, Pakistan via Dubai, United Arab Emirates. The detainee traveled by bus to Quetta, Pakistan and stayed at a guest house. The detainee was then taken to Kandahar, Afghanistan, to stay at another guest house for seven days before traveling to al Farouq.
 - a. The al Farouq training camp in Afghanistan was reportedly funded by al Qaida and was more advanced than other training camps in Afghanistan. The basic training at al Farouq and consists of two weeks of weapons training, two weeks of basic commando course, two weeks of topography training and two weeks of explosives training.

ISN 839
DMO Exhibit 01
Page 1 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUDWANI, MUS'AB OMAR ALI

- 4) The detainee stated he helped himself to a Kalashnikov and full magazines at a guest house near Kabul, Afghanistan. After departing the guest house, the detainee and the group he was traveling with drove to an assembly area for foreign fighters fleeing Kabul. The detainee stated he left in a convoy to Paktia Province, Afghanistan, where he linked up with a group of six other individuals who then proceeded to Zornat, Afghanistan.
- 5) The detainee stated that when the United States bombed al Farouq, he and 25 others fled to various towns in Afghanistan before crossing into Pakistan. The detainee and others traveled to Lahore, and then Karachi, Pakistan. There, the detainee was told to go to Chabchar, Iran. After two weeks in Chabchar, the detainee went back to Pakistan. The detainee and others were arrested by Pakistani Police in Karachi, and then turned over to United States soldiers.
- 6) The detainee was captured on 11 September 2002 during a raid. The detainee and others individuals were part of a special terrorist team deployed to attack targets in Karachi, Pakistan.

b) Connections/Associations

- 1) The detainee stated he saw Usama bin Laden at al Farouq, where Usama bin Laden gave a lecture on the war with Russia, and twice in Khowst, Afghanistan when Usama bin Laden lectured about food and money shortages. The detainee last saw Usama bin Laden in Khowst, Afghanistan, about a month before the fall of Kabul, Afghanistan.
- 2) The detainee was among a group of al Qaida operatives who listened to a religious speech given by a senior al Qaida operative.

c) Training

- 1) The detainee stated he was trained at al Farouq for over a month and received training on the Kalashnikov, rocket propelled grenades and the PK machine gun. On 11 September 2001, all the trainees in al Farouq were informed of the attacks in the United States and were told that the camp would probably be bombed. On approximately 13 September 2001, the detainee was transported by truck to a guest house in Kandahar, Afghanistan.
- 2) The detainee was a trainee at the al Farouq camp.
- 3) The detainee reportedly participated in explosives training and is knowledgeable about the al Qaida explosives training program.

ISN 839
DMO Exhibit 1
Page 2 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUDWANI, MUS'AB OMAR ALI

d) Other Relevant Data

- 1) A letter containing instructions on attacks to specific targets and financial support was in the detainee's apartment.
- 2) The detainee stated he wanted the opportunity to train in Afghanistan because it was his duty as a Muslim to be trained.

4. The following primary factors favor release or transfer:

- a) The detainee stated he was tricked into going to Afghanistan, and was shocked when he arrived there. He is not from al Qaida nor is he a jihadist. The detainee stated that if he goes back to Yemen, he wants to go back to a normal life.
- b) When questioned about the Azzam guest house, the detainee stated that he picked up an AK-47 to defend himself. He had no intention in using the rifle against American forces, and that the rifle would only be used against hijackers and robbers. The detainee stated that he would not fight the Americans.
- c) The detainee acknowledged he was arrested with four other Yemenis at the safe house subsequent to a gun battle. The detainee stated he was not involved in the gun battle.
- d) The detainee stated he was asleep in the apartment when Pakistani Police arrested him. The detainee stated there were two other people in his room, and a total of six in the apartment, and that he and the two others in his bedroom surrendered immediately when confronted. He stated he is not sure who in the apartment threw the grenade.
- e) The detainee stated he had no knowledge of the attacks in the United States prior to their execution on 11 September 2001.
- f) The detainee stated that he did not receive training on explosives and insisted that whoever claimed that he had explosives training is either lying or mistook his identity.
- g) A laptop computer was recovered by the Pakistani police at the time of the detainee's arrest. When asked about it, the detainee stated he never used the computer and did not know what was on it.
- h) When the detainee was confronted with the fact that a letter that identified his group as being part of a terrorist plot existed, the detainee stated that he did not believe such a letter existed, or that the letter had been fabricated.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUDWANI, MUS'AB OMAR ALI

- i) The detainee stated he had no information regarding imminent terrorist attacks anywhere in the world.
 - j) The detainee was shown the book "September 11 - A Testimony." The detainee stated he did not believe Islam authorizes attacks as depicted in the book. The detainee was saddened by the pictures and stated he understands why the United States is taking time to ensure that future attacks do not take place.
 - k) The detainee stated he was angry about sheiks who issue fatwas, then recant, and stated that was the reason he was detained. The detainee stated that clerics make you believe that you will burn in hell if you do not participate in fatwa and jihad.
 - l) The detainee stated he wants to return to Yemen when he is released. He realizes that he made a mistake by leaving his family and going to Afghanistan. The detainee is not looking to fight jihad in the future, and he believes he has learned a big lesson about life during this experience.
 - m) The detainee stated he had no intentions of fighting in Afghanistan and he just wanted to be trained.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
 Office for the Administrative Review
 of the Detention of Enemy Combatants (OARDEC)
 at U.S. Naval Base Guantanamo Bay, Cuba
 1010 Defense Pentagon, Washington, D.C. 20301-1010

RE
9 Feb 09

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: ~~Deputy~~ Deputy Assistant Secretary of Defense for Detainee Affairs (U) ~~[Signature]~~

FROM: Director, OARDEC (U) ~~[Signature]~~ 2/10/09

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 840 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 20 Nov 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5)
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) ~~[Signature]~~ 2-10-09
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: ~~[Signature]~~ Presiding Officer's Memorandum of Administrative Review Board Panel #155
 Source Marked: 1
 Source Dated: 8 Dec 08

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 840

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive. The detainee attended the interview, however, as soon as the AMO began speaking to the detainee, the detainee stated he did not want to talk with the AMO and refused to continue with the interview. The detainee was impolite and very agitated throughout the interview.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation of delivery to the detainee from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 840
Enclosure (6)
Page 1 of 6

evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-30.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 840
Enclosure (6)
Page 2 of 6

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

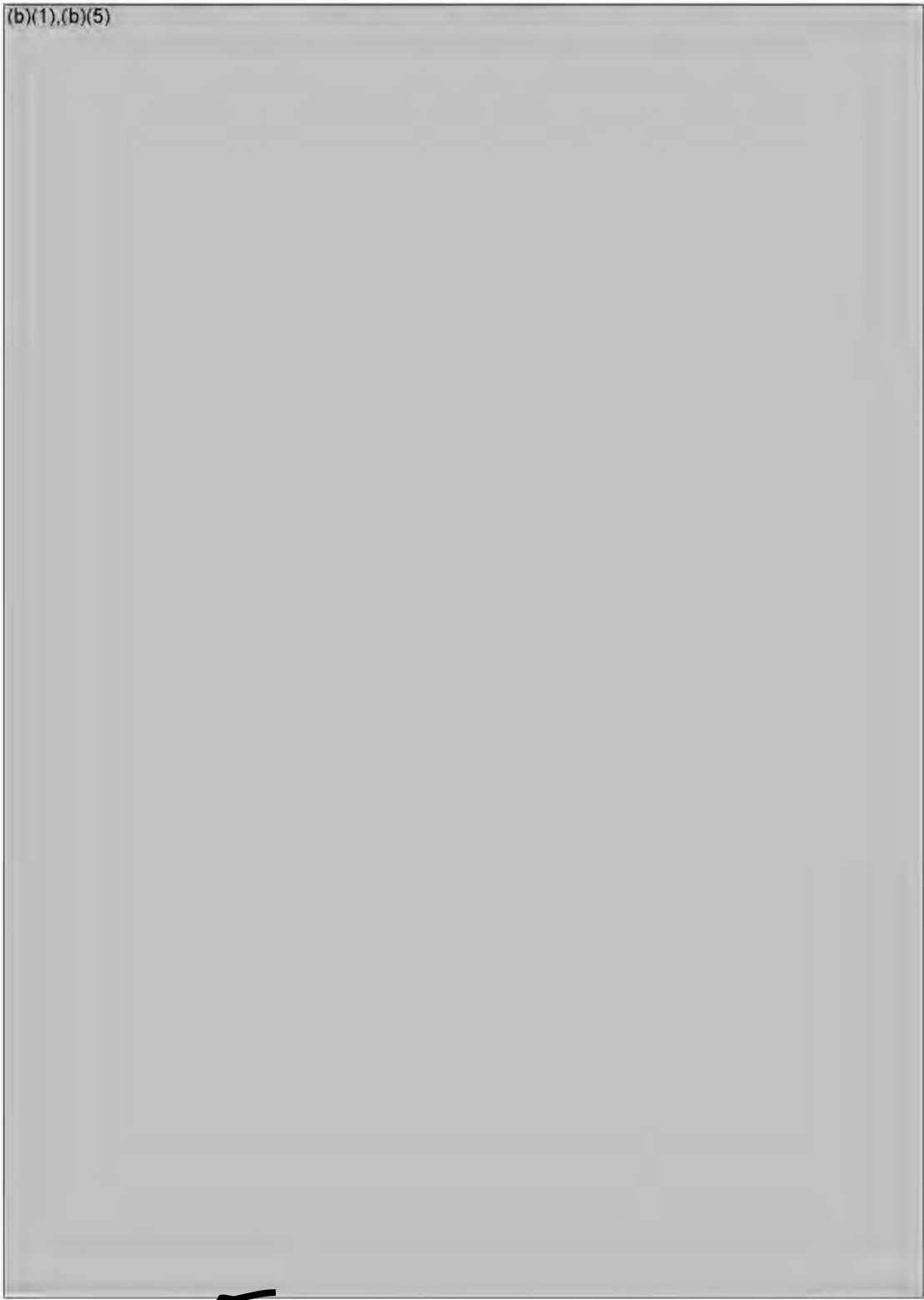
(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From Multiple Sources
Declassify On: 25X1-1 Human~~

ISN 840
Enclosure (6)
Page 3 of 6

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: S5X1-Human~~

ISN 840
Enclosure (6)
Page 4 of 6

(b)(1), (b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1), (b)(5)

(b)(1), (b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1), (b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 840
Enclosure (6)
Page 5 of 6

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b.(b)
(6)

CAPTAIN, USN
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 840
Enclosure (6)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

10 October 2008

To: AL-MAYTHAL, HA'IL AZIZ AHMAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-MAYTHAL, HA'IL AZIZ AHMAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he became interested in traveling to Afghanistan after meeting a man. The detainee stated this man made traveling arrangements for him, paid for a portion of his plane ticket and gave him money.
 - 2) The detainee stated he traveled from Sanaa, Yemen, to Karachi, Pakistan, and his travel was arranged in Yemen by another person.
 - 3) The detainee stated that while in Quetta, Pakistan, he stayed for approximately 15 days at the Daftar al Taliban guest house.
 - 4) The detainee stated he left Quetta, Pakistan, and traveled by taxi to Spin Buldak, Afghanistan. The detainee stated he switched vehicles and proceeded to Kandahar, Afghanistan.
 - 5) The detainee stated that in Kandahar, Afghanistan, he spent about ten days at a guest house located in the Haji Habashi area of Kandahar near an Islamic Institute.
 - a. Reportedly, al Qaida maintained a safe house in Kandahar, Afghanistan, near the Haji Habash Mosque. Arabs who came to Kandahar for military training at the al Farouq training camp, operated by al Qaida, used this house. Usama bin Laden spent a brief period of time at this house.

ISN 840
DMO Exhibit 01
Page 1 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MAYTHAL, HA'IL AZIZ AHMAD

- 6) The detainee stated he turned in his passport, money and possessions to the administrators at the guest house in the Haji Habashi area of Kandahar, Afghanistan.
- 7) The detainee stated he stayed in the Madalfa guest house prior to attending advanced training at al Farouq in Afghanistan.
 - a. Reportedly, the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. Reportedly, the training at al Farouq consisted of two week periods of weapons training, a basic commando course, topography and explosives.
- 8) The detainee stated he traveled to Kabul, Afghanistan, in late February or early March 2001, and resided at the number Ten guest house and was encouraged to join the fight with the Taliban.
 - a. Reportedly, the Number Ten guest house is also known as the Ashara guest house. The guest house was used by people going back and forth from the front lines.
- 9) The detainee stated he was sent to the front lines and was there for about two months.
- 10) The detainee stated he served as a guard at the Kandahar Airport Compound in Afghanistan.
- 11) The detainee stated he stayed with a group of Yemenis at the number Ten guest house following the terrorist attacks in the United States on 11 September 2001.
- 12) The detainee stated he stayed in guest house Ten in Kabul, Afghanistan, for five days then went to an unknown mud house located near the Arab lines outside of Kabul. The detainee stated everyone staying at this house had an AK-47, and some people had rocket-propelled grenades, grenades and PK's.
- 13) The detainee stated he fled in November 2001, to the Loghar Province, Afghanistan, then onward to Khowst Province, Afghanistan, to Gardez and Zormat, Afghanistan, and finally into Pakistan.
- 14) The detainee stated that after fleeing Afghanistan, he traveled and moved through several different safe houses in Lahore, Pakistan, for a one month period.
- 15) The detainee stated he was ordered to travel to Quetta, Pakistan, in preparation for onward travel to Iran, due to the unstable security situation in Pakistan.
- 16) The detainee stated he was arrested by Pakistani authorities at a safe house in Karachi, Pakistan. The detainee stated he was at this safe house for a few weeks prior to his arrest.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MAYTHAL, HA'IL AZIZ AHMAD

b) Connections/Associations

- 1) Reportedly, the detainee was a bodyguard for Usama bin Laden for approximately one to two months.
- 2) The detainee stated his travel was facilitated in Pakistan by a man who he met upon arrival in Karachi, Pakistan.
- 3) The detainee stated Usama bin Laden came to al Farouq on three separate occasions while he was in training. The detainee stated that on each occasion, Usama bin Laden gave a lecture at the mosque at the camp.
- 4) The detainee stated he returned in April 2001 to Kandahar, Afghanistan, where he retrieved his passport from an individual who was in charge of arranging travel documents and itineraries for al Qaida operatives in Kandahar.
- 5) The detainee stated he was led by a man who was an al Qaida operative and a former al Qaida military trainer.
- 6) The detainee stated the house where he was apprehended was an al Qaida house.

c) Training

- 1) The detainee stated he received basic training at al Farouq in Afghanistan in December 2000, and learned how to use an AK-47, rocket-propelled grenade, grenade, PK and Makarov pistol. Additionally, he was taught how to dig trenches, escape and evade, disguise himself, orienteering and map reading.
- 2) The detainee stated he returned to the al Farouq camp in Afghanistan for the tactical course.
- 3) The detainee stated that during advanced training at al Farouq in Afghanistan, he learned how to be more independent in the field and perform reconnaissance.
- 4) The detainee stated he completed advanced training at al Farouq and then returned to a guest house in Kandahar, Afghanistan.
- 5) The detainee stated he took a security course at the Airport near Kandahar, Afghanistan, and was trained in personal security, survival skills, how to obtain a Passport without drawing attention to you and how to get through customs by having knowledge of local hotels and attractions. The detainee stated the training was directed by a man he believed was a member of al Qaida. The detainee stated that after the course he stayed at the airport for one week, before returning to a guest house in Kandahar.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MAYTHAL, HA'IL AZIZ AHMAD

d) Other Relevant Data

- 1) The detainee stated he knew about weapons as a result of his military training in Yemen.

4. The following primary factors favor release or transfer:

- a) The detainee stated he never became a member of al Qaida even though he attended al Farouq Training Camp in Afghanistan.
- b) The detainee stated he did not attend any training in Afghanistan. The detainee stated he never attended the al Farouq training camp.
- c) The detainee stated he never participated in "Security Training" at the Kandahar Airport, Afghanistan. The detainee stated he made up involvement in the course because he was forced to tell interrogators something after his capture in Pakistan.
- d) The detainee stated he did not participate in the firefight during the raid by Pakistani authorities on the apartment in Karachi, Pakistan, where he was living on 11 September 2002.
- e) The detainee stated he was in Karachi, Pakistan, because he was waiting for assistance in traveling back to his country and was being hidden in the apartment to avoid arrest by Pakistani authorities.
- f) The detainee stated he had no knowledge of the attacks in the United States prior to their execution on 11 September 2001, and also denied having knowledge of any rumors or plans of future attacks on the United States or United States interests.
- g) The detainee stated he did not join the Yemeni military or any paramilitary group. The detainee stated he was able to get out of mandatory military service in Yemen because of knee problems.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJA*

FROM: Director, OARDEC (U) *18/12/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 841 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 05 Nov 08 resulting in a ~~(b)(1),(b)(5)~~ recommendation to ~~(b)(1),(b)(5)~~ based on the following:

- Threat Assessment: ~~(b)(1),(b)(5)~~
- Intelligence Value: ~~(b)(1),(b)(5)~~
- Other Factors: ~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: ~~(b)(1),(b)(5)~~

~~(b)(1),(b)(5)~~
 (b)(1),(b)(5) (Detain) *[Signature]* *12/15/08*
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: ~~Presiding Officer's Memorandum of Administrative Review Board Panel #154~~
 Source Marked: ~~23/81~~
 Source Dated: ~~12 Nov 08~~

SECRET//ORCON/NOFORN

**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 841**

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (5)
Page 1 of 8

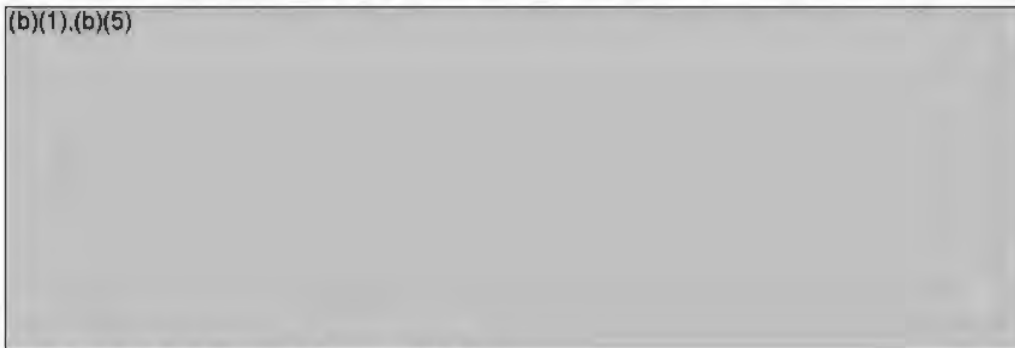
SECRET//ORCON/NOFORN

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-33.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (6):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



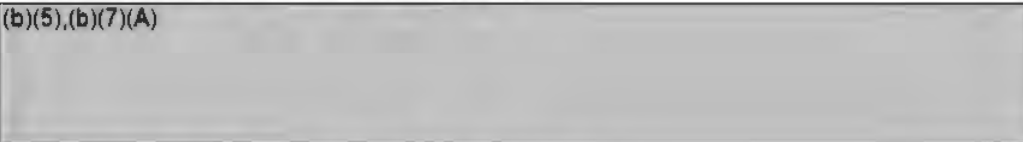
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



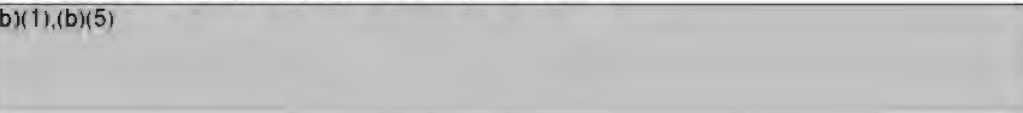
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



~~Derived From Multiple Sources
Declassify On: 25X1-1 Human~~

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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)


(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)


~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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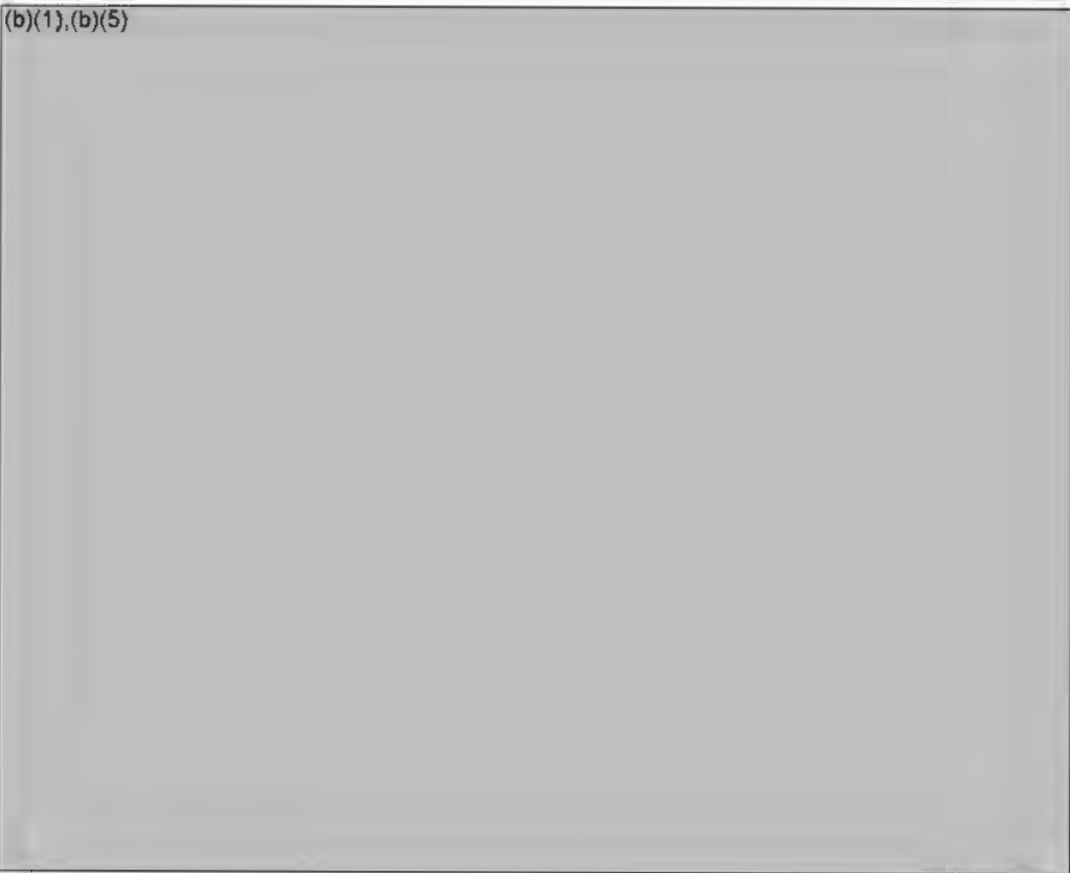
(b)(5), (b)(7)(A)



