

Exhibit R

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DEPARTMENT OF DEFENSE
JOINT TASK FORCE 435
APO AE 09356

JUL 17 2010

IN REPLY REFER TO:
JTF-435-LO

MEMORANDUM FOR Commander, Task Force Protector, Bagram Airfield, Afghanistan
Director, Legal Operations, Bagram Airfield, Afghanistan

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Recommendation to Transfer ISN 20024 to Afghan Authorities for Consideration of Criminal Prosecution

1. I reviewed the findings and recommendations of the DRB conducted on 3 June 2010 concerning the internment of Detainee ISN 20024. By a vote of 3 to 0, the board members found that internment was not necessary to mitigate the threat ISN 200024 poses and recommended transfer to Afghan authorities for criminal prosecution. After consideration, I direct that ISN 20024 continue to be interned at the Justice Center in Parwan (JCIP) and considered for prosecution locally by Afghan prosecutors and judges at the JCIP.
2. The DRB's recommendation that ISN 20024 not be assessed as an Enduring Security Threat is approved.
3. The point of contact for this memorandum is CAPT (b)(3), (b)(6), Director of Legal Operations, JTF 435, at DSN (b)(2).

ROBERT S. HARWARD
Vice Admiral, U.S. Navy

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BAGRAM / CENTCOM /001329

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REPLY TO
ATTENTION OF:

DEPARTMENT OF DEFENSE
LEGAL DIRECTORATE – DETAINEE OPERATIONS
US FORCES AFGHANISTAN
JOINT TASK FORCE 435
APO AE 09356



JTF-435-LO

6 June 2010

MEMORANDUM FOR Deputy Commander, Joint Task Force 435, Kabul, Afghanistan, APO AE 09356

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Legal Review, Khalid Mujtaba s/o (b)(1)1.4a, (b)(1)1.4c, ISN 20024

1. Khalid Mujtaba s/o (b)(1)1.4a, (b)(1)1.4c, ISN 20024, was captured by (b)(1)1.4a, (b)(1)1.4c (b)(1)1.4a, (b)(1)1.4c. The premise for capture was reporting that tended to show Khalid Mujtaba to be an Al Qaeda logistics operative with high level contacts.

2. I reviewed Enclosure 1, the findings and recommendations of Khalid Mujtaba, ISN 20024's DRB, and find them to be legally sufficient.

3. The DRB found that Khalid Mujtaba, ISN 20024, does meet the criteria for internment for reasons stated in Enclosures 1 and 2.

4. The DRB recommended that Khalid Mujtaba, ISN 20024, be transferred to Afghan authorities for criminal prosecution. The DRB further determined that internment is not necessary to mitigate the threat posed by Khalid Mujtaba, ISN 20024.

5. The DRB also recommended that Khalid Mujtaba, ISN 20024, not be classified as an Enduring Security Threat.

6. The point of contact for this review is MAJ (b)(3), (b)(6), JTF-435 DRB, at DSN (b)(2) (b)(2) or (b)(2), (b)(3), (b)(6).

(b)(3), (b)(6)

4 Encls.

- 1. DRB President's Memo
- 2. DRB Voting Packet
- 3. Summarized Testimony with Exhibits
- 4. DC JTF 435 Aloko Commission Consideration Memo

MAJ, JA
Detainee Review Board Legal Advisor

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~~SECRET//NOFORN~~REPLY TO
ATTENTION OF:

JTF-435-LO

DEPARTMENT OF DEFENSE
 LEGAL DIRECTORATE – DETAINEE OPERATIONS
 US FORCES AFGHANISTAN
 JOINT TASK FORCE 435
 APO AE 09356



6 June 2010

MEMORANDUM FOR Deputy Commander, Joint Task Force 435, Kabul Afghanistan, APO
 AE 09356

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Recommendation, Transfer to Afghan
 Authorities for Criminal Prosecution of Khalid Mujtaba s/o [REDACTED] ISN 20024

1. DRB FINDINGS AND RECOMMENDATIONS. The DRB met on 3 June 2010 and made
 the following findings and recommendations concerning the internment of Khalid Mujtaba s/o
 [REDACTED] ISN 20024:

- a. That Khalid Mujtaba, ISN 20024, met criteria for initial internment because he was assessed to be a part of or a substantial supporter of insurgent forces opposing Coalition Forces.
- b. That internment is not necessary to mitigate the threat posed by Khalid Mujtaba, ISN 20024. That Khalid Mujtaba, ISN 20024, should not continue to be interned at the Detention Facility in Parwan.
- c. The DRB recommends approval for transfer to Afghan authorities for criminal prosecution of Khalid Mujtaba, ISN 20024.
- d. That Khalid Mujtaba, ISN 20024, should be considered for reintegration programs within the DFIP.
- e. That Khalid Mujtaba, ISN 20024, is not an Enduring Security Threat.