(b)(5), (b)(7)(A)



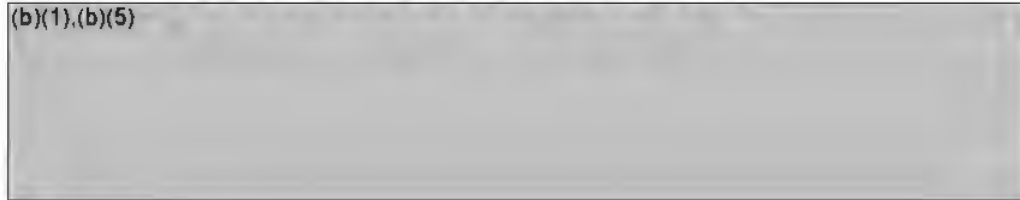
(b)(1), (b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Page 4 of 8

(b)(1),(b)(5)



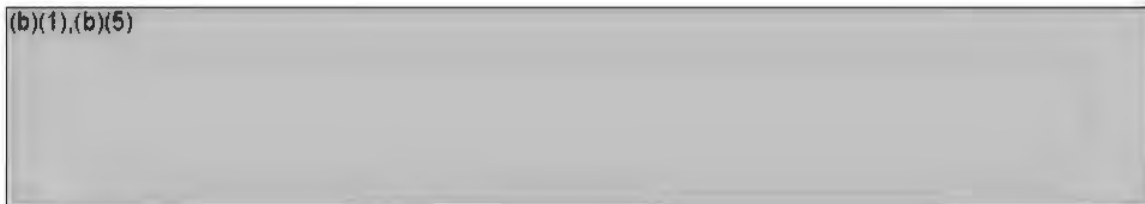
(b)(5),(b)(7)(A)



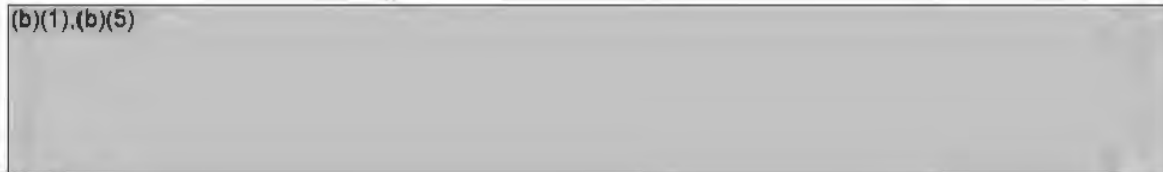
(b)(1),(b)(5)



(b)(1),(b)(5)



(b)(1),(b)(5)



(b)(1),(b)(5)



~~Derived From: Multiple Sources~~
~~Declassify On: 25X1-1 human~~

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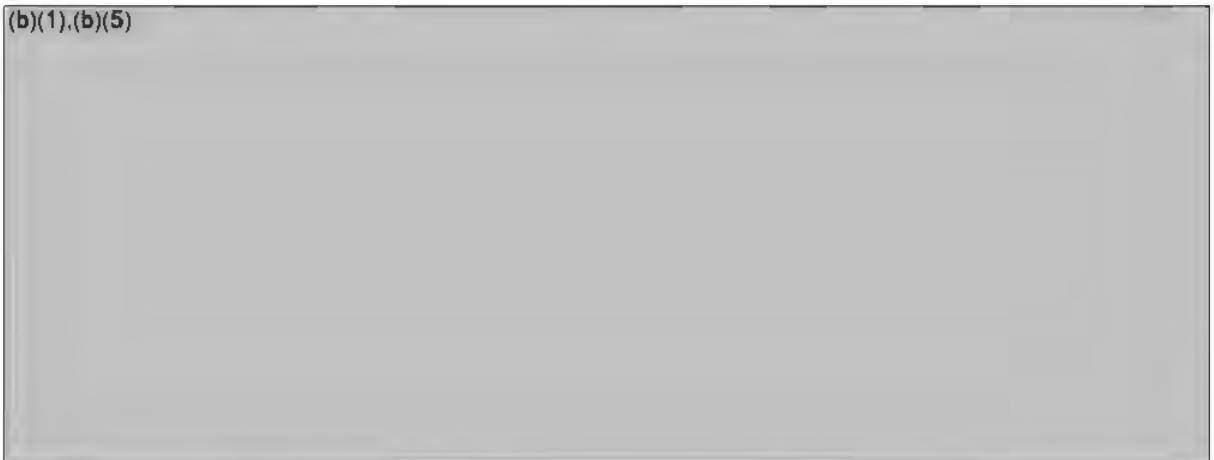
(b)(1),(b)(5)



(b) ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

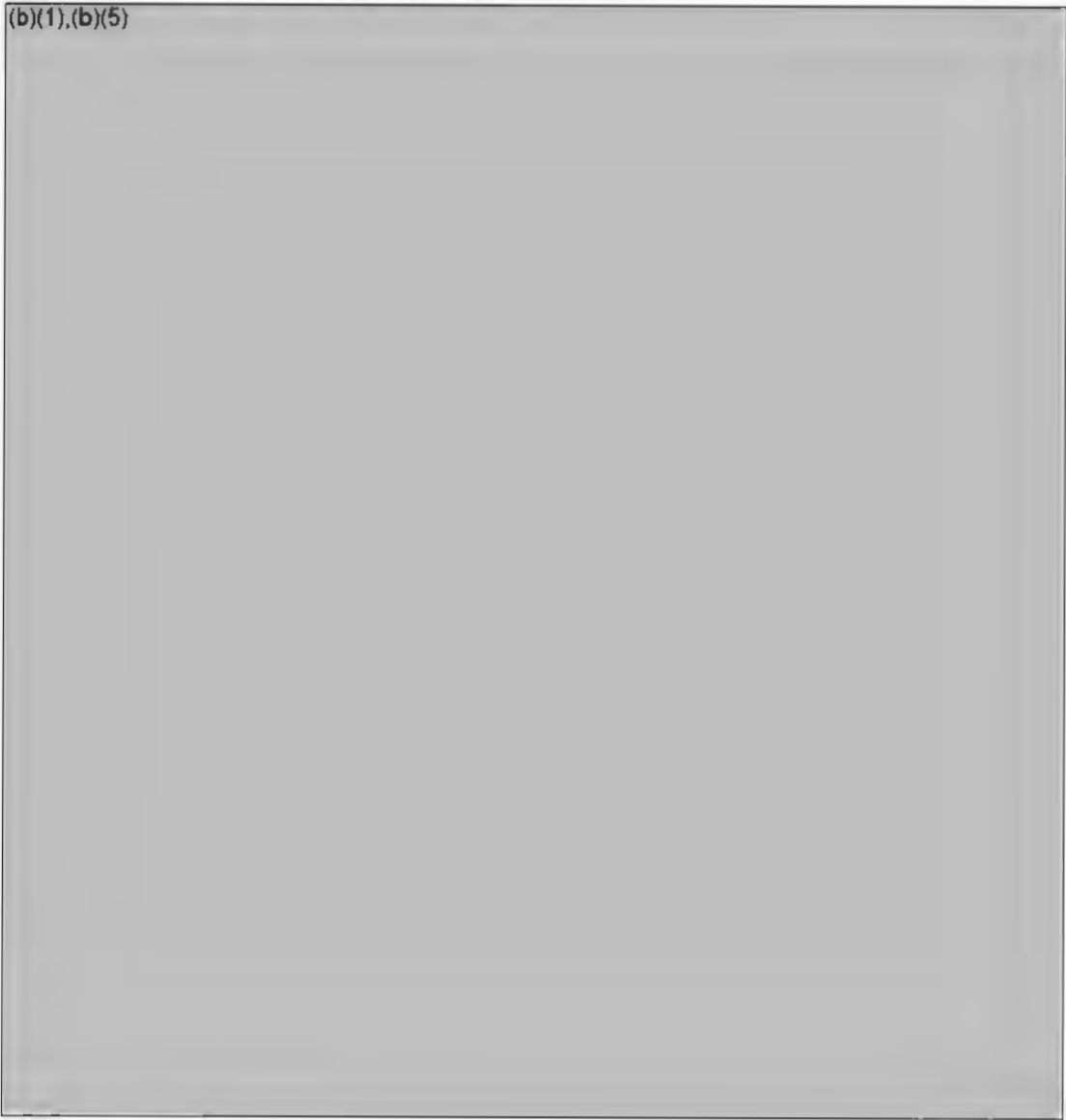


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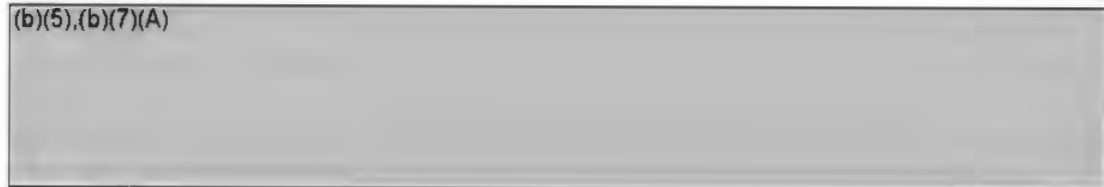
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(c) (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



(b)(5),(b)(7)(A)



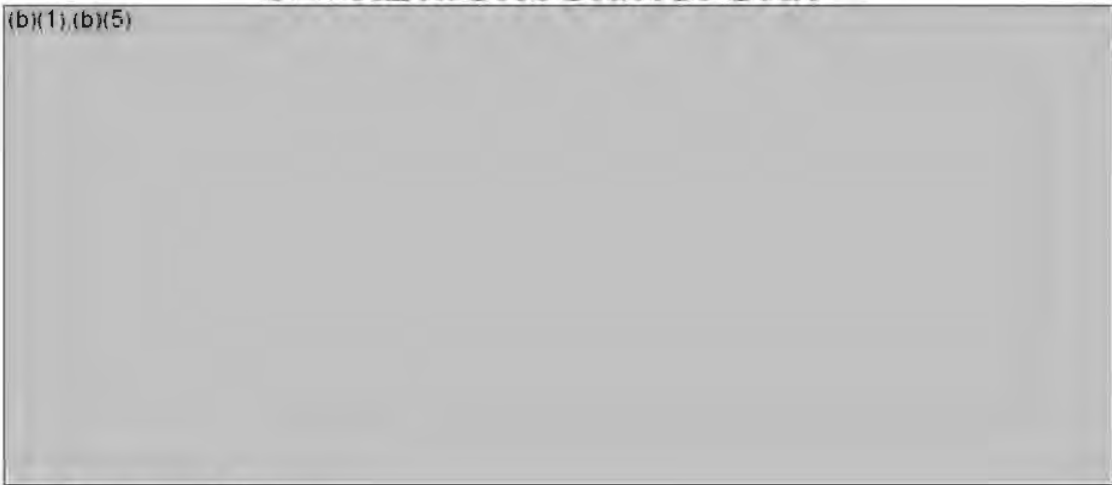
(b)(1),(b)(6)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (5)
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(b)(1),(b)(5)



7. (U) Recommendation.

(b)(1),(b)(5)

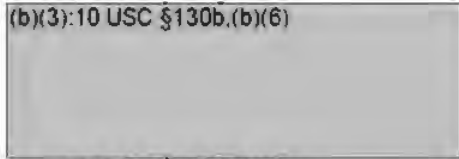


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b.(b)(6)



CAPTAIN, U.S. Navy
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

28 October 2008

To: SA'ID, SA'ID SALIH

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SA'ID, SA'ID SALIH

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he became interested in traveling to Afghanistan after talking to his neighbor about his travels to Afghanistan and Chechnya. The detainee stated his neighbor told him he could go to Afghanistan for two months, go to basic training and return to Yemen. The detainee stated that his neighbor was in Afghanistan working for al Qaida.
 - a. The recruiter is a Yemeni jihadist believed to have been in Afghanistan.
 - 2) The detainee stated that he had assistance with his passport and finances and in June 2001 the detainee flew from Sanaa, Yemen, to Dubai, United Arab Emirates, and then on to Karachi, Pakistan.
 - 3) The detainee stated he traveled from Karachi, Pakistan, to Quetta, Pakistan, and was given quarters at a Taliban guesthouse. The detainee stated the next day he left with an Afghan guide who led him across the border into Kandahar, Afghanistan where he stayed at a guest house for approximately 10-14 days before departing with a group of forty men to the al Farouq training camp.
 - a. Reportedly, the guest house in Kandahar, Afghanistan, was used by Usama bin Laden and fighters heading to the al Farouq Training Camp. Arabs bound for training at al

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SA'ID, SA'ID SALIH

Farouq would gather there until 25-30 were in the group and then they were transported to al Farouq. Usama bin Laden would come to the guest house to greet the fighters before they went to training.

- b. Reportedly, all students who take the basic training class at al Farouq in Afghanistan got the same type of training that consisted of two weeks each of the following courses: weapons, basic commando, topography, and explosives. The al Farouq training camp was funded by al Qaida and therefore, was more advanced than other training camps in Afghanistan.
- 4) The detainee stated he fled Afghanistan when he received orders to do so. The detainee stated his route of egress was from Kandahar, Afghanistan, to Khowst, Afghanistan, that had caves where they could hide. The detainee stated the Mujahedin, al Qaida and the Taliban provided food and that there were over 100 people hiding out in the same cave trying to flee Afghanistan.
- 5) The detainee stated traveled to Khowst, Afghanistan, and stayed in the valley between Zur Kwot, Afghanistan, and Khowst for approximately 10 days, then crossed the border to Wana, Pakistan. The detainee stated he stayed in various places on his way to Lahore, Pakistan, before returning to Karachi, Pakistan.
- 6) The detainee stated that once he was back in Karachi, Pakistan, he stayed at three different houses for approximately one month before moving in with an individual who the detainee believed was a member of al Qaida.
- 7) The detainee stated he was told to go to Iran. The detainee stated he traveled from Karachi, Pakistan, to Quetta, Pakistan, then to Teffitan, Pakistan. The detainee stated he crossed into Iran to Zahedan then to Chabahar. The detainee stated while in Chabahar, the Iranian police came looking for the guide, so the detainee returned to Karachi.
- 8) The detainee stated when the September 11 attacks on America began; he was issued a Kalashnikov rifle and was told by al Qaida members to guard the airport at Kandahar, Afghanistan. The detainee stated he was at the Kandahar airport until mid-November.
- 9) The detainee stated his trainers and first line leaders were both subordinate to the individual who ran the defense operation at the airport and received instructions directly from Usama bin Laden. The detainee stated each group had an anti-aircraft gun, an SA-7, rocket propelled grenade and each person had an AK-47. The detainee stated all of the groups at the airport were equipped and directed by al Qaida.
- 10) The detainee stated there was a big one-story building next to the airport that he guarded which belonged to Usama bin Laden.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SA'ID, SA'ID SALIH

- 11) The detainee stated the airport is south of Kandahar, Afghanistan, and was not in use at the time he guarded it. The detainee stated the purpose for guarding the airport was to prevent the United States from using it.
- 12) The detainee fought north of Kabul, Afghanistan under the leadership of a senior al Qaida operative.
- 13) Pakistani Police raided three suspected al Qaida residences in Karachi, Pakistan in September 2002. The detainee and several other Arabs resisted and fought a two and a half hour firefight. The detainee was one of the individuals captured.

b) Connections/ Associations

- 1) The detainee stated he saw an al Qaida operative in Karachi, Pakistan, before the detainee left for Iran. The detainee stated he again saw this operative the day he left Karachi for Iran when he received 1,000 United States dollars from the al Qaida operative for travel expenses to get back to Yemen.
- 2) The detainee stated prior to being captured in late August 2002, he was informed that there would be an attack on America even greater than the 11 September attacks and Usama bin Laden was still alive, but the detainee was not told where he was located.
- 3) On the September 2002 Pakistan police officer raid on al Qaida residence in Karachi, Pakistan, passports belonging to Usama bin Laden's family were found.
- 4) The detainee stated that while he was at the al Farouq Camp in Afghanistan, Usama bin Laden appeared at the camp on two separate occasions. The detainee stated Usama bin Laden traveled with approximately fifteen bodyguards. The detainee stated Usama Bin Laden gave a speech to the trainees discussing the jihad, the bombing of the United States Ship Cole, the embassy bombings in Africa and how such attacks were going to continue against the Americans.

c) Training

- 1) The detainee stated he was at the al Farouq camp in Afghanistan from July-September 2001, and was trained in the use of the Kalashnikov rifle, rocket propelled grenades, hand grenades, land mines, composition-3 and composition-4.
- 2) The detainee stated he received training in reading maps.
- 3) The detainee stated after he completed training at the al Farouq Camp he returned to the guest house in Kandahar, Afghanistan, for approximately one week.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SA'ID, SA'ID SALIH

d) Other Relevant Information

- 1) The detainee stated on the day he was arrested, he was sleeping when the police forced their way into the apartment. The detainee stated at the police station he was told that two men were killed during a firefight that erupted when he was arrested.
- 2) The detainee stated he was one of six individuals living in a Karachi, Pakistan safe house with a senior al Qaida operative.

4. The following primary factors favor release or transfer:

- a) The detainee stated he had no prior knowledge of the 11 September 2001, attacks on America.
- b) The detainee stated he would never kill innocent women and children in the United States because it is against his religion. The detainee stated those who kill innocents should be killed. The detainee stated he would not harm an American if he happened to see one in Yemen.
- c) The detainee stated he never heard any of his fellow residents ever talk about future suicide missions against the United States or any other type of hostile actions against the United States.
- d) The detainee stated he was never in a firefight.
- e) The detainee stated he was shown dynamite but was not trained in the use of any explosives.
- f) The detainee stated that he never said there was a building belonging to Usama bin Laden where he was guarding the airport area in Kandahar, Afghanistan.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
 at U.S. Naval Base Guantanamo Bay, Cuba
 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
 ACTION MEMO

FOR: Designated Civilian Official (U)

FROM: Director, OARDEC (U) *AS/2/2/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 893 (YEMEN)

~~(S//NF)~~ Subject ARB was held on 01 Jul 08 resulting in a (b)(1),(b) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)
 [Redacted]

~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	[Redacted]

(U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 [Redacted]

(b)(1),(b)(5)
 (b)(1),(b)() (Detain) *[Signature]* 8-22-08
 Or Transfer _____ Release _____

(U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #131~~
~~Source Marked: [Redacted]~~
~~Source Dated: 03 Jul 08~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 893

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the AMO indicated the detainee refused to allow the AMO and linguist to read him the Unclassified Summary of Evidence. The detainee also refused to accept copies of the Unclassified Summary of Evidence when offered by the AMO and linguist.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

~~Derived From Multiple Sources
Declassify On: 25X1-1 Human~~

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Enclosure (5)
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3. (U) Summary of Information Considered

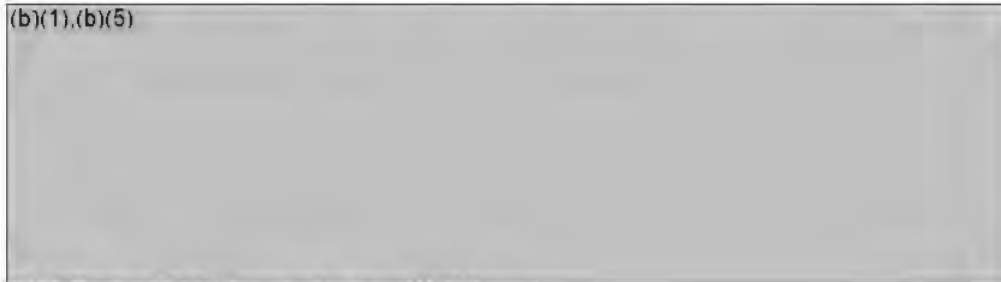
a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-56.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



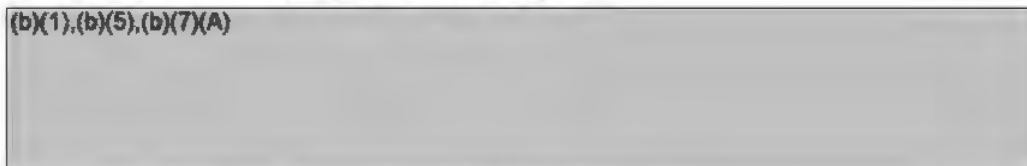
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



~~Derived From Multiple Sources
Declassify On: 25X1-~~Human~~~~

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Enclosure (5)
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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.


(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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Enclosure (5)
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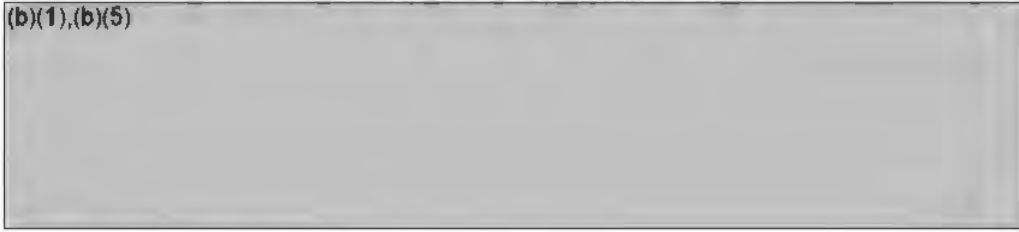
(b)(1).(b)(5)



~~Derived From: Multiple Sources
Declassify On: 20XX Human~~

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Enclosure (5)
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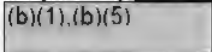
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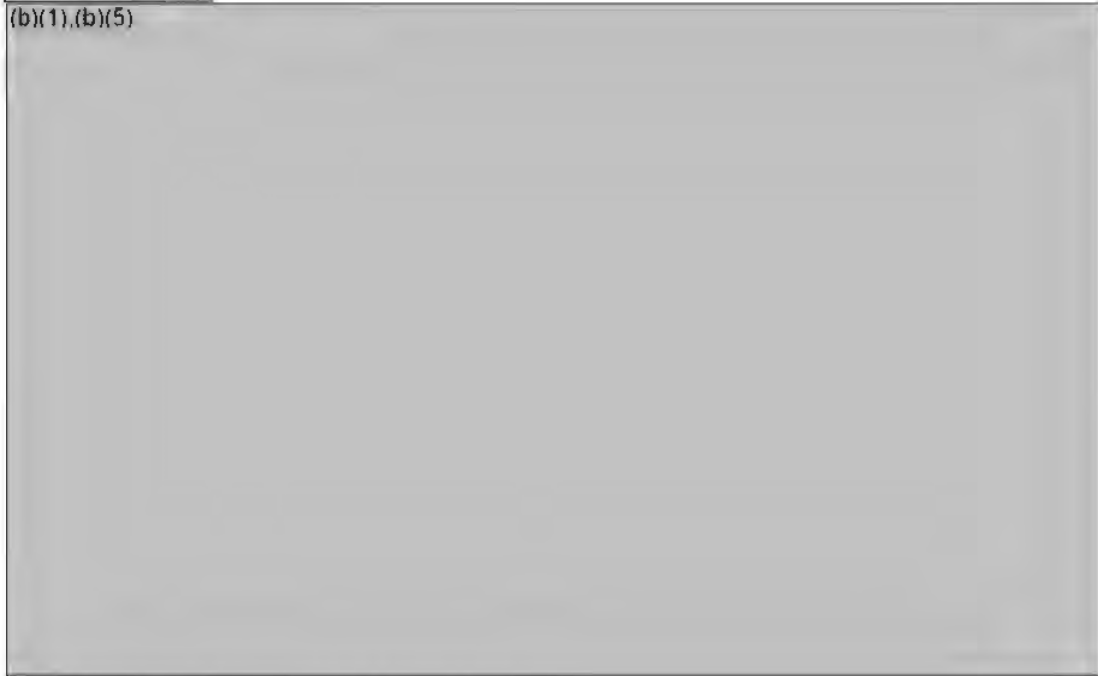
b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)



(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25Y1 Human~~

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Enclosure (5)
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d. (U) Recommendation.

(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3); 10 USC §130b.(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (5)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

18 June 2008

To: AL BIHANI, TALFIQ NASSAR

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL BIHANI, TALFIQ NASSAR

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 1. The detainee stated that he was recruited by his brother in February of 2001.
 2. The detainee stated that his brother encouraged the detainee and his other brothers to train so that they could go with him to Chechnya.
 3. The detainee stated that in 1998 or 1999, while in Yemen, he met an individual who was involved in the Jamat-al-Tabligh missionary movement. The detainee stated he decided to join Jamat-al-Tabligh but quit after only a few days and returned to Saudi Arabia. The detainee stated that a few years later, he returned to Yemen and decided to join the organization again. The detainee stated he returned to Saudi Arabia and told his family he was going to Pakistan to the Jamat-al-Tabligh center in Raiwind, outside Lahore, Pakistan.
 - a. Jamat-al-Tabligh has been supporting Islamic terrorist groups in south and Southeast Asia, under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.

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DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL BIHANI, TALFIQ NASSAR

4. The detainee stated that he went to Pakistan via Bahrain using a Yemeni passport with a Pakistan visa, which he had obtained at a Pakistani consulate in Saudi Arabia. Once in Pakistan, he stayed at the Jamat-al-Tabligh center in Raywan for six or eight months.
5. The detainee stated he left for Pakistan six to seven months prior to 11 September 2001. The detainee stated he left Saudi Arabia and traveled by plane to Jeddah, Saudi Arabia, then Bahrain, and finally Karachi, Pakistan.
6. The detainee stated that prior to his training at al Farouq camp, he reported to the Nebras guest house in Kabul, Afghanistan and stayed for one week.
 - a. The al Farouq training camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq consists of two week periods of weapons training, a basic commando course, topography, and explosives.
 - b. The Nebras Arab guest house in Kandahar, Afghanistan was used by Usama bin Laden and fighters heading to the al Farouq training camp. Arabs bound for training at al Farouq would gather at Nebras until about 25-30 were in the group, and then they were transported to al Farouq. Usama bin Laden would come to Nebras to greet the fighters before they went to training.
7. The detainee stated that after completion of al Farouq training in 2001, he reported to the Hassan guest house, where he met a high ranking al Qaida member.
8. The Hassan guest house in Kandahar, Afghanistan was used as a reception point for Mujahedeen arriving in Afghanistan, housing approximately 100 Mujahedeen at any time. It was also used to facilitate travel to the frontlines and for travel to the Afghanistan training camps.
9. The detainee was reportedly traveling to the front lines near Kabul, Afghanistan in 2001.
10. The detainee stated he stayed in a guest house.
 - a. The owner of the guest house in the previous statement reported directly to Usama bin Laden, and his duties were to finance training, obtain supplies, and indoctrinate new recruits.
11. The detainee stated he decided to return home, but was too scared to go to a Pakistani airport. The detainee decided to cross the border into Iran, and then try to get into Iraq and fly into Yemen.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL BIHANI, TALFIQ NASSAR

12. The detainee stated he took a train from Lahore to Quetta, Pakistan, took a bus to a border town, stayed at the hotel of a smuggler for several days, and was then smuggled into Iran by walking across the border with a guide.
13. The detainee stated he was at the Tehran, Iran guest house for approximately one and one-half months. Then he was taken to a second guest house near the airport in Tehran and was there for at least two and one-half months.
14. The detainee was reportedly living at a guest house in Tehran from late 2000 into early 2001. Jihadists used an al Qaida guest house in Tehran.

b) Connections/Associations

1. *The detainee was identified as living in a guest house in Tehran, Iran from late 2000 into early 2001 with an al Qaida facilitator.*
2. The detainee was reportedly an al Qaida operative released from Iran.
3. The detainee was reportedly seen in a guest house for jihadists with Yemeni connections in Kandahar, Afghanistan.
4. The detainee was identified as crossing the Afghanistan and Iran border with an al Qaida associate.
5. The detainee stated that an associate of his brother would send the mujahedin from Chechnya to Afghanistan for two to three months to train in camp Khalden and al Farouq and later have them return to Chechnya. Ten to fifteen Chechnya fighters would go to Afghanistan to train, and when their training was completed they would be replaced by ten to fifteen more. The courses that were taught included map reading, how to attack and ambush convoys, and anti aircraft weapons, explosives.
6. The detainee's brother was reportedly a low ranking al Qaida fighter from Yemen. The detainee's other brothers were identified as serving in various capacities in close association with Usama bin Laden. One of the detainee's brothers was a personal guard of Usama bin Laden and another had trained fighters in the Afghani camps.
7. The detainee stated his brother used to go to Kabul to give training instructions and suggestions on the al Qaida front lines.
8. An associate of the detainee reportedly had an allegiance to Usama bin Laden and being a trainer for Usama bin Laden in Afghanistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL BIHANI, TALFIQ NASSAR

c) Training

1. The detainee was reportedly being trained in mortars at the al Farouq training camp in Afghanistan in 2000.
2. The detainee stated he obtained training on collecting information, pistol and AK-47 training, explosives, anti-tank and air defense training.
3. The detainee was reportedly being trained on building improvised explosive devices utilizing tank shells, mortars, and landmines. The detainee was reportedly going to the front lines near Kabul, Afghanistan upon completion of their training in 2001.
4. The detainee was reportedly being trained on the use of SA-7 and ZSU-23 anti-aircraft weapons near Kandahar, Afghanistan.
5. The detainee was reported attending the airport facility at Kandahar in 2001.
 - a. The detainee stated that poison, tactics, explosive, and sniper training was conducted at the Kandahar airport camp or in private homes in Kandahar located close to the airport, belonging to al Qaida.

d) Intent

1. The detainee stated he believes the United States is involved in a war against Islam.
2. The detainee stated after being unjustly imprisoned all of this time by the Americans, he is going to go to Afghanistan and join the freedom fighters again to kill Americans. The detainee believes that he will probably only be alive for two or three years before being killed.
3. The detainee stated if he went back to Saudi Arabia he would be sent to jail and his life would be no different. The detainee stated since he was already dead he might as well be sent to Iraq to fight against the Americans.

e) Other Relevant Data

1. The detainee stated he made his way into Zahedan, Iran where he was arrested by the Iranian police for entering the country illegally.
2. The Iranians were reportedly going to turn over al Qaida operatives to the government of Afghanistan. The detainee was one of these individuals.
3. The detainee was identified as having information on how to enter and move around in Iran.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL BIHANI, TALFIQ NASSAR

4. The detainee stated that for a large portion of his life he was involved in selling and using illegal drugs and that he traveled to Azerbaijan and Syria multiple times for recreational activities involving drugs and women. He was careful never to appear in public in Saudi Arabia while under the influence and was never caught by Saudi authorities.

4. The following primary factors favor release or transfer:

1. The detainee stated he did not tell the truth when he first arrived at GTMO because he thought it was only going to be for a short period and he was very scared. The detainee thought that he needed to lie about his time in Afghanistan because the interrogators would consider it very bad to have been in Afghanistan and that he would spend his life in prison if he admitted to being there. The detainee stated he was not a leader or any big guy, and that if he would have told the truth from the start he would already be free.
2. The detainee stated he was innocent and that he was not doing anything wrong when he was caught.
3. The detainee stated he has had no formal or informal military training, although his uncle taught him to shoot and work a Kalashnikov rifle in Yemen in 1999.
4. The detainee stated as best he could remember he had gone to Baku, Azerbaijan in 1996, or possibly 1997 or 1998, for a youth convention. The detainee stated he did not go to Azerbaijan in preparation for going to Chechnya, and that his trips to Syria were purely for recreational purposes involving drugs and women.
5. The detainee stated he left Saudi Arabia for Pakistan to participate in Tabiligh, the practice of peacefully spreading the word of Islam. The detainee described himself as a "chicken" and did not want to fight. The detainee stated that prior to leaving Saudi Arabia, he was not recruited by anyone to fight jihad in Afghanistan or against the United States. He stated he did not have any discussions with anyone about the Taliban, al Qaida, or Usama bin Laden.
6. The detainee stated that during his time in Pakistan he would travel to different villages in the area spreading the word of Islam.
7. The detainee stated while he was with Jamat-al-Tabiligh in Pakistan he was never approached or recruited to go to Afghanistan, and that no one he was with talked about jihad.
8. The detainee denied that he had been in an al Qaida guest house in Iran in 2000. The detainee denied he had been in Afghanistan at any time prior to his detention.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL BIHANI, TALFIQ NASSAR

9. The detainee stated he stayed at the Raywan mosque for approximately six months and there was no talk of jihad. The detainee stated he began to hear rumors that the Americans were coming to Afghanistan and Pakistan to arrest all Arabs in retaliation for the attacks on 11 September 2001. He stated he needed to escape Pakistan and return to Yemen since his visa to Saudi Arabia had expired.
 10. The detainee denied being associated with al Qaida or any other extremist group. The detainee heard of the attacks on America on September 11, 2001 and vehemently disagrees with suicide and killing of innocents.
 11. The detainee stated when he goes home; he wishes to be able to open a shop where he can translate documents from Arabic to English and from English to Arabic for a small fee.
 12. The detainee stated that if he were released, he would return to Sanaa, Yemen, where he has several family members, and work in one of the family's three stores.
 13. The detainee stated he had disowned his brother and regretted allowing him to talk the detainee into going to Afghanistan. The detainee stated he left home because he was fed up with his situation and wanted to get out of Saudi Arabia and Yemen.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

*RE
31 Dec 09*

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs *[Signature]*

FROM: Director, OARDEC (U) *10/10/09*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 975 (Afghanistan)

o ~~(S//NF)~~ Subject ARB was held on resulting in a (b)(1),(b) recommendation to (b)(1),(b)(5) (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
(b)(1),(b)(5)

(b)(1),(b) (Detain) *[Signature]* *2-2-09*
 Or Transfer _____ Release _____

o (U) Attachments: Tab A OARDEC DSJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #162
 Source Marked: [unclear]
 source Dated: 02 Dec 08~~

~~SECRET//ORCON//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 975

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

~~Derived From: Multiple Sources
Declassify On: E.O. 13526-Human~~

ISN 975
Enclosure (6)
Page 1 of 6

~~SECRET//ORCON//NOFORN~~

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-39.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5):

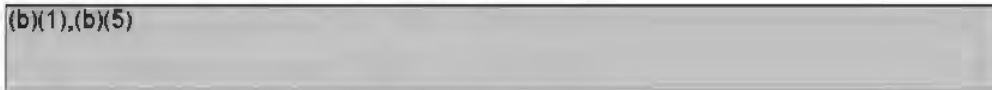
(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



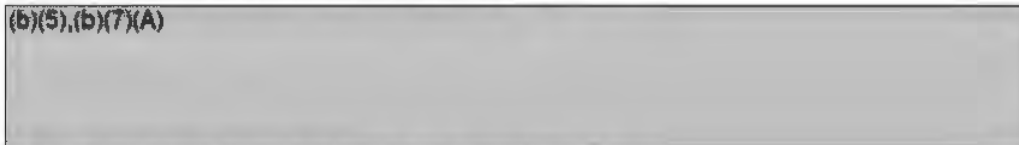
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)




(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
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(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

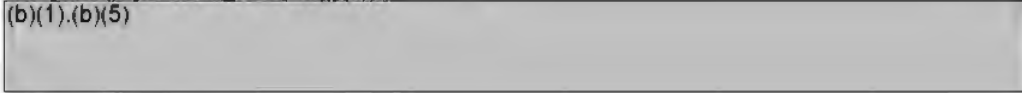
ISN 975
Enclosure (6)
Page 4 of 6

(b)(1), (b)(5)



b. ~~(S//NF)~~ Intelligence Value. (b)(1), (b)(5)

(b)(1), (b)(5)

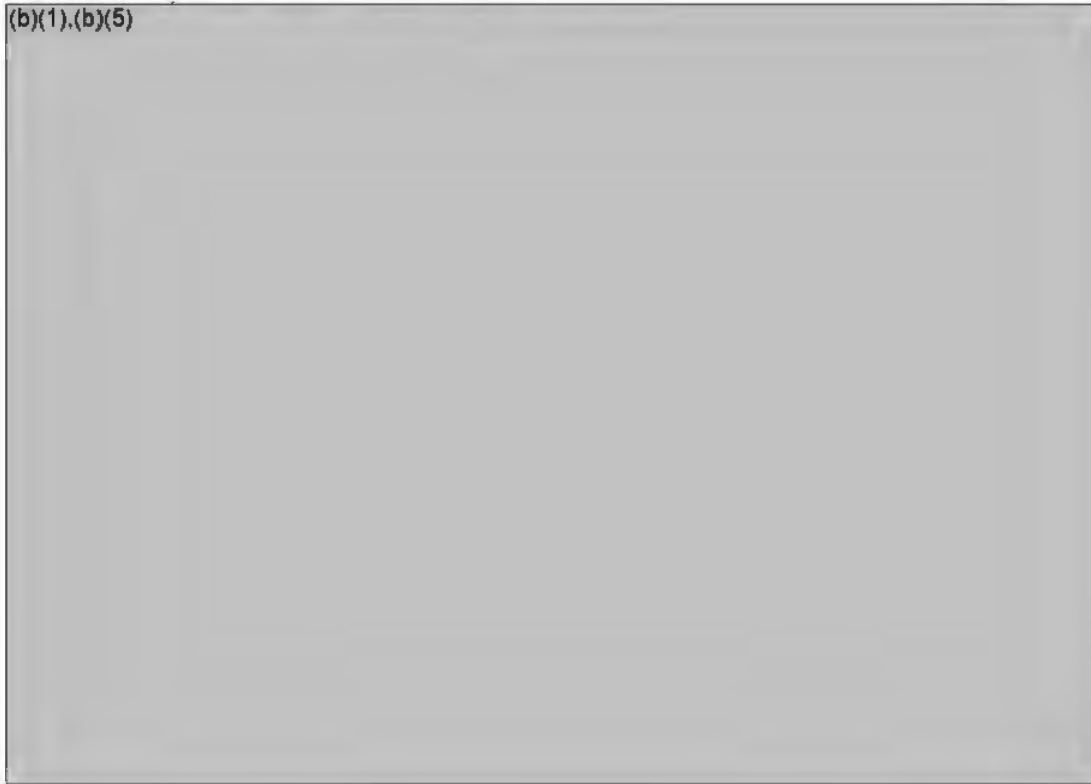


(b)(1), (b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1), (b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X Human~~

ISN 975
Enclosure (6)
Page 5 of 6

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

21 October 2008

To: KARIM, BOSTAN

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF KARIM, BOSTAN

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he served with the Mujahedin during the Russian-Afghan War while he was a refugee in Pakistan.
 - 2) The detainee stated he was recruited by Jamat-al-Tabligh when he returned to Afghanistan after the Russians lost control.
 - a. The preachers of Jamat-al-Tabligh organization have been supporting Islamic terrorist groups in South and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.
 - 3) The detainee stated he was a member of the organization Jamat-al-Tabligh for approximately seven years. The detainee attended the Markaz Tabligh for approximately four months to become a member of Jamat-al-Tabligh. The detainee explained Markaz Tabligh means "center of Tabligh" and is located in the Raiwind area of Lahore, Pakistan. An individual must attend a Markaz to learn how to teach in order to become a member of Jamat-al-Tabligh.
 - 4) The detainee reportedly recruited men to join Jamat-al-Tabligh.

ISN 975
DMO Exhibit 01
Page 1 of 3

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF KARIM, BOSTAN

- 5) The detainee stated that around November or December of 2001, he and other Tabiligh went to an al Qaida-run hospital and helped the wounded fighters. The detainee stated this was the only time the detainee has helped out al Qaida.
- 6) The detainee reportedly drew schematics on how to detonate mines in a notebook.
- 7) The detainee was identified as preparing to conduct command-detonated mine attacks against United State Forces in revenge for the detention of an individual and his other family members.
- 8) The detainee reportedly set up an ambush site for an American convoy, consisting of 30 anti-tank mines that were constructed to detonate remotely.
- 9) The detainee stated that he visited jails and prisons in order to recruit more members into Jamat-al-Tabiligh. The detainee would stand up and ask for volunteers who want to, "go and follow the path of God." These volunteers would give their names to the detainee, he would write them down, and a Tabiligh would be assigned. The detainee stated that to go on a Tabiligh is to go on a "preaching mission".
- 10) In August 2002, the detainee and another individual were detained at a checkpoint in Pakistan. The detainee and the other individual did not have identity papers. The detainee and the other individual had in their possession a Satellite Telephone, 2,700 United States Dollars, 3,600 Pakistani Rupees and 70,000 Afghan Rupees.
- 11) The detainee's palms were significantly scarred. A doctor's examination stated the scars would be consistent with a blast injury that occurred when something burst or exploded while held by the hands.
- 12) The detainee stated he went to a compound in Srobai near Tanai, Afghanistan, in approximately 1988. The detainee guarded the compound and did not participate in any fighting. The detainee attended this compound approximately four or five times for approximately ten days to two weeks at a time. After attending the compound each time, the detainee returned to his home in Pakistan.

b) Connections/Associations

- 1) The detainee stated his uncle was a very well known Mujahedin commander.
- 2) The detainee stated he met an individual during the time of the Taliban when all of the shops in the bazaar were closed for this individual's meeting.

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DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF KARIM, BOSTAN

- a. The individual from the previous statements and a second individual were identified as forming an alliance with support, guidance, and funding provided by al Qaida and the Jamat Ulama Islami.
- b. The second individual from the previous statement founded Hizb-I Islami Gulbuddin as a faction of the Hizb-I Islami party in 1977. Hizb-I Islami Gulbuddin was one of the major Mujahedin groups in the war against the Soviets. The Hizb-I Islami Gulbuddin has long-established ties with Usama bin Laden.

c) Training

- 1) The detainee stated he stayed a few nights at a compound called Sroobi. The detainee stated some people at the compound wanted to participate in jihad. The detainee further stated he participated in target practice.