2. DRB ASSESSMENT. The facts are not in dispute, because Khalid Mujtaba's confession matches the reporting against him. He admitted to being educated in Pakistan. He admitted that his neighbors and friends were Al Qaeda members.

However, his father is a prosperous businessman in Kabul. Khalid Mujtaba returned to his family home approximately one year prior to capture. Upon his return, he seems to have occupied himself primarily with the family business and other non-threatening behavior. To a large extent, he left his Al Qaeda friends and influences behind when he left Pakistan, mitigating his own threat. His new influences are more positive. His father is a good role model and prominent villagers testified on his behalf at the DRB.

Khalid Mujtaba has been involved with the advancement of education for the poor, partnering with his father. He claims his inspiration is Greg Mortenson, author of "Three Cups of Tea."

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JTF-435-LO

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Recommendation, Transfer to Afghan Authorities for Criminal Prosecution of Khalid Mujtaba (S//NF) (b)(6), (b)(1)1.4a, (b)(1)1.4c ISN 20024

Khalid is fluent in English, and testified to the DRB in English.

Due to their assessment of low risk, the DRB thought that Khalid Mujtaba would be an excellent candidate for the Afghan criminal prosecution system. The charges specified by the DCID in their ROI center around logistical and financial support and are as follows:

OFFENSES: (S//NF) Khalid MUJTABA is a suspected Al-Qaida (AQ) courier/facilitator with ties to Taliban (TB) and Islamic Movement of Uzbekistan (IMU).

Article 49, Afghan Penal Code: Alliance in Crime

Article 10, Crimes against Internal and External Security: Crimes against Diplomatic Relations with Foreign Countries

Article 3, Combating the Financing of Terrorism: Financing Terrorism

3. CIRCUMSTANCES OF CAPTURE. Khalid Mujtaba (S//NF) (b)(6), (b)(1)1.4a, (b)(1)1.4c ISN 20024, was captured by (b)(1)1.4a, (b)(1)1.4c. The premise for capture was reporting that tended to show Khalid Mujtaba to be an Al Qaeda logistics operative with high level contacts.

4. BASIS FOR TARGETING AND INTERNMENT. In making its findings and recommendations, the DRB considered the following evidence:

a. Physical Evidence: Phones and SIM cards.

b. MEDEX: There were some documentary television shows that might be interpreted as propaganda or inciting material.

c. Sensitive Reporting: (b)(1)1.4a, (b)(1)1.4c Khalid Mujtaba made regular contact with known Al Qaeda members in Pakistan on a regular or frequent basis. Two known contacts are (b)(1)1.4a, (b)(1)1.4c, (b)(6) Peshawar-based Al Qaeda facilitator, (b)(1)1.4a, (b)(1)1.4c, (b)(6) Al Qaeda media facilitator.

5. DETAINEE ADMISSIONS AND CLAIMS (PRE-DRB). In making its findings and recommendations, the DRB considered information from interrogations and interviews, including but not limited to the following:

a. Interrogations and Interviews: Khalid Mujtaba admitted to certain small-amount hawala transfers for three different Al Qaeda members. He claimed that he thought the money transfers were innocent and related to non-criminal business.

b. Polygraph: None.

6. EXHIBITS SUBMITTED & DETAINEE TESTIMONY AT DRB. In making its findings and recommendations, the DRB considered the following exhibits and detainee testimony:

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JTF-435-LO

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Recommendation, Transfer to Afghan Authorities for Criminal Prosecution of Khalid Mujtaba (b)(6), (b)(1)1.4(a), (b)(1)1.4(c) ISN 20024

a. Recorder's Unclassified and Classified