4. The following primary factors favor release or transfer:

- a) The detainee stated that he had never been to a terrorist training camp, trained on weapons, participated in any fighting in Afghanistan, or knew anyone that was affiliated with the al Qaida or Taliban.
 - b) The detainee denied having ever worked with explosives while at Sroobi compound near Tanai, Afghanistan.
 - c) The detainee stated he never saw the papers or notebook containing the bomb schematics.
 - d) The detainee stated that he is a Tabligh and violence is against Islam.
 - e) The detainee stated he was never volunteered to help injured Arabs in a Khowst, Afghanistan, hospital.
 - f) The detainee claimed to be unaware that a lumber truck was to be loaded with mines hidden underneath the lumber to be driven by an unknown Afghan into United States forces stationed in Kabul, Afghanistan.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

ISN 975
DMO Exhibit 01
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UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)
THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SLH*
FROM: Director, OARDEC (U) *AS 1/9/09*
SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 1015 (YEMEN)

- o ~~(S//NF)~~ Subject ARB was held on 22 Aug 08, resulting in a (b)(1),(b)(5) recommending (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

- o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)
 [Redacted]

- o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	[Redacted]

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)
 [Redacted]

(b)(1), (b)(5) (Transfer) *SLH* 1-12-09

Or Detain _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1015

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

- a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.
- b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.
- c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive and refused to leave his cell to attend the interview.
- d. (U) The ARB confirmed the JIF-Staff Judge Advocate (SJA) hand carried the original English and Arabic Unclassified Summary of Evidence to the detainee. The AMO received a written affidavit of delivery of the documents to the detainee from the SJA.
- e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.
- f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-26.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1015
Enclosure (6)
Page 1 of 6

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
Page 2 of 6

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) Third Party / Home Country Statements

(b)(5)

[Redacted]

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

[Redacted]

6. (U) Additional Information

(b)(1),(b)(5)

[Redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

(b)(5),(b)(7)(A)

[Redacted]

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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(b)(5), (b)(7)(A)

(b)(1), (b)(5)

(b)(5), (b)(7)(A)

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 1015
Enclosure (6)
Page 4 of 6

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



d. (U) Recommendation.

e. ~~(S//NF)~~ Recommendation.

(b)(1),(b)(5)

(b)(1),(b)(5)



~~Derived From Multiple Sources
Declassify On: 25X1 Human~~

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Enclosure (6)
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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3); 10 USC §130b.(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1015
Enclosure (6)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

13 August 2008

To: MOHAMMED, SALEM HUSSEIN

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF MOHAMMED, SALEM HUSSEIN

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he went to Sanaa, Yemen, and bribed a guard at the embassy to get a visa to Pakistan. The detainee stated he told them he was Tabiligh.
 - 2) The detainee stated he left Sanaa, Yemen, via Yemeni Airlines to Karachi, Pakistan, by himself around 1 September 2001. The detainee stated he spent four days in Karachi, and then took a train from Karachi to Lahore, Pakistan, to get to the Tabiligh headquarters.
 - 3) The detainee stated, in front of the Tabiligh Center, he searched for someone who spoke Arabic and met a travel facilitator, who recommended that the detainee stay in Pakistan and travel to Europe with the Tabiligh on a missionary journey because it would be cheaper.
 - 4) The detainee stated he wanted to leave Yemen and go to Europe because he sought a Western society where there would be more opportunity and tolerance. He did not have an exact city in Europe in mind.
 - 5) Reportedly, the detainee stated he wanted to go to Europe and get married.

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DMO Exhibit 01
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UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF MOHAMMED, SALEM HUSSEIN

- 6) The detainee stated the travel facilitator told the detainee that Arabs had been blocked from travel to Europe following September 11. The travel facilitator stated he could smuggle people to Europe. The travel facilitator further stated they would travel through Iran to Turkey and then to Greece.
 - 7) The detainee stated he and the travel facilitator traveled to Mashhad, Iran. The travel facilitator went across the border and brought back a pickup truck with a driver.
 - 8) The detainee stated that at the Pakistan/Iran border, the driver spoke to the border guards and all three drove for approximately one hour into Iran.
 - 9) The detainee stated that they got to the driver's house, where they spent the night. They arrived in Tehran, Iran, the next dawn. They then went to Mashhad, Iran.
 - 10) The detainee stated the travel facilitator rented a house in Mashhad, Iran, where he and the detainee stayed for a month or a month and a half. The detainee stated he paid the travel facilitator 8,000 Pakistani to travel to Europe. The detainee further stated he began to believe that the travel facilitator might be fooling him. The detainee stated he told the travel facilitator that he was going to go back to Pakistan and then Yemen.
 - 11) The detainee stated after one month and a few days in Mashhad, they went back to Tehran.
 - 12) The detainee stated that while in Iran, two Iranian policemen approached the travel facilitator and the detainee. The detainee was arrested and taken to a police station in Tehran.
 - 13) The detainee stated he was transferred through several prisons then taken back to an airport and flown to Kabul, Afghanistan.
- b) Connections/Associations**
- 1) Reportedly, there were two guest houses in Tehran. The main guest house was used by the families of Usama bin Laden and approximately 50 other al Qaida members. Reportedly, al Qaida received money from bin Laden for the maintenance of both guest houses. Reportedly, the detainee resided in the second guest house, reserved for lower-ranking fighters.
 - 2) Reportedly, Iran transferred 10 individuals to Afghanistan in April 2002. Reportedly, the individuals were all al Qaida escapees from Afghanistan. The detainee was one of four remaining in Afghan custody.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF MOHAMMED, SALEM HUSSEIN

- 3) The detainee stated he met some Tabiligh members in Aden, Yemen. The detainee stated he did not leave Yemen with the Tabiligh at that time, but they gave him an address for the Tabiligh headquarters in Karachi and told him to come there.
- 4) While in Sanaa, the detainee stated he went to a travel agency and bought a round trip ticket, also telling them he was Tabiligh.
- 5) The detainee stated he stayed at the Tabiligh Center for two and a half months but did not go on any missionary journeys with the Tabiligh.

4. Factors Favoring Release or Transfer:

- a) The detainee stated he did not join the Tabiligh, but had planned to claim Tabiligh membership in order to receive the same discounts they received.
- b) The detainee stated he has received no weapons training or military training.
- c) The detainee stated he had opportunities to escape from custody in Afghanistan when he was escorted to five different jails. The detainee did not try to escape because he is innocent.
- d) The detainee stated he considers the United States Ship COLE bombing a crime because there were innocent people in that place who should not have been killed.
- e) The detainee stated Americans have not done anything against him, so he has no reason to dislike Americans. The detainee believes Americans have the right to suspect him until he is proven innocent.
- f) The detainee stated he has never been involved with anything criminal and this could be verified with his government. The detainee denied being involved with al Qaida in any way.
- g) The detainee called Usama bin Laden a big problem.
- h) The detainee stated he hates al Qaida more than the interrogator does.
- i) The detainee stated he did not meet any individuals involved with al Qaida during the period of his detention in Iran and Afghanistan.
- j) The detainee stated he was kidnapped and taken to Iran.

UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF MOHAMMED, SALEM HUSSEIN

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

ISN 1015
DMO Exhibit 01
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UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *5/24*

FROM: Director, OARDEC (U) *10/20/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 1017 (YEMEN)

- o ~~(S//NF)~~ Subject ARB was held on 4 Sep 08, resulting in a (b)(1),(b) recommendation to (b)(1), (b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

- o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)
 [Redacted]

- o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	[Redacted]

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1) (Detain) *[Signature]* 12-15
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC ASJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1017

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

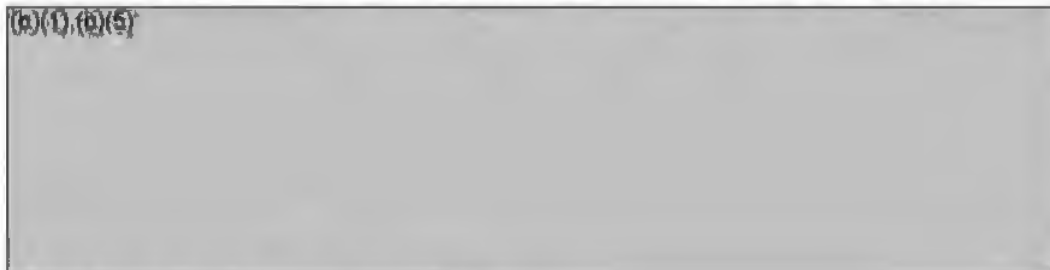
ISN 1017
Enclosure (7)
Page 1 of 7

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-31.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



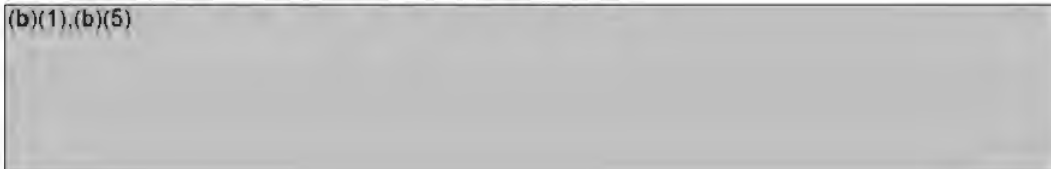
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1017
Enclosure (7)
Page 2 of 7

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

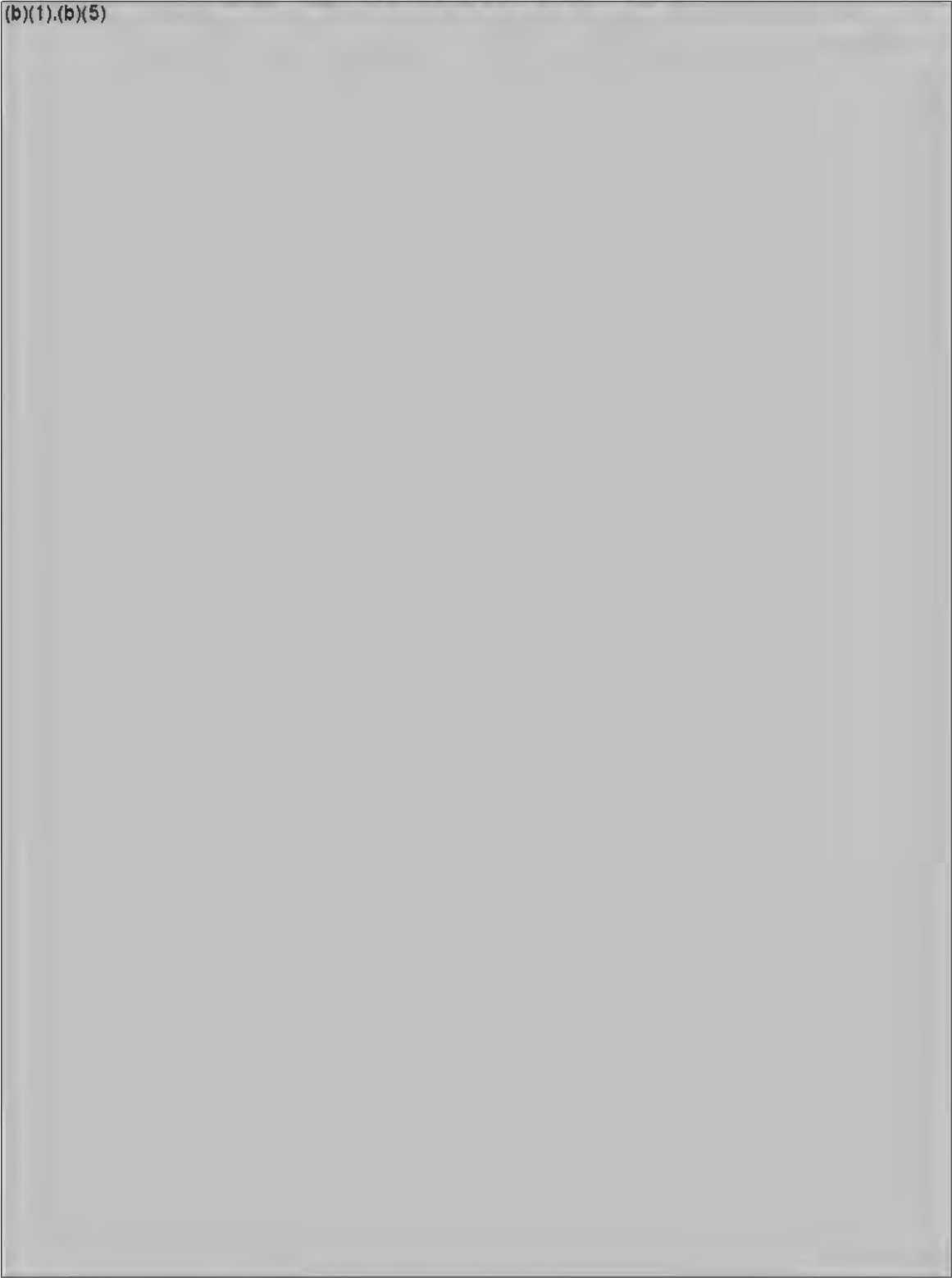
(b)(5),(b)(7)(A)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1017
Enclosure (7)
Page 3 of 7

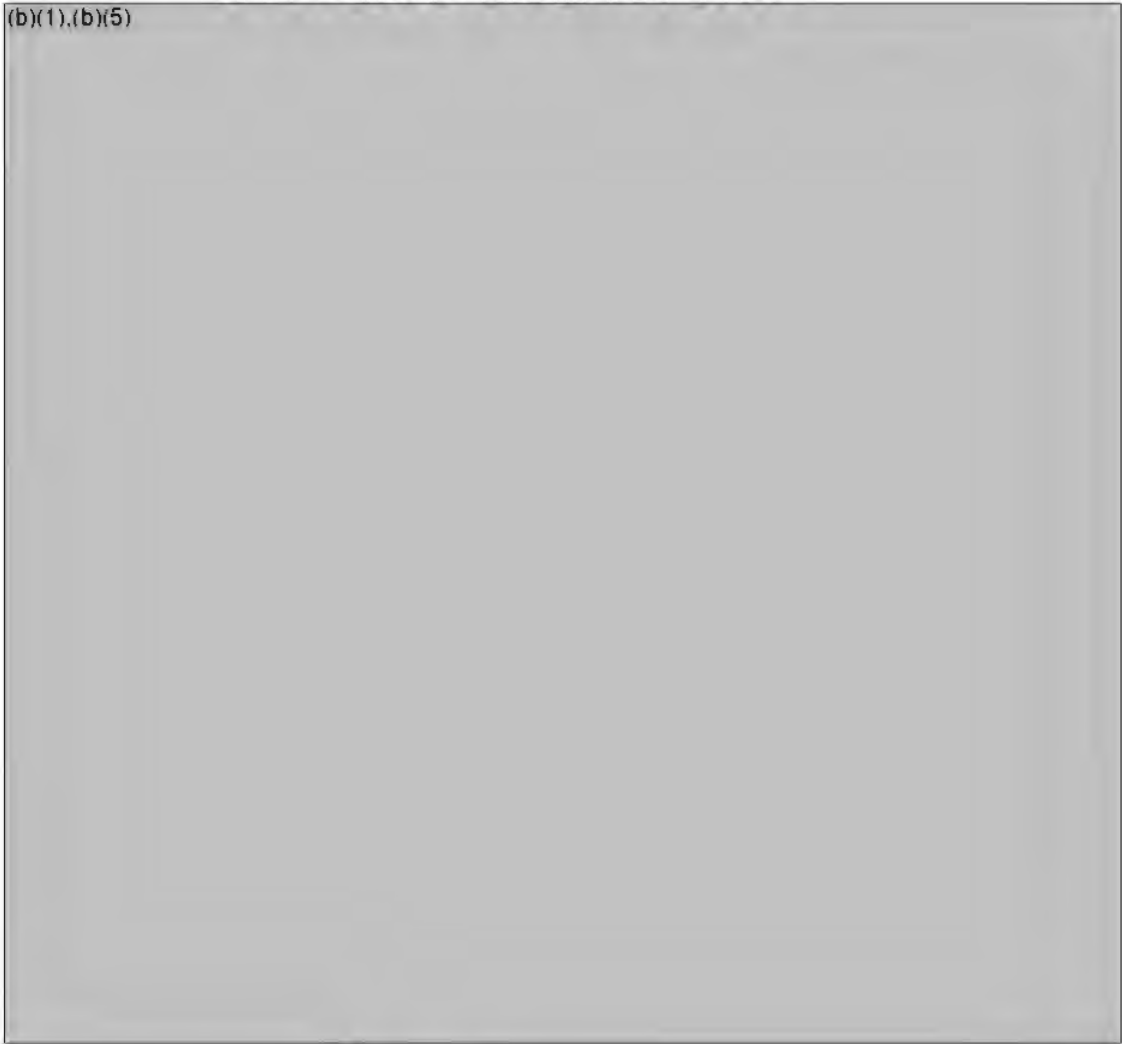
(b)(1).(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-11/11/11~~

ISN 1017
Enclosure (7)
Page 4 of 7

(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

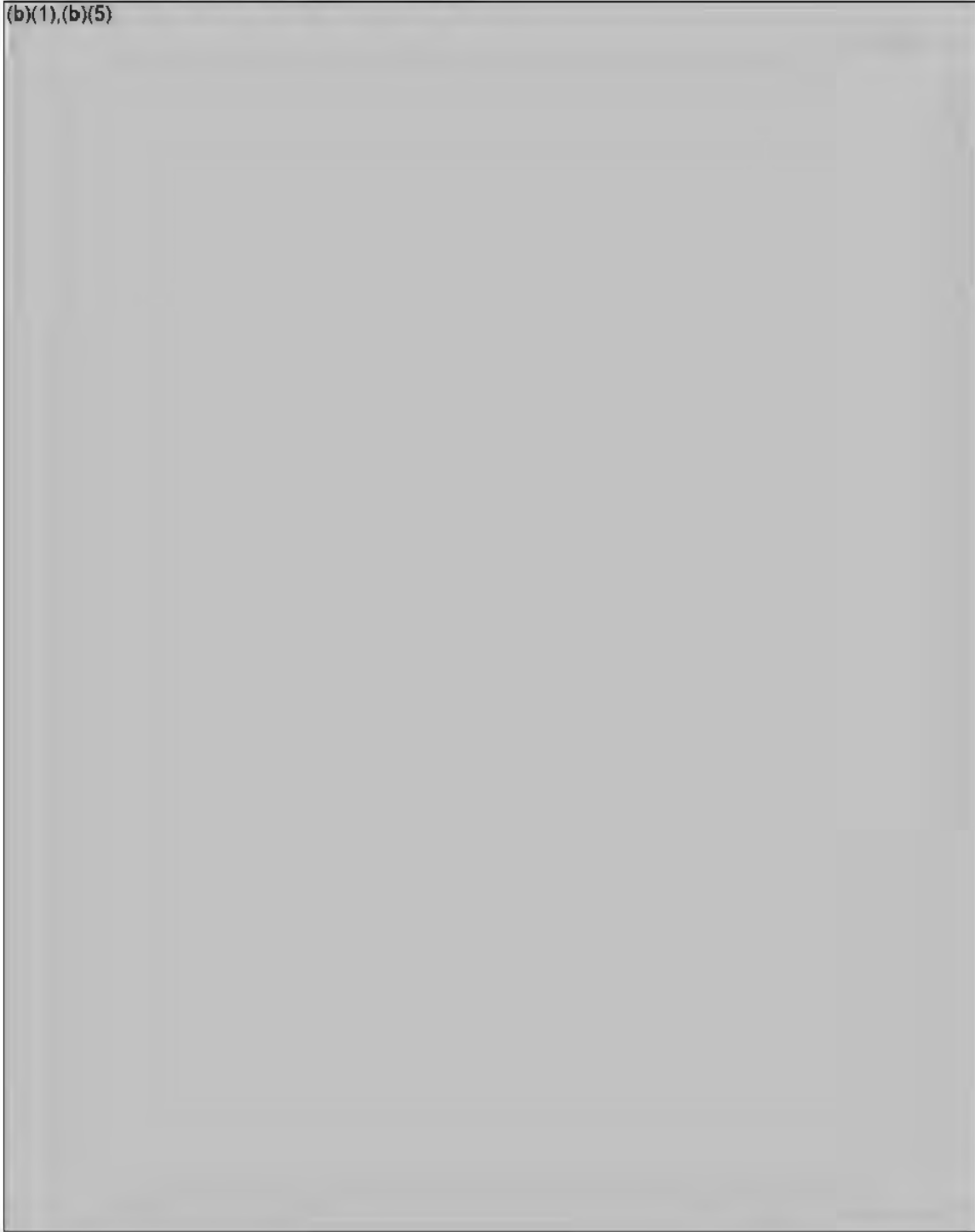


~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1017
Enclosure (7)
Page 5 of 7

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1017
Enclosure (7)
Page 6 of 7

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1017
Enclosure (7)
Page 7 of 7

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

25 August 2008

To: AL-RAMMAH, OMAR MOHAMMED ALI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-RAMMAH, OMAR MOHAMMED ALI

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) It was reported that the detainee was a weapons trainer at al Farouq between July 2001 and 15 August 2001.
 - 2) A senior al Qaida operative identified the detainee as a member of the al Qaida training sub-committee and a trainer on weapons and explosives.
 - 3) It was reported that upon completion of training at al Farouq, the detainee was transferred from al Farouq to the front lines in northern Afghanistan to fight. Detainee was subordinate to an Egyptian Emir against the Northern Alliance Forces.
 - 4) It was reported that the detainee trained in al Qaida camps in Afghanistan and was fighting in Chechnya prior to September 11th, 2001. It was also reported that after the detainee trained in Afghanistan, he went to Georgia by way of Istanbul, Turkey, and from Georgia, the detainee fought in Chechnya.
 - b) **Connections/Associations**
 - 1) The detainee was identified as a member of a suicide paratrooper unit that was known as a Kamikaze unit.

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DMO Exhibit 1
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UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-RAMMAH, OMAR MOHAMMED ALI

c) Training

- 1) The detainee stated he received rudimentary military training in the Pankisi Gorge region of Georgia.
- 2) The detainee stated he received limited small arms training on handguns, Kalashnikov rifles, and an unknown type of small crew-served weapon.
- 3) The detainee received weapons training at al Khair Camp, a private training camp in Qargha, Afghanistan.
- 4) The detainee reportedly received basic training at al Farouq which included basic knowledge of explosives and tactics associated with placing explosives. While at al Farouq, the detainee was reportedly known by the alias Zakaria.

d) Other Relevant Data

- 1) The detainee stated he was captured with two explosive detonators in his possession.
- 2) The detainee stated he was captured with 2,700 United States Dollars. It was taken from him in Afghanistan.
- 3) The detainee stated he used the alias Zakaria while in Georgia and the alias Isa in Yemen.

4. Factors Favoring Release or Transfer:

- a) The detainee stated he did not hear the word terrorism or al Qaida before his arrest.
- b) The detainee stated he was fine before he began practicing Islam. His problems began afterwards. The detainee stopped dealing drugs and chasing women after his religious awakening, but since it has caused him problems, the detainee no longer wants to follow Islam.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *52*

FROM: Director, OARDEC (U) *AD 10/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 1030 (AFGHANISTAN)

o ~~(S//NF)~~ Subject ARB was held on 1 October 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)
 [Redacted]

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *YLL 1-12-09*
 Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1030

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. The detainee stated he did not wish to hear anything from the AMO. The AMO confirmed with the detainee that he did not wish to attend the board, present any information, or have the AMO speak on his behalf. Additionally, the ARB confirmed both the English and the Arabic translated copies of the Unclassified Summary of Evidence was offered to the detainee, but the detainee refused to accept them.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

~~Derived From: Multiple Sources
Declassify On: ~~25Y1-Human~~~~

ISN 1030
Enclosure (4)
Page 1 of 5

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-36.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



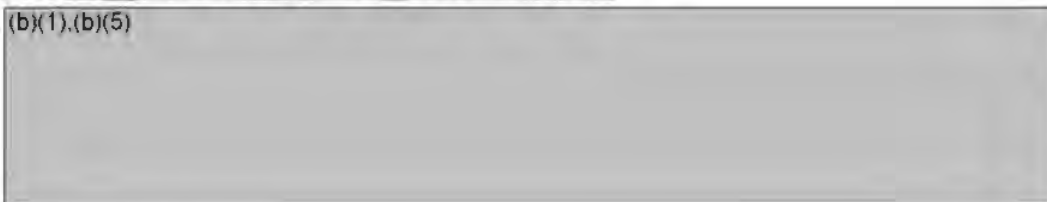
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1030
Enclosure (4)
Page 2 of 5

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1030
Enclosure (4)
Page 3 of 5

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 1030
Enclosure (4)
Page 4 of 5

(b)(1),(b)(5)

[Redacted]

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

8. (U) Board Members' Voting Results

(b)(5)

[Redacted]

(b)(3), 10 USC §130b.(b)(6)

[Redacted]

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 1030
Enclosure (4)
Page 5 of 5

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

26 September 2008

TO: HAFIZ, ABDUL KAKAL

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF HAFIZ, ABDUL KAKAL

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he traveled to Zambarak Village in Kandahar Province, Afghanistan to discuss wedding plans for his brother. Previously, the detainee stated his brother's fiancée's father died, and he went to Zambarak to collect monetary support for the family in their time of grief.
- 2) The detainee stated he went to Pshin, Pakistan, where he stayed briefly in a hotel. The detainee stated he then proceeded to Chaman, Pakistan where he stayed for eight days, begged for money, and stayed in mosques or houses.
- 3) The detainee stated he met a man who offered a stipend if the detainee would educate Pashtuns to be peaceful and not fight against the Afghan government.
- 4) The detainee stated that after eight days, he walked from Chaman, Pakistan to Spin Boldak, Afghanistan, and received a ride to Kandahar, Afghanistan.
- 5) The detainee stated that after four days in Kandahar, he met a man who provided him with a satellite telephone and phone cards.
- 6) The detainee stated he stayed in Kandahar, Afghanistan for four days and begged for money. He then got a ride to Zambarak, Afghanistan.

ISN 1030
DMO Exhibit 01
Page 1 of 3

UNCLASSIFIED

~~Derived From: Multiple Sources
Declassify On: 25X1 (Per most stringent document)~~

UNCLASSIFIED

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HAFIZ, ABDUL KAKAL

b) Connections/Associations

- 1) The detainee stated that he fought in the Russian jihad where he was a leader of 10 fighters.
- 2) Reportedly, the detainee was seen in Kandahar, Afghanistan at the Taliban's Military Headquarters.
- 3) The detainee stated he participated in a paramilitary band related to Taliban Hezb-e-Islami Gulbuddin.
 - i) Hezb-e-Islami Gulbuddin was one of the major Mujahedin groups in the war against the Soviets. Hezb-e-Islami Gulbuddin has long-established ties with Usama bin Laden. In the early 1990s, the leader ran several terrorist training camps in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. The leader offered to shelter Usama bin Laden after the latter fled Sudan in 1996.
- 4) Reportedly, the detainee was the Taliban head of all Madrassas and responsible for recruiting and sending young men to fight for the Taliban. Reportedly, the detainee maintained weapons caches in Kandahar, Afghanistan and also was responsible for maintaining contacts for a man.
 - i) Reportedly, this man is a Taliban Supreme Commander and leader of extremist Taliban elements based in Kandahar Province, Afghanistan.
- 5) Reportedly, the detainee has a friend who is a known Taliban commander that fought against United States Forces in Afghanistan.
- 6) Reportedly, the detainee was recruited in the 40-man Militia and was affiliated with the death of two individuals in Kabul, Afghanistan.

c) Other Relevant Data

- 1) The detainee stated he served in the military and participated in the jihad which expelled the Soviets from Afghanistan, and as a result lost his left leg.
- 2) Reportedly, the detainee attempted to call a Taliban and al Qaida commander who is linked to the murder of an International Committee of the Red Cross worker in Kandahar Province, Afghanistan.

ISN 1030
DMO Exhibit 01
Page 2 of 3

UNCLASSIFIED

UNCLASSIFIED

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HAFIZ, ABDUL KAKAL

3) Reportedly, all 40-man Unit commanders and sub-commanders had short range radios and satellite telephones to keep in communication with each other and the Supreme Commander.

4) The detainee stated he worked in the drug business with two Afghan drug dealers.

4. Factors Favoring Release or Transfer:

- a) The detainee stated he worked in the drug business, and he was not involved with the Taliban.
- b) The detainee stated he had never heard of Usama bin Laden or al Qaida until he was captured by United States Forces.
- c) The detainee stated he was a cripple due to his one leg and was incapable of belonging to a terrorist group.
- d) The detainee stated he never used the satellite phone provided to him. The detainee stated he did not know how to use a telephone.
- e) The detainee stated he was not Taliban and not a part of Hezb-e-Gulbuddin.
- f) The detainee stated he had no knowledge of the Red Cross worker who was murdered.
- g) The detainee stated his mental instability and memory gaps may have made his previous statements inconsistent.
- h) The detainee stated upon his release from detainment, he would like to go back to living with his wife and children.
- i) The detainee stated if released, he would not fight against the United States or its allies.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

ISN 1030
DMO Exhibit 01
Page 3 of 3

UNCLASSIFIED



Department of Defense
 Office for the Administrative Review
 of the Detention of Enemy Combatants (OARDEC)
 at U.S. Naval Base Guantanamo Bay, Cuba
 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJA*

FROM: Director, OARDEC (U) *18 9/2/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 1103 (AFGHANISTAN)

- o ~~(S//NF)~~ Subject ARB was held on 5 Aug 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

- o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
(b)(1),(b)(5)

- o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* *10-6-08*
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #138
 Source Marked: 25X1
 Source Dated: 16 Aug 08~~

**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1103**

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

~~Derived From: Multiple Sources
Declassify On: 25X1-~~Human~~~~

ISN 1103
Enclosure (8)
Page 1 of 6

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-33.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (9):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 1103
Enclosure (8)
Page 2 of 6

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

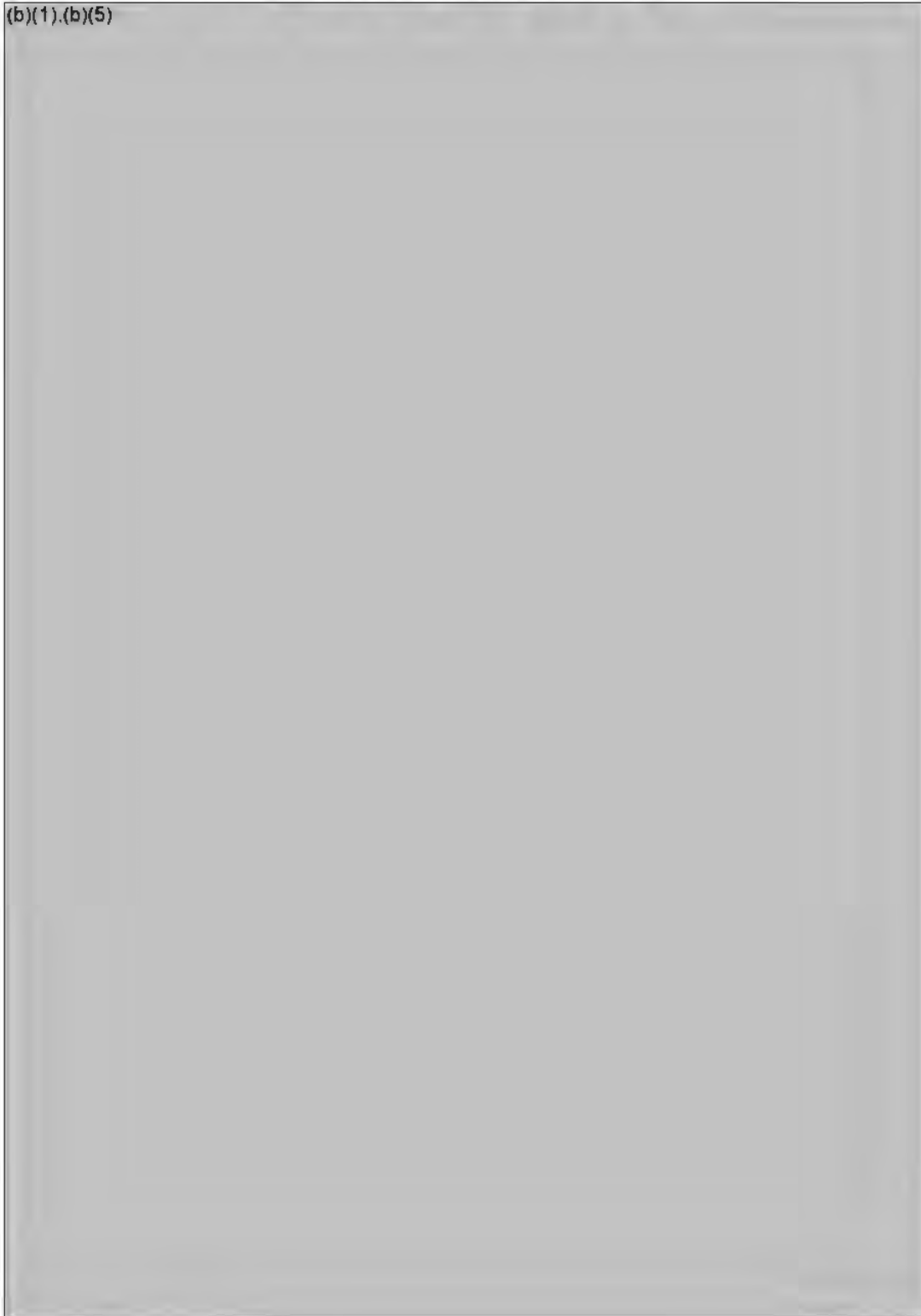
(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1103
Enclosure (8)
Page 3 of 6

(b)(1),(b)(5)




~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1103
Enclosure (8)
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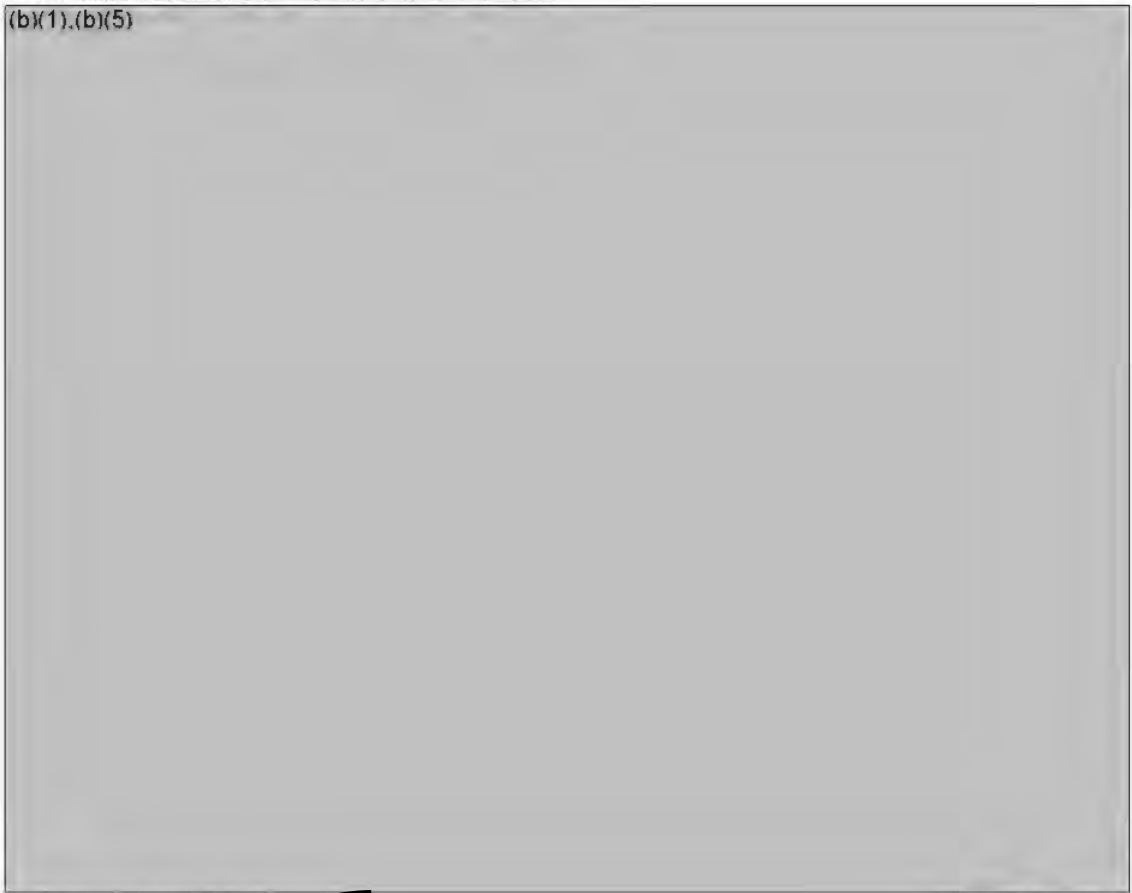
b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

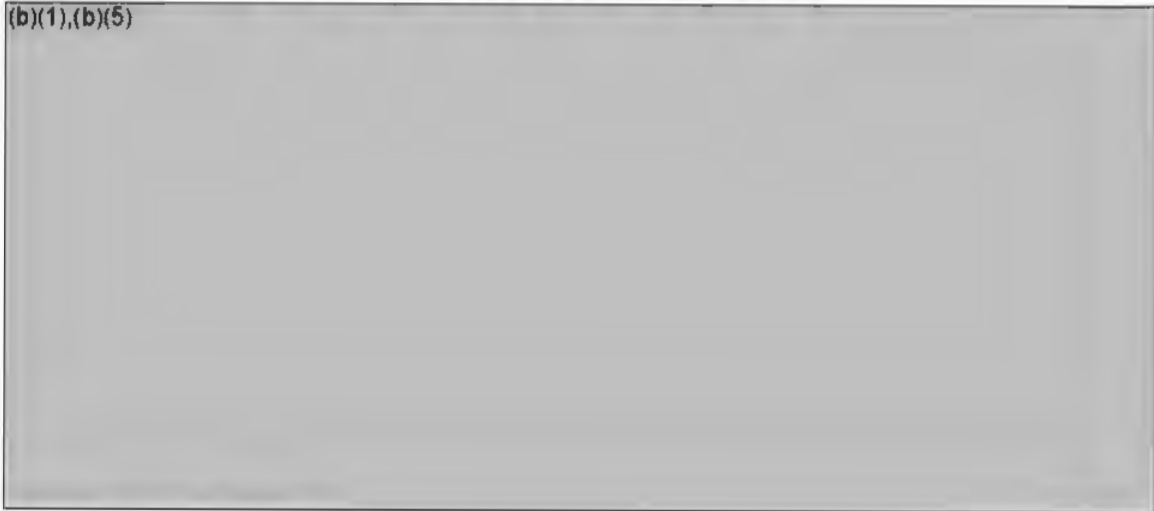
(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1103
Enclosure (8)
Page 5 of 6

(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)

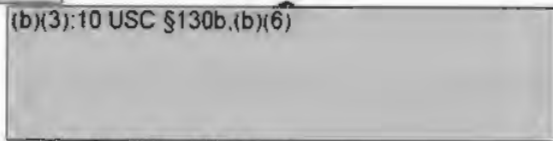


8. (U) Board Members' Voting Results

(b)(5)



(b)(3); 10 USC §130b.(b)(6)



Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1-FRUMAN~~

ISN 1103
Enclosure (8)
Page 6 of 6

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

25 July 2008

To: ZAHIR, MOHAMMAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ZAHIR, MOHAMMAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee provided handwritten lists of names of people involved in Taliban and Anti-Coalition Militia activities and provided descriptions, locations, and type of activity information on these people.
 - 2) The detainee offered to lead soldiers directly to the weapons/arms caches.
 - 3) The detainee stated that from July to September 2001, the detainee worked in the Secret Information Office of the Taliban as a secretary or clerk. The detainee stated they found out he wasn't a Madrasa graduate, and he was laid off from the Secret Information Office for untrustworthiness. The detainee further stated he was rehired as a servant to a Commander from September to November 2001.
 - 4) The detainee stated that during the Ramadan period of 2001, the detainee traveled back to Iran to work in construction. The detainee worked in Iran for about six months before returning to Afghanistan. When the detainee returned from Iran he went back to work at a local police department.
 - b) **Connections/Associations**
 - 1) The detainee stated that between 2000 and July 2001, he worked in the

ISN 1103
DMO Exhibit 01
Page 1 of 4

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ZAHIR, MOHAMMAD

Security Office of the Taliban. The detainee stated that while in this position, one of the commanders found out the detainee was educated and decided the detainee should be moved over to the Secret Information Office.

c) Training

1. During the detainee's time in the Mujahedin, the detainee's duties were to carry rockets for the person who fired the rocket propelled grenade launcher, and provide food and supplies to fellow Mujahedin members.
2. The detainee stated he had fired a Kalashnikov and shotgun, and had fought 5-6 years in the Mujahedin.

d) Other Relevant Data

1. The detainee stated he was conscripted into the Taliban in 1998 or 1999.
2. A senior ranking Taliban member directed one of his divisional commanders to take the detainee to Afghanistan. The detainee worked in the Division of Logistics building under the divisional commander while in Afghanistan.
3. The detainee stated he received "night letters" presumably from a Taliban member that were of a threatening nature and were delivered to the teachers of the village for starting a school.
4. The detainee provided information regarding Taliban weapons caches that he claimed were donated weapons from the Pakistani Party Leadership during the Russian Jihad.
5. The detainee was captured on or about 18 July 2003.
6. The detainee was captured in his home by the Afghanistan national Army. A search of his property turned up two AK-47 magazines, two grenades, a high frequency radio with a large antenna, small amounts of ammunition, a canister with Cyrillic writing on it suspected to be uranium, and an electronic organizer.
7. The detainee was captured with a fax from a newspaper in Iran. The fax requested that one of his superior's interview Usama bin Laden and included a list of questions related to 11 September 2001. A newspaper article from 21 October 2001 was also attached to the fax for the detainee's superior.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ZAHIR, MOHAMMAD

8. At the time of capture, the detainee was found with a notebook which contained phone numbers for Taliban members and other contacts within Afghanistan, Pakistan, Iran, Saudi Arabia, the United States and Russia.
9. The detainee stated the radio, ammunition, small television like object, calculator like object, guns, binos, a Jeep, and heavy can (possibly uranium), were left at his home by his superior at the time of the fall of the Taliban.
10. Pocket litter located on the detainee included a memo regarding weapons inventory. The memo was addressed to the Internal Affairs Ministry from the detainee, who was identified as the Chief of Intelligence. Items listed on the memo included uranium canisters for an Atom Bomb, handguns, computers, communications equipment and medications.
11. Reportedly, the detainee was captured with a map of San Manuel, Cuba, phone books with entries of personnel in the CJTF-180 targeting cell tracker, business cards, passports, and pictures on his person.
12. The detainee's superior adamantly denied owning or leaving those items at the detainee's home.

4. Factors Favoring Release or Transfer

- a) The detainee stated that beginning in the spring of 2003, the detainee taught at a school in Afghanistan for five months before he was arrested.
- b) The detainee stated he was a teacher for three years before working for the Taliban.
- c) The detainee stated he was never against the Americans; he was always supporting Americans.
- d) The detainee claims he is not a Taliban, but instead a Mulawi/teacher.
- e) The detainee's pocket litter contained a letter requesting his reinstatement as a teacher.
- f) The detainee stated he has not been associated with the Taliban since 2001 when his conscription first ended. Additionally, the detainee stated he never plotted against coalition forces or the new government in Afghanistan.
- g) The detainee stated he has never heard of Abdul Haq.

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DMO Exhibit 01
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UNCLASSIFIED

UNCLASSIFIED

**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ZAHIR, MOHAMMAD**

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

ISN 1103
DMO Exhibit 01
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UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

RE
9 Feb 09

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *[Signature]*

FROM: Director, OARDEC (U) *[Signature]* 2/10/09

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 1452 (ALGERIA)

o ~~(S//NF)~~ Subject ARB was held on 17 Dec 08 resulting in a (b)(1),(b) recommendation to (b)(1), (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value:
- Other Factors:

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* 2-10-09
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~Classified by: Presiding Officer's Memorandum of Administrative Review Board Panel #162
 Source Marked: 2,3,4
 Source Dated: 17 Dec 08~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1452

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1), (b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1452
Enclosure (6)
Page 1 of 10

3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-52.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



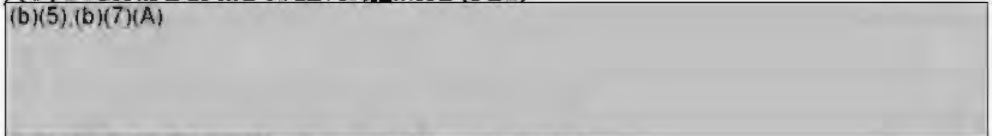
(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



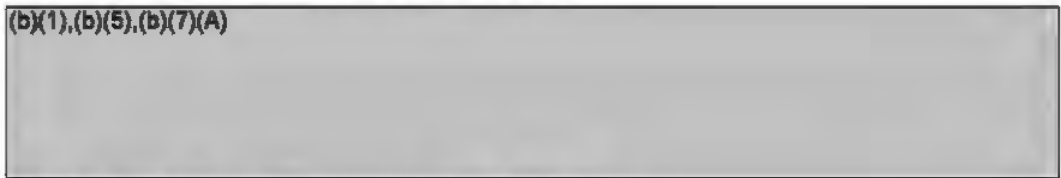
(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



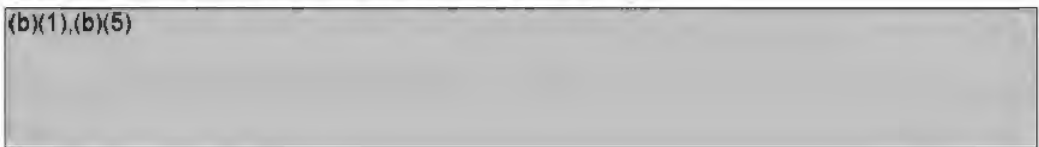
(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

ISN 1452
Enclosure (6)
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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

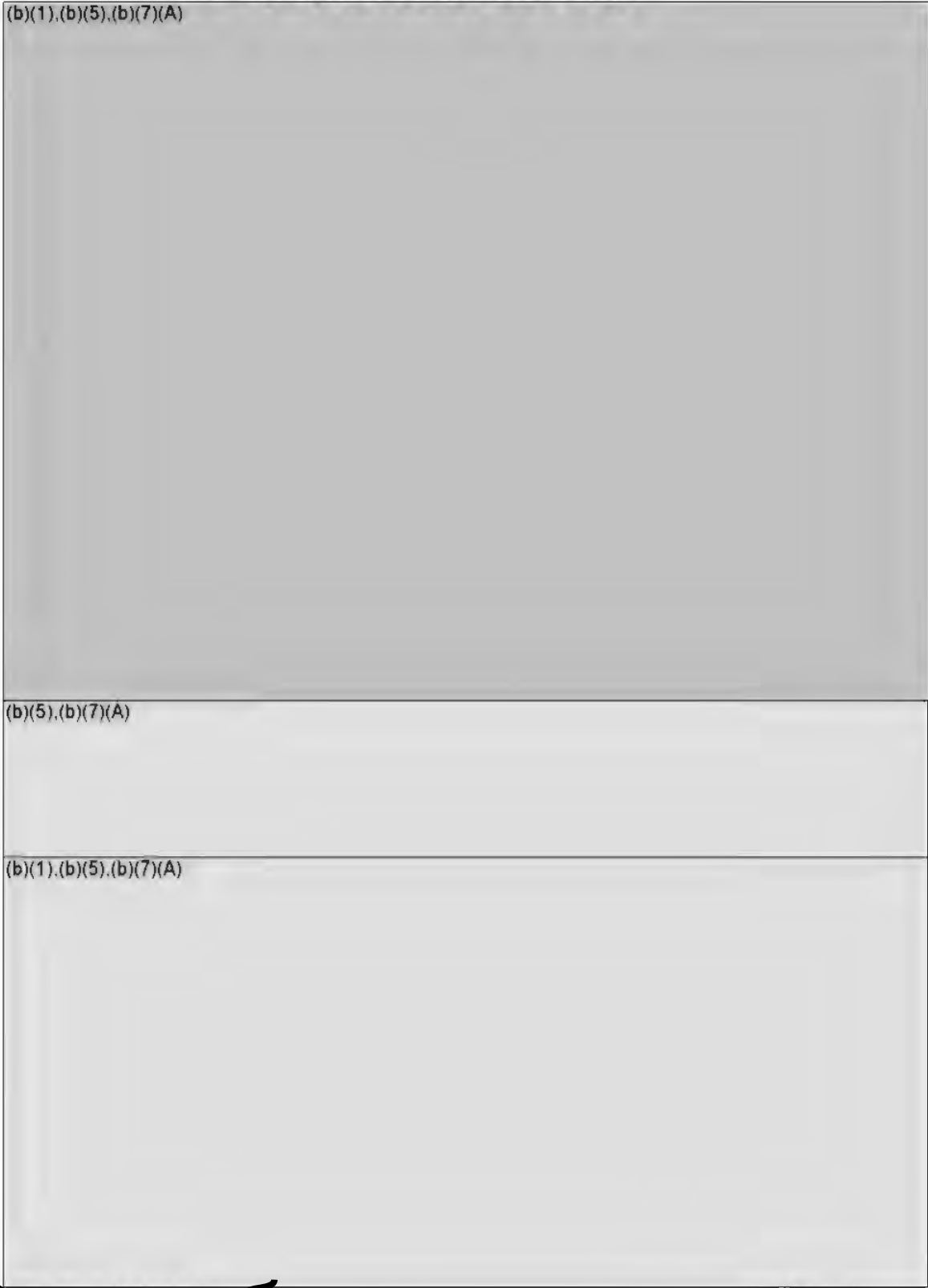
(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

ISN 1452
Enclosure (6)
Page 3 of 10

(b)(1),(b)(5),(b)(7)(A)



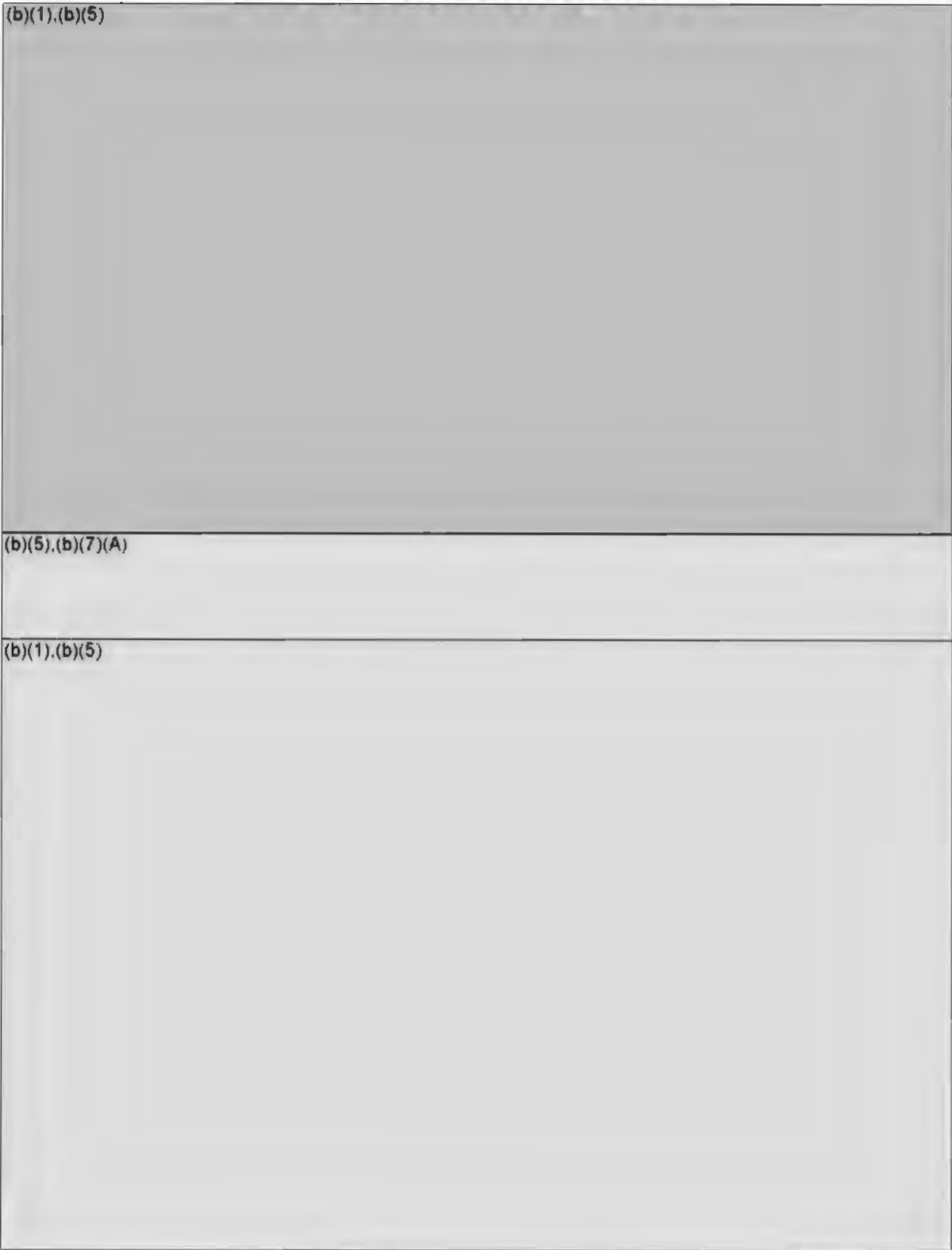
(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

~~Derived From: Multiple Sources~~
~~Declassify On: ~~FOUO~~ Human~~

ISN 1452
Enclosure (6)
Page 4 of 10

(b)(1),(b)(5)



(b)(5),(b)(7)(A)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X Human~~

ISN 1452
Enclosure (6)
Page 5 of 10

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5)

(b)(1),(b)(5)

(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 2011-Human~~

ISN 1452
Enclosure (6)
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(b)(1),(b)(5)

(b)(5)

(b)(1),(b)(5)

b. ~~SECRET~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-1 Human~~

ISN 1452
Enclosure (6)
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(b)(1)(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1).(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
Page 8 of 10

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: ~~XX~~ Human~~

ISN 1452
Enclosure (6)
Page 9 of 10

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3); 10 USC §130b.(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: FOIA-Human~~

ISN 1452
Enclosure (6)
Page 10 of 10

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

09 December 2008

To: BIN HAMLILI, ADIL HADI AL-JAZA'IRI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF BIN HAMLILI, ADIL HADI AL-JAZA'IRI

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he moved from Algeria to Afghanistan for jihad at the age of eleven with his father and brothers.
- 2) The detainee stated that while he was in Saudi Arabia, there were good speakers convincing people to go on jihad to Afghanistan. The detainee stated this was one of the reasons the detainee stated why he ended up in Pakistan.
- 3) The detainee left Algeria in 1985 at age 10 with his father, two brothers, Abu Yasser and Mustafa Hamlili. Abu Yasser was a friend of the family. The detainee stated they went to Mali for one year. From Mali, the detainee, his father, Soufian, and Yasser moved to Burkina Faso for one month. The detainee stated they then traveled to Saudi Arabia and stayed for four to six months before finally traveling through Islamabad, Pakistan, arriving at Peshawar, Pakistan, to perform jihad.
- 4) The detainee stated he spent a total of between six to seven years rotating on the front line in Zazi, Afghanistan, from about 1986-1991. The detainee claimed that the first time he spent six months on the front line and the longest time on the frontline was about one year.

ISN 1452
DMO Exhibit 01
Page 1 of 8

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BIN HAMLILI, ADIL HADI AL-JAZA'IRI

- 5) The detainee stated he was a foot soldier for Hizb-I-Islami Gulbuddin after the defeat of the Soviets in Afghanistan.
 - a. Hizb-I-Islami Gulbuddin has long-established ties with Usama bin Laden. In the early 1990s, Hikmatyar ran several terrorist training camps in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. Hizb-I-Islami Gulbuddin has staged small attacks in its attempt to force United States troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration, and establish a fundamentalist state.
- 6) The detainee stated in 1991 he returned to Peshawar, Pakistan, and lived there for seven years. In 1995, he got married.
- 7) The detainee admitted to having killed an individual in 1995, which he indicated alienated many members of al Qaida. The person was suspected as Usama bin Laden's commercial representative in Pakistan and a member of al Qaida.
- 8) The detainee stated he enlisted a Pakistani and an Afghan to assist him and another individual in tracking down two individuals. The detainee stated they learned the person was in Peshawar, Pakistan at his home. On 10 January 1997, the person opened his door and the detainee fired one shot from his Makarov pistol, striking the person in the head. The detainee told the Pakistani and Afghan to kill the other person, which they did.
- 9) Reportedly in 1997, the detainee tried to shoot his father-in-law for not allowing two Pakistani companions to enter that family member's home. The father-in-law then shot the detainee in the chest. While in the hospital, the Pakistani police reportedly arrested the detainee for stealing a car. The detainee spent one and one half years in prison.
- 10) It was reported that the detainee was a violent, dangerous person who does not suffer from any mental problems. It was also reported the detainee killed a Pakistani man and his wife during the evening of Ramadan in Beshaver, Pakistan.
- 11) The detainee was considered dangerous and untrustworthy, despised by many in the Arab community, and was believed to have had some role in the 1996 murder of a Peshawar, Pakistan based al Qaida officer.
- 12) Reportedly, the detainee was famous in Peshawar, Pakistan, for armed robbery and criminal activities, especially kidnapping foreigners. Reportedly, the detainee's house was a center where all thieves had lived.

ISN 1452
DMO Exhibit 1
Page 2 of 8

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BIN HAMLILI, ADIL HADI AL-JAZA'IRI

- 13) The detainee stated that he was arrested in approximately late September 1999 and released from Peshawar, Pakistan, prison in December 2000.
- 14) The detainee stated that once he was released from the Pakistani prison, he was escorted and released into Afghanistan and told never to return. The detainee made his way to Jalalabad, Afghanistan where he met various members of the Taliban. The detainee additionally stated the Taliban Foreign Minister recommended the detainee for a job as a translator after learning he spoke both Pashtu and Arabic.
- 15) The detainee stated he worked as translator at the Taliban Foreign Ministry for approximately four to five months before the United States bombing campaign began.
- 16) Reportedly, the detainee would often brag about being an interpreter for the Taliban because he spoke both Pashtu and Arabic.
- 17) The detainee wrote a ten-page report on al Qaida and other Islamic groups in Afghanistan for the Taliban Deputy Minister of Intelligence.
- 18) The detainee stated he traveled to Pakistan on three occasions after the attacks of September 11, 2001. He was in Jalalabad, Afghanistan, during the September 11, 2001 attacks. The detainee then went to Peshawar, Pakistan, and Kabul, Afghanistan. The detainee stated once the fighting became too intense, the detainee moved his family back to Peshawar, Pakistan.
- 19) The detainee was responsible for the 24 December 2002 attack on the Chuwanwali Church in Punjab, Pakistan and the 17 Mar 2002 attack on the Protestant Islamic Church in Islamabad, Pakistan. The detainee had 300,000 Pakistani Rupees (approximately 5,263 United States Dollars) to support the detainee's cell in Punjab, Pakistan and fund an attack against Pakistani President.

b) Connections/Associations

- 1) The detainee stated that a charity organization called the Egyptian Jihad Group brought him to a guest house in Jeddah, Saudi Arabia. The detainee stated he believed the group was operated by al Qaida's second in command. The detainee stated that he had some contact with Usama bin Laden while at this guest house.
 - a. Al-Jihad, also known as the Egyptian Jihad Group, is an Egyptian Islamic extremist group active since the late 1970s. It merged with Usama bin Laden's al-Qaida organization in June 2001, but may retain some capability to conduct independent operations. The primary goals are to overthrow the Egyptian Government and

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replace it with an Islamic state and to attack the United States and Israeli interests in Egypt and abroad.

- 2) The detainee stated that in 1999, he was a member of the Armed Islamic Group (GIA) in Pakistan. The detainee stated the group was training in the Jaluji Camp near Peshawar, Pakistan, and al Qaida sponsored this camp. The Algerian group, GIA was there to train and then return and conduct jihad against the Algerian government. The detainee stated Usama bin Laden, and others placed three well-trained al Qaida operatives in this group to enhance their experience level as well as their training.
 - a. Armed Islamic Front is an Islamic extremist group. The Armed Islamic Front aims to overthrow the secular Algerian regime and replace it with an Islamic state. The Armed Islamic Front began its violent activity in 1992 after Algiers voided the victory of the Islamic Salvation Front, the largest Islamic opposition party, in the first round of legislative elections in December 1991.
- 3) The detainee stated he remained with this group for one to one and a half years.
- 4) A source stated the detainee was a member of Hizb ul-Mujahideen, who resided in the board area of Peshawar, Pakistan.
 - a. Hizb ul-Mujahidin, the largest Kashmiri militant group, was founded in 1989 and officially supports the liberation of Kashmir and its accession to Pakistan, although some cadres are pro-independence. The group is the militant wing of Pakistan's largest Islamic political party, the Jamaat-i-isiami. It currently is focused on Indian security forces and politicians in Kashmir and has conducted operations jointly with other Kashmiri militants. It reportedly operated in Afghanistan through the mid-1990s and trained along side the Afghan Hizb-I-Islami Gulbuddin in Afghanistan until the Taliban takeover.
- 5) The detainee stated he was a member of Takfir Wael Hagra before he went to prison in Pakistan in 1999.
 - a. Reportedly, Takfir Wael Hagra is an organization that violates Islamic and Sharia law. The organization is more radical and sadistic than al Qaida.
- 6) The detainee was reportedly a member of the Takfir Wal Hijra group operating in Pakistan and he was known as a bad man by others. The detainee reportedly associated with known killers and robbers.
- 7) The detainee stated while in Peshawar, Pakistan between 1991 and 1999, he joined the al-Khalafa group which was dedicated to overthrowing the Pakistani government.

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- 8) The detainee stated Khilafah consisted of approximately 25 members. There was no structured leadership within the group and the mission dictated who would be the leader at any given time. The detainee stated the main mission of Khilafah was to unite all Muslims under one leadership structure and agreed that Usama bin Laden shared the same concept for al Qaida, but al Qaida's goals included fighting against the west where as Khilafah's goal was only to unite Muslims under one leadership structure.
- 9) Reportedly, the Khilafa Takfir group was established in Afghanistan in 2000 or 2001. After the bombing in 2001, the members left Peshawar, Pakistan and moved to Bangladesh. Additionally, it was reported the Khilafa Takfir group had approximately 10,000 members and the group stole money, killed people, sold weapons, and trafficked hashish and liquor to get money.
- 10) It was reported the Taliban would invite the detainee to numerous functions where he would meet all the high level officials.
- 11) The detainee stated he had met a man two months before the fall of the Taliban government in Afghanistan and additionally recalled seeing this man twice in 1987 and then again in 1990.
 - a. Reportedly, the individual in the previous statement was one of the masterminds behind the September 11, 2001 terrorist attacks on New York and Washington.

c) Training

- 1) The detainee stated he went to the Sadaa Training camp on the border of Pakistan and Afghanistan in 1986 for one month of training. Training consisted of anti-aircraft guns and small arms such as the Kalashnikov, AK-47, Rocket Propelled Grenades and the Pakistani machine gun. The detainee stated that during the training he fired each of these weapons and then used them on the front line. The detainee additionally stated that at age of 12 he received training on the Stinger missile.
- 2) The detainee stated he attended the Sadda Camp several times between 1986 and 1991. The detainee stated the Sadda Camp was mandatory for all fighters before entering Afghanistan to fight against the Russians. The detainee further stated the training conducted in the camp was primarily general combat skills, but after serving in Afghanistan you could take specialized training.
- 3) The detainee stated that he had spent a month at the Khalden Camp in Afghanistan getting ready to return to Algeria for jihad.

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- a. Reportedly, the Khalden Camp was used for training Taliban and al Qaida fighters. The camp had tunnels that could house up to 40 soldiers and also had tunnels that housed small arms, Rocket Propelled Grenades, mortars, and heavy machine guns. Students at the camp underwent small arms training at regular intervals.
 - 4) The detainee attended a three-day training course in Improvised Explosive Devices held in Peshawar, Pakistan, in November 2002. The training was on improvised firing devices. The students learned how to use a digital alarm clock as an improvised firing device and were taught that cordless phones could also be used. The instructor discussed the use of poisons with explosives.
 - 5) At the three day training course, an impromptu discussion took place on methods to attack United States forces stationed in Bagram Air Base, Afghanistan. One of the methods would involve poisoning the food destined for the base, while it was in the port of Karachi, Pakistan. The other method involved placing Improvised Explosive Devices on the trucks that supplied the bases. The Improvised Explosive Devices would be placed on the trucks while they were in Peshawar, Pakistan before they crossed into Afghanistan. The participants additionally discussed bomb attacks of United States forces in Konar Province, Afghanistan; Jalalabad, Afghanistan; and Nangarhar Province, Afghanistan.
- d) **Other Relevant Information**
- 1) The detainee was a good contact to have if one needed to stay or pass through the tribal region on the Afghanistan and Pakistan border.
 - 2) The detainee stated that when he moved to Islamabad, Pakistan, the Canadian Foundation gave the detainee financial support in return for information on the whereabouts and activities of al Qaida members. The detainee stated that he worked for the Canadian Foundation for approximately one and one-half years.
 - 3) The detainee stated he is fluent in Farsi and Pashtu.
 - 4) The detainee stated he was born in June of 1975 in Oran, Algeria. The detainee is married and has three daughters and one son.
4. **The following primary factors favor release or transfer:**
- a) The detainee stated he denies having any knowledge of the attacks in the United States prior to their execution on September 11th, 2001. He also denied knowledge of any rumors or plans of future attacks on the United States or United State's interests.

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- b) The detainee stated that any information taken from him while imprisoned at Bagram, Afghanistan, was taken under duress and was not true.
- c) The detainee stated that he denies ever being a member of al Qaida.
- d) The detainee claims to have been instrumental in the capture of 15 Arabs through information he provided to the Canadian Foundation.
- e) The detainee stated that he expressed distaste for al Qaida and said he did not like them. The detainee stated that while he was in Pakistan he worked with the Canadian Intelligence to expose al Qaida members.
- f) The detainee stated he did not have a problem helping find al Qaida members and informing on them. According to the detainee, al Qaida used him and others as test subjects for testing poisons and toxins. The detainee told new arrivals not to trust al Qaida and stated that he had planned to fight al Qaida, if given the chance.
- g) The detainee stated he denied being directly involved in the murder of an individual, but never actually denied his participation in it. The detainee stated that information he gave while at Kabul, Afghanistan had been taken under duress and the only reason he had admitted to the murders was because he had been threatened.
- h) The detainee stated he was in prison in 1999 when an individual he was accused of killing (outside prison) was killed.
- i) While in prison, the detainee reportedly wrote several things on the wall cursing Usama bin Laden and al Qaida and then signed his name to it. It was reported that the detainee was not a member of al Qaida because of his Takfiri beliefs.
- j) The detainee was reportedly a hard core gang member but has no association with al Qaida.
- k) The detainee stated he had no association with Hizb-I-Islami Gulbuddin.
- l) The detainee stated he was not involved in the overthrow of the Pakistani government or the assassination attempt on the Pakistani President.
- m) The detainee denied destroying several churches in Islamabad and Punjab, Pakistan, in 2002. The detainee stated he also denies the receipt of financial support for an attack against the Pakistani President.

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- n) The detainee stated that he never stole a car. The detainee denied ever being a member of the Khalifah organization.
- o) When asked if released if he would assist any organization to make bad things happen to America, the detainee replied no. The detainee stated he would return to his family in Algeria and not help anyone do anything anymore.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

*RE
31 Jan 09*

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs *[Signature]*

FROM: Director, OARDEC (U) *1/2/09*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 1453 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 22 Nov 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5)

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(6)

(b)(1),(b)(5) (Detain) *[Signature]* 12-09

Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #162
 Source Marked: ~~XX1-Human~~
 Source Dated: ~~28 Nov 08~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1453

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The detainee's ARB interview was scheduled for 17 November 2008, however, upon learning the purpose of the meeting, the detainee refused to leave his cell for the interview. In accordance with the Joint Detention Group Standard Operating Procedures, copies of both the English and Arabic translated Unclassified Summary of Evidence were hand carried to the detainee by the JDG liaison. The AMO received written confirmation from the JDG liaison stating the documents were accepted by the detainee.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
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3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

h. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-37.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 2048 Human~~

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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

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(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

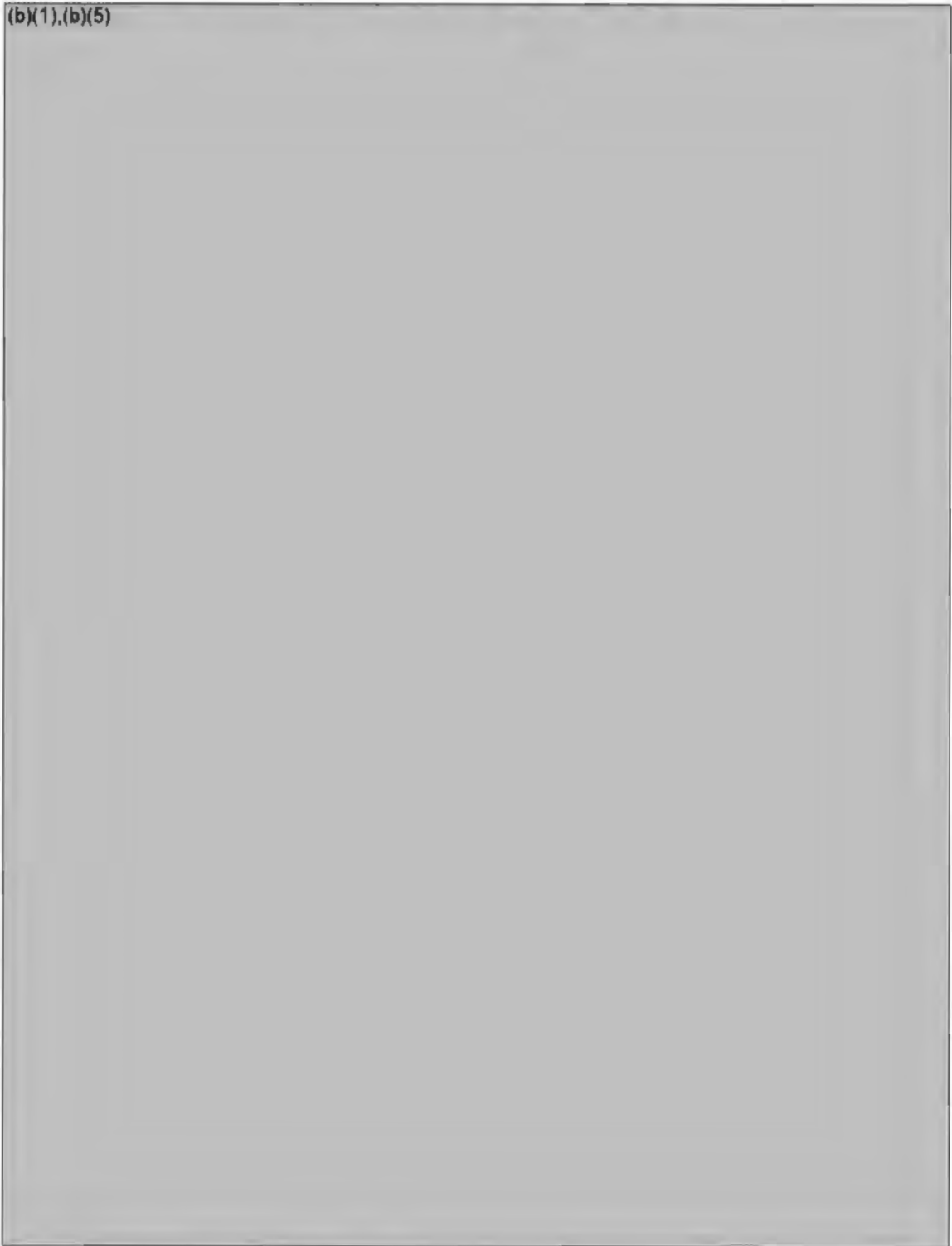
(b)(1),(b)(5),(b)(7)(A)

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~~Declassify On: 25X1 Human~~

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~~SECRET//ORCON/NOFORN~~

(b)(1),(b)(5)



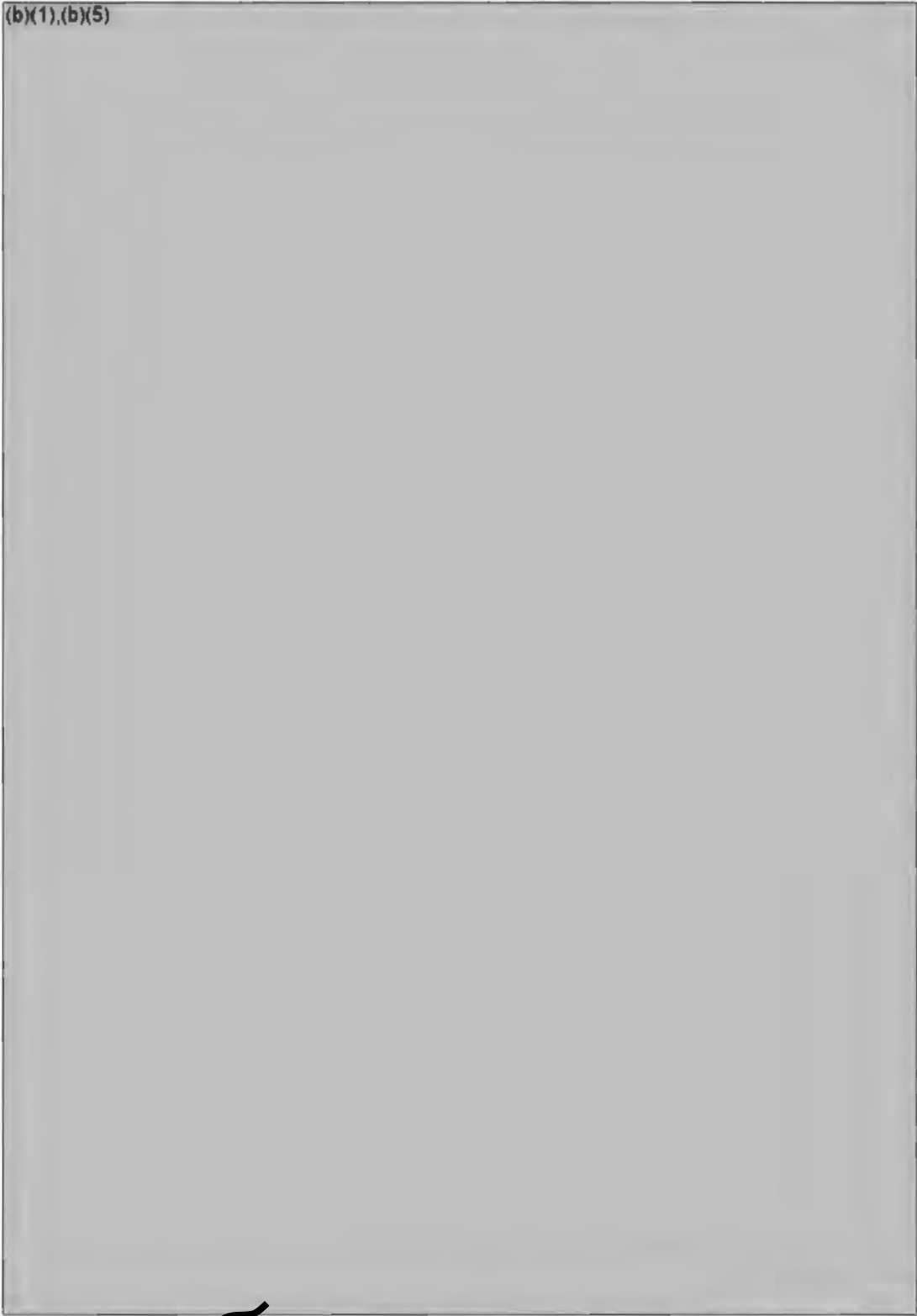
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~~SECRET//ORCON/NOFORN~~

~~SECRET//ORCON//NOFORN~~

(b)(1),(b)(5)



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~~SECRET//ORCON//NOFORN~~

(b)(1),(b)(5)



b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)



c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1 Truman~~

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d. (U) Recommendation.

(b)(1),(b)(5)

6. (U) Board Members' Voting Results

(b)(6)

(b)(3):10 USC §130b.(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

14 November 2008

To: AL-KAZIMI, SANAD YISLAM

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-KAZIMI, SANAD YISLAM

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he attended the Mosaleem Mosque in Yemen where a man assisted the detainee's travel to Afghanistan.
 - 2) The detainee stated he wasn't making enough money to support his family, so he began asking for guidance from his friends. The detainee stated that an al Qaida member advised him to join the Chechnya jihad and gave the detainee two Chechnya jihad videos to watch. The detainee stated that he was told by the al Qaida member that he would need to go to Afghanistan to receive training and provided the detainee with a letter of introduction.
 - 3) The detainee stated that while at al Farouq, a man talked to him about Usama bin Laden and the possibility of the detainee joining al Qaida.
 - a) Reportedly, while in Afghanistan, the man in the above statement was constantly with Usama bin Laden and was one of Usama bin Laden's personal secretary/executive assistants.
 - b) Reportedly, the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. Reportedly, the

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-KAZIMI, SANAD YISLAM

training at al Farouq consisted of two week periods of weapons training, a basic commando course, topography and explosives.

- 4) The detainee stated that in approximately October 1999, an al Qaida member gave him money to get a passport to Afghanistan. The detainee stated the al Qaida member worked for the man who was in charge of travel arrangements from Yemen to Afghanistan. The detainee stated he met this man two or three times. The detainee stated he received his passport in May 2000.
- 5) The detainee stated he had contacted an al Qaida facilitator because he wanted to go to Afghanistan to be involved in the jihad.
- 6) The detainee stated that in May 2000, he took a flight from Sanaa, Yemen, to Karachi, Pakistan, via Dubai, United Arab Emirates.
- 7) The detainee stated he and his family stayed in Karachi, Pakistan, for seven to ten days. The detainee stated he met with three men, one of whom was well known to travel agents and provided blank airline tickets for the detainee and his family. The detainee stated he used his real passport, and the group left on the same airline.
- 8) The detainee stated he traveled from Karachi, Pakistan, to Quetta, Pakistan, where he stayed at the Dafter Taliban guest house. The detainee stated that at the Dafter Taliban guest house he met the man who was in charge of transportation. The detainee stated this man took him to an al Qaida guest house in Kandahar, Afghanistan.
 - a) Reportedly, the Taliban office called Daftare Taliban in Quetta, Pakistan, provided Arabs different means to cross the border into Afghanistan and lodging while traveling. The Daftare Taliban informed travelers of different lodging options in Afghanistan cities according to travel plans.
- 9) The detainee stated that around May 2001, he stayed at an al Qaida guest house in Lahore, Pakistan, for two months before moving to Karachi, Pakistan, for another month. The detainee stated that in Karachi, he stayed in another al Qaida guest house while waiting for his family to arrive.
- 10) Reportedly, the detainee used to work at a guest house in Pakistan, and the detainee would pick up newly arrived Taliban/al Qaida recruits from the various hotels in Karachi, Pakistan, and deliver them to various guest houses in the city.
- 11) The detainee stated he spoke with Usama bin Laden's secretary/guard about getting additional sniper training. The detainee stated the secretary stated the detainee would need to swear bayat to Usama bin Laden because the additional training required scarce

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ammunition and Usama bin Laden needed more members. The detainee stated the secretary took him to the airport complex where Usama bin Laden's office was.

- 12) The detainee stated that the next day Usama bin Laden's secretary took him to meet with Usama bin Laden. The detainee stated that Usama bin Laden told him that he needed more guards and asked the detainee to be one. The detainee stated he was overwhelmed and honored to be chosen and accepted Usama bin Laden's offer. The detainee stated he was a bodyguard until April 2001.
- 13) A government source stated the detainee went to Afghanistan with the help of an individual, trained in al Qaida camps, and was later selected by Usama bin Laden to be a bodyguard.
- 14) The detainee stated he did not go to Afghanistan planning to become a Usama bin Laden bodyguard and he was very surprised and honored when he got the job. The detainee stated he worked for Usama bin Laden for six to seven months.
- 15) The detainee stated that an al Qaida operative asked him to case a road from the United Arab Emirates via Oman to Yemen. The detainee stated the individual told him that he intended to use a truck to transport explosives along the route and wanted him to report on the security situation to include the presence of roadblocks and the level of security at the borders.
- 16) A source stated the detainee was a militant, an extremist, and a violent individual with strong opposition to a foreign government.

b) Training

- 1) The detainee stated he arrived at al Farouq and received 45 days of basic training. The detainee stated the training focused on weapons, such as the AK-47 and the Beka, and other areas, such as topography, camouflage, formations and mountain tactics.
- 2) Reportedly, the detainee talked about explosives and poisons training, where the United States and the Northern Alliance were mentioned as intended targets.

c) Connections/Associations

- 1) The detainee stated he first met Usama bin Laden in August 2000 when he interviewed for the bodyguard job.
- 2) The detainee stated that he met an al Qaida operative in Afghanistan and who was trusted by Usama bin Laden.

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3) Reportedly, only high level al Qaida members were allowed access to the chemical laboratory at the airport complex in Kandahar, Afghanistan. It was reported the detainee was with all the high level al Qaida members and the detainee would know about the chemical weapons. Reportedly, the detainee was a body guard for Usama bin Laden.

d) Intent

1) The detainee stated he came to Afghanistan for two reasons: to be killed in a way which honored Allah, or to survive fighting in Afghanistan and receive the financial security al Qaida would provide upon his return.

2) The detainee stated he would have been willing to die for Usama bin Laden.

3) The detainee stated he had to say, under oath, that he would fight with Usama bin Laden against those aggressors from the Jews and Christians, under the law of God. The detainee stated this was not just an oath, but also a covenant he was bound by.

e) Other Relevant Information

1) The detainee stated that from 1989 to 1990, he attended the Sawaydya Training Camp in Yemen, and he had two months of special forces training at al Hudaydah Training Camp in Yemen where he served with the Ali Nasser unit. The detainee stated his rank was equivalent to first lieutenant.

2) The detainee stated he had been in Special Operations in the Yemeni Army and was in the reserves from 1989 to 1994.

3) Reportedly, the detainee was held in a Yemen jail prior to the attacks on September 11, 2001, and detainee was very close to Usama bin Laden. Reportedly, Usama bin Laden sent a letter to the Yemeni President requesting his release. Reportedly, the detainee was released by the Yemeni Prime Minister and subsequently returned to Afghanistan.

4) The detainee stated that bodyguards functioned as if they were brain washed. Due to their close proximity to Usama bin Laden they were constantly exposed to bin Laden's message and beliefs. The detainee stated that many of the guards became little versions of bin Laden.

5) Reportedly, the detainee stated that Usama bin Laden said if the United States were to use chemical weapons against Taliban or al Qaida members, they would also use chemical weapons.

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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-KAZIMI, SANAD YISLAM**

- 6) Reportedly, the detainee knew where all the money for al Qaida came from and knew who the members of al Qaida cells were in various countries throughout the Middle East.
4. The following primary factors favor release or transfer:
- a) The detainee stated that he had never been asked to purchase the explosives and further added that he did not know who was going to provide a man with the explosives.
 - b) The detainee stated he never heard of the al Qaida operative planning an attack against Port Rashid, United Arab Emirates.
 - c) The detainee stated that he was not interested in helping the al Qaida operative and was trying to do the least amount of work possible while taking the individual's money.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

RE
3 Feb 09

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: ~~Deputy~~ Deputy Assistant Secretary of Defense for Detainee Affairs (U) *[Signature]*

FROM: Director, OARDEC (U) *[Signature]*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 1460 (PAKISTAN)

o ~~(S//NF)~~ Subject ARB was held on 19 Nov 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

(Detain) *[Signature]*

Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #160
 Source Marked: 25X1
 Source Dated: 4 Dec 08~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1460

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation from the JDG stating the detainee refused to accept the documents.

(b)(1),(b)(5)

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

~~Derived From: Multiple Sources
Declassify On: OADR - Human~~

ISN 1460
Enclosure (6)
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b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-43.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (6):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

~~Derived From: Multiple sources
Declassify On: 25X1 Human~~

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Enclosure (6)
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(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Hussein~~

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(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.**

(b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted content]

~~Derived From: Multiple Sources
Declassify On: ~~25X1~~-Human~~

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Enclosure (6)
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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
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(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

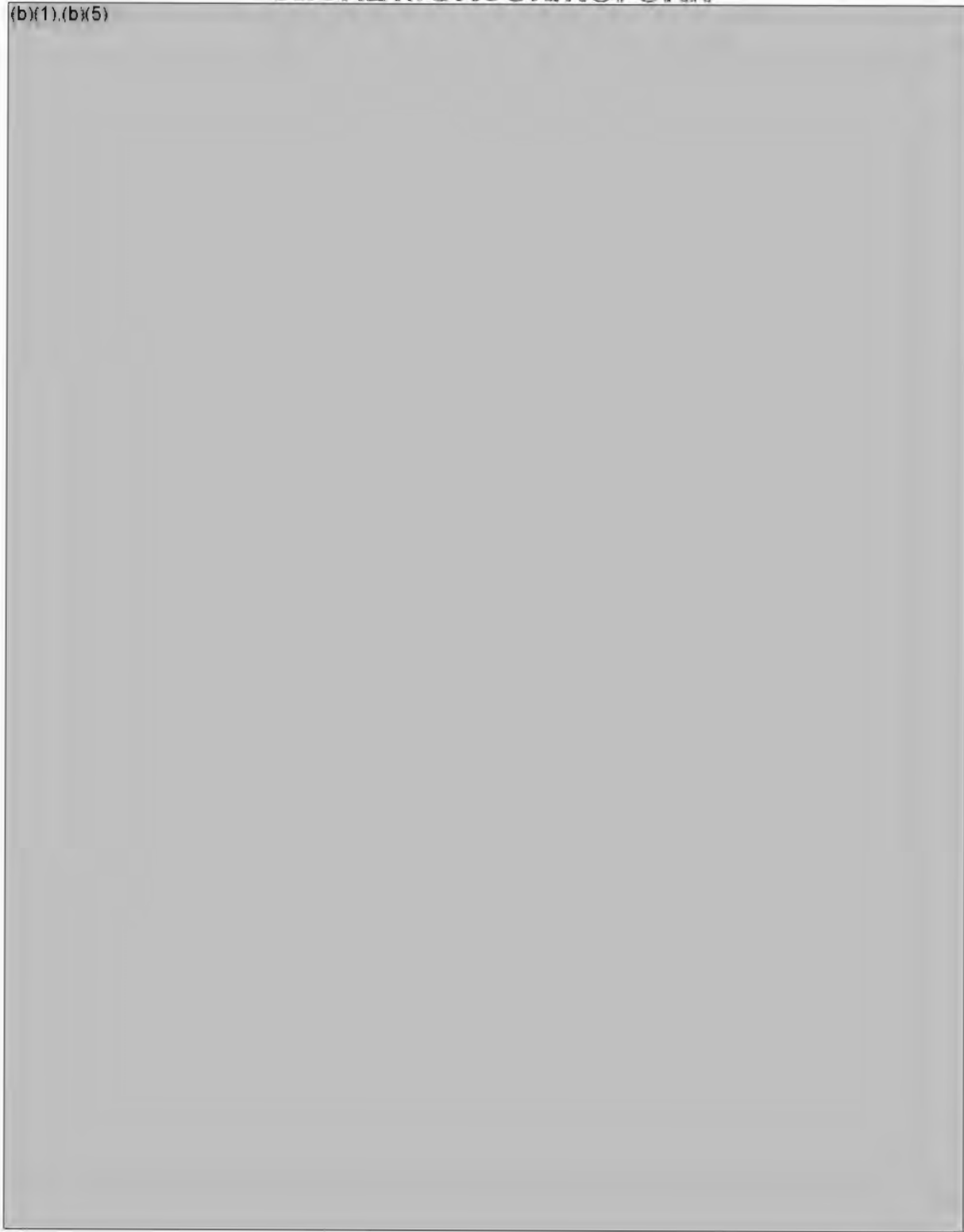
c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25/1 Human~~

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(b)(1), (b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1-Human~~

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(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b.(b)(6)

COLONEL, United States Marine Corps
Presiding Officer

~~Derived From Multiple Sources
Declassify On: 25X1-Human~~

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Enclosure (6)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

14 November 2008

To: ABU RAHMAN, ABDUL RABBANI ABD AL RAHIM

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABU RAHMAN, ABDUL RABBANI ABD AL RAHIM

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated that in 1999, his brother recruited him into the jihad movement. The detainee stated he and his brother traveled to Afghanistan from Karachi, Pakistan to receive firearms training, with the intent to help with the Burmese problem.
 - 2) The detainee stated he was brought to Kandahar, Afghanistan by his brother in mid-2000 and briefly met Usama bin Laden and another senior al Qaida leader. He was then sent to the Khalden Camp near Khowst, Afghanistan for military training. Shortly after starting training, the detainee was thrown out of the camp for violating the rules. The detainee stated after being kicked out of the Khalden al Qaida training camp he returned to Karachi, Pakistan where he was introduced to another senior al Qaida operative.
 - a. Reportedly at the Khalden training camp new jihadists arrived every week. The four courses at the Khalden training camp reportedly included basic weapons training for two weeks, artillery training for approximately one week, topography training for one to two weeks, and military tactics training for approximately four weeks.
 - 3) The detainee stated he went to Bagram, Afghanistan after leaving Khalden Camp, where he remained for three months. The detainee stated he later returned to Karachi, Pakistan where he visited with and helped care for wounded al Qaida fighters.
 - 4) The detainee stated he cooked at safe houses and eventually began transporting individuals to al Qaida training camps in Afghanistan. He would travel to and from Afghanistan with a senior al Qaida operative and deliver letters and equipment from Pakistan to al Qaida members in Afghanistan. The detainee stated he delivered letters

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DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABU RAHMAN, ABDUL RABBANI ABD AL RAHIM

from the senior al Qaida operative directly to Usama bin Laden on four separate occasions.

- 5) The detainee stated a senior al Qaida lieutenant tasked him to rent and live in several safe houses. The detainee stated he rented houses throughout mid-2000 until September 11th, 2002 when Pakistani authorities conducted a raid on his house. The detainee stated he lived with a senior al Qaida operative.
- 6) The detainee was part of a cell that was tasked to purchase the cars, conduct casing of the hotels, and purchase and build the explosive devices to be used in car bomb attacks against United States troops.
- 7) The detainee stated he attended meetings at the Kandahar airport to deliver numerous items to Usama bin Laden from a senior al Qaida lieutenant. He delivered items such as holy water from Mecca, Saudi Arabia; food, computers, and clothing.
- 8) The detainee was a manager for several guest houses for Mujahedin in Karachi, Pakistan. The detainee was a Karachi-based facilitator who was well known to all the Mujahedin, including al Qaida. The detainee could assist with travel and housing arrangements. Senior al Qaida members stayed at various guest houses run by the detainee.
- 9) The detainee stated he harbored three of the September 11, 2001 hijackers briefly at a home in Karachi, Pakistan. The detainee also stated he provided safe houses and logistical support to al Qaida operatives in Karachi, Pakistan from approximately early 2000 through September 2002.
- 10) The detainee stated he transported several of the September 11, 2001 hijackers from Kandahar, Afghanistan to Karachi, Pakistan approximately 3-4 months prior to 11 Sep 2001.
- 11) The detainee stated he was captured in September 2002 during raids conducted against a series of al Qaida safe houses in Karachi.

b) Connections/Associations

- 1) The detainee stated he has met Usama bin Laden approximately 10-12 times.
- 2) The detainee stated he met a senior al Qaida operative at a mosque in Karachi, Pakistan for a prearranged secret meeting. The detainee stated the al Qaida operative passed the detainee a package during the meeting that contained a large number of individually wrapped passports and instructed him to safeguard them.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABU RAHMAN, ABDUL RABBANI ABD AL RAHIM

- 3) The detainee stated he worked closely with a senior al Qaida operative to coordinate support to Arabs who were being harbored in safe houses within Karachi, Pakistan. The detainee stated he was a trusted assistant of the senior al Qaida operative.
 - 4) The detainee stated he believes over a three month period he spoke with a senior al Qaida member on about ten different occasions while in Kabul, Afghanistan. Each time they conversed, he told the detainee about the fighting that was going on in Bagram, Afghanistan. The detainee stated the senior al Qaida member also discussed different types of training the senior al Qaida member wanted the detainee to attend, like grenade training.
 - 5) The detainee stated he has either operated or resided at six different safe houses in Karachi, Pakistan with a senior al Qaida operative.
 - 6) The detainee stated he met with the nephew of a senior al Qaida member who was sometimes in charge of the al Qaida and Taliban families moving from Afghanistan to Pakistan.
 - 7) In Karachi, Pakistan at Gulshane Iqbal house where he was staying, the detainee stated it was his responsibility to find a safe house for an individual.
 - a. The individual in the previous statement was reportedly an al Qaida explosives expert who was a trainer at the al Farouq camp and carried out attacks in Nairobi, Kenya and Yemen against the United States Ship Cole.
- c) Training**
- 1) The detainee stated the training he received at the Khalden camp started with physical fitness training and hand to hand type combat training.
 - 2) The detainee stated he had two months of training at the Khalden al Qaida training camp. The detainee stated he was trained on 11 types of weapons, which included the AK-47, PK machine gun, ZK-1 mortar, and rocket propelled grenades.
- d) Other Relevant Data**
- 1) The detainee stated he was arrested in 1988 in Medina, Saudi Arabia for stealing over 50 video cassette recorders. He was sentenced under Sharih law and served two years. In 1997, he was again arrested in Medina and charged with stealing hashish and heroin. He was sentenced to two years incarceration.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABU RAHMAN, ABDUL RABBANI ABD AL RAHIM

4. The following primary factors favor release or transfer:

- a) The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11, 2001. The detainee also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.
- b) The detainee stated he told the Federal Bureau of Investigation he met Usama bin Laden because he was scared. The detainee stated he made the story up.
- c) The detainee stated when questioned by the Federal Bureau of Investigation about the actual operational plans or personnel involved, prior to the September 11, 2001 attacks, he was so pressured he just told the Federal Bureau of Investigation he knew about it. He really didn't know but he just wanted them to stop the stress.
- d) The detainee stated numerous times he would be willing to go back to Pakistan and Afghanistan and work for the United States Government to help end this war.
- e) The detainee stated he wanted to talk about everything he knew and wants to be released and work for the coalition forces because of what Usama bin Laden is doing to his county. The detainee stated Usama bin Laden is killing innocent people and what he is doing is wrong.
- f) The detainee stated he understood why people fight in a war and how people are killed, but to sacrifice for Usama bin Laden, or for the sake of committing suicide is something he would not do.
- g) The detainee stated al Qaida must swear bayat and he had not done this.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
 at U.S. Naval Base Guantanamo Bay, Cuba
 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *DK*

FROM: Director, OARDEC (U) *18/10/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND
 RECOMMENDATION ICO ISN 1461 (PAKISTAN)

o ~~(S//NF)~~ Subject ARB was held on 17 Oct 08, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* 12-15-08
 Or Transfer _____ Release _____

- o (U) Attachments:
 - Tab A OARDEC SIA Legal Sufficiency Review
 - Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1461

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1).(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

~~Derived From: Multiple Sources
Declassify On: A5X1-Human~~

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Enclosure (6)
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3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-37.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1), (b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(5)



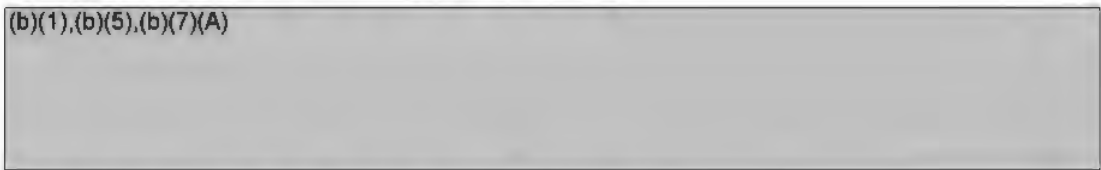
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5), (b)(7)(A)



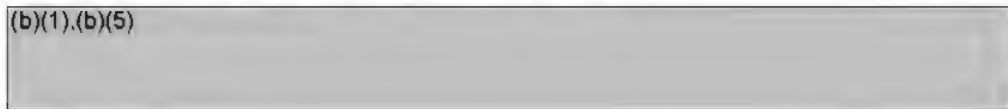
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1), (b)(5), (b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1), (b)(5)



~~Derived From: Multiple Sources
Declassify On: 2571 Human~~

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Enclosure (6)
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(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

~~Derived From: Multiple Sources
Declassify On: 25X Human~~

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Enclosure (6)
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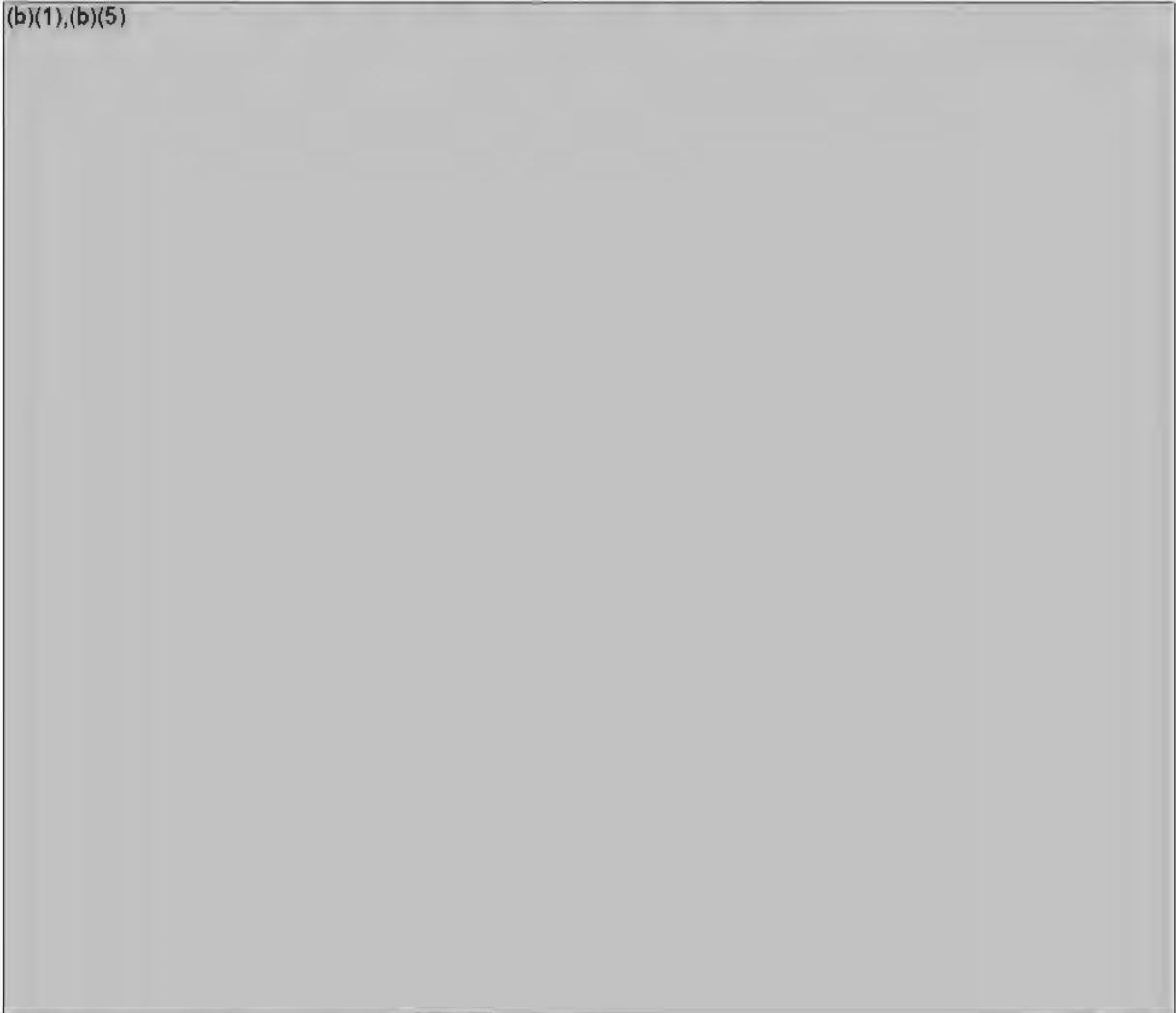
(b)(1),(b)(5)



~~Derived From: Multiple Sources~~
~~Declassify On: 25X1-FUJIAN~~

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Enclosure (6)
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(b)(1),(b)(5)



b. ~~(S//NF)~~ **Intelligence Value.**

(b)(1),(b)(5)

(b)(1),(b)(5)




~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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Enclosure (6)
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c. (U) Detainee Treatment Act Consideration.


(b)(1),(b)(5)



~~Derived From: Multiple Sources~~
~~Declassify On: 25Y1 Human~~

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(b)(1),(b)(5)



~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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Enclosure (6)
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(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

~~Derived From: Multiple Sources
Declassify On: 25X1 Human~~

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Enclosure (6)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

30 September 2008

To: RABBANI, MOHAMMED AHMAD GHULAM

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF RABBANI, MOHAMMED AHMAD GHULAM

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:

a) Commitment

- 1) Reportedly, the detainee was told that it was his duty to go to Afghanistan to learn to fight and to free Burma. The detainee left Pakistan to attend the Camp in Khowst, Afghanistan. The camp was Pakistani, but was sponsored by a Burma Organization. The detainee also admitted that the camp was associated with the Harakat al Ansar group.
- 2) The detainee further stated that in the fall of 1997, he left the Khalden Camp with a group and traveled to Kandahar, Afghanistan, to meet with Usama bin Laden.
- 3) The detainee stated that in approximately 1998, he attempted to purchase a false passport and visa for travel to Dubai, United Arab Emirates. The detainee also stated that in the summer of 1998, United States Embassies in East Africa were bombed and he was afraid he would be arrested if he stayed in Pakistan; consequently, the detainee traveled to Kandahar, Afghanistan.

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DMO Exhibit 01
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**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF RABBANI, MOHAMMED AHMAD GHULAM**

- 4) The detainee stated that after the East African Embassy bombings in August 1998, there was greater demand for his help in obtaining goods in Karachi, Pakistan, and transporting people and items to Afghanistan. The detainee also stated he became famous within Mujahedin circles in Pakistan and Afghanistan for being dependable because he spoke both Urdu and Arabic.
- 5) The detainee stated that it was through driving his taxi in an area of Karachi, Pakistan, that he started his relationship with the Mujahedin. The detainee also stated he was neither directed to drive a taxi nor help the Mujahedin, but did so because he wanted to.
- 6) The detainee stated that in the late 1990's he traveled to Afghanistan and worked for an individual who told the detainee to rent a house using Mujahedin money. The house was located in Karachi, Pakistan, and was run as an al Qaida guest house.
- 7) The detainee stated that in 2000 and 2001, his activities including involvement with a safe house and increased work as an al Qaida travel facilitator.
- 8) The detainee stated that in July 2001, he helped with the move of Usama bin Laden's and his family to the Tora Bora region in Afghanistan. The detainee stated he assisted by obtaining food and construction material to fortify Tora Bora cave complexes.
- 9) The detainee stated he would often drive and accompany Mujahedin to their doctor appointments and operated in that capacity until the end of 2001. The detainee also stated he performed lots of jobs for the Mujahedin, including: buying supplies; taking Mujahedin to the airport; taking Mujahedin to hotels or safe houses; or couriering bags.
- 10) The detainee stated that the following allegations made against him were true. They included: running safe houses; being an assistant to the father of the Mujahedin and his involvement with the Straits of Hormuz operation.
- 11) The detainee stated he facilitated travel from Karachi, Pakistan, for roughly 50 or 60 al Qaida Arabs once the Coalition Forces air strikes against al Qaida and Taliban forces in Afghanistan ceased in December 2001. The detainee also stated he received funding and instructions for his facilitation activities directly from senior al Qaida contacts.

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UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF RABBANI, MOHAMMED AHMAD GHULAM

- 12) The detainee stated he operated a safe house in Pakistan for sick and injured Mujahedin coming out of Afghanistan. The detainee also stated that after September 11, 2001, the guesthouse he ran for sick and injured Mujahedin was also used to house Mujahedin fleeing United States Forces.
- 13) The detainee stated he facilitated communications between senior al Qaida members and the groups of relatively junior Arabs who were to travel from Karachi, Pakistan, to other countries in December 2001.
- 14) It was reported that when the detainee was apprehended, the detainee had in his custody 6 to 8 timing devices. The detainee stated the devices did not belong to him, but he was holding them for others to take to Afghanistan to be used for possible terrorist attacks against United States forces.
- 15) The detainee was captured in Karachi, Pakistan, on September 9, 2002 while living in a safe house he ran.

b) Connections/Associations

- 1) The detainee stated he had a chance to meet with and briefly talk to Usama bin Laden during his stay in Kandahar, Afghanistan.
- 2) The detainee stated that in 1998, Usama bin Laden instructed him to take a support role in assisting al Qaida fighters moving between Karachi, Pakistan, and Kandahar, Afghanistan. The detainee also stated he would sometimes act as a translator between the fighters and Usama bin Laden.
- 3) The detainee stated he was a guest at the January 2001 wedding of Usama bin Laden's son in Kandahar, Afghanistan.
- 4) The detainee stated he was informed of Usama bin Laden's move to the Tora Bora region of Afghanistan by the same al Qaida operative who was responsible for the United States Ship Cole bombing.
- 5) The detainee stated that in early or mid 2001, he visited Afghanistan and met with another al Qaida leader who in turn offered the detainee a job finding and renting a two-story house in Karachi, Pakistan.
- 6) The detainee stated that there were 10 Mujahedin still operating in the United States for every operative arrested by United States authorities. The detainee also stated he knew al Qaida leaders were actively planning terrorist attacks in the United States using American citizens as the operatives.

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- 7) The detainee stated he met with Usama bin Laden on six or seven occasions and they usually talked about developments in Pakistan.

c) Training

- 1) The detainee stated he went to Afghanistan for training in 1994 and 1995 and also trained in a Pakistani camp where Kashmiri fighters were also training. The detainee also stated the Arabs at the camp sent the Kashmiris to the Khalden Camp and the detainee was sent along as a translator.
- 2) The detainee stated at the training camp he finished basic course and stayed at the camp to work as a security guard. The detainee indicated that the first 3 months of basic course consisted of basic weapons training on Kalashnikovs, cannons, mortars, and with rocket propelled grenades. He also learned some mountain fighting tactics. The advanced class consisted of more advanced training on the weapons, mountain tactics, and urban warfare.
 - a) It was reported that at the basic training camp new jihadists arrived every week. It was also reported that the four courses taught at the camp included basic weapons training for two weeks, artillery training for approximately one week, topography training for one to two weeks, and military tactics training for approximately four weeks.

d) Other Relevant Data

- 1) It was reported the detainee joined al Qaida while in Kandahar, Afghanistan, in 1996. The detainee reportedly had five months of training in a camp, including instruction in weapons, explosives, and tactics.
- 2) The detainee took the same jihadist he recruited to al Qaida's Khalden training camp in 1998, explaining that it was mandatory religious training. The detainee and the recruit traveled from Karachi, Pakistan, to a Taliban-affiliated guesthouse in Quetta, Pakistan. From Quetta they traveled through Kandahar, Kabul, and Khowst, Afghanistan, before reaching the Khalden training camp.
- 3) The detainee reportedly met with a senior al Qaida leader many times.
- 4) The detainee was tasked in March 2002, with purchasing cars; conducting surveillance of hotels; and, purchasing and building explosive devices in support of a car bomb attack. The car bomb attack would target hotels in Karachi, Pakistan, where large numbers of United State troops were housed on a regular basis.

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- 5) The detainee was working in hospitals and attending to injured al Qaida fighters.
 - 6) The detainee stated everything he stated previously was a lie and that the only reason he talked before was his interrogators brought him snacks, food and water. The detainee also stated he could answer any and all questions, but the answers would not be truthful. The detainee further stated he had been tortured.
4. The following primary Factors Favor Release or Transfer:
- a) The detainee stated he denies ever being a recruiter or anything other than a taxi driver.
 - b) The detainee denied that he had any first hand information regarding any planned al Qaida attacks. The detainee stated that he would like to be free again and promised not to return to fighting if he is released.
 - c) The detainee stated once he realized the type of person an individual was and others in the safe house were he pulled away and scaled back his participation in the last 3 months of living in the house. The detainee stated he only received military training to help liberate his country (Burma).
 - d) The detainee also stated he did not have a private, one-on-one conversation with Usama bin Laden and he never saw Usama bin Laden address a group or deliver any speeches.
 - e) The detainee stated he never killed anyone, and that one of his jobs was to help people flee Afghanistan into Pakistan at the beginning of the United States invasion of Afghanistan.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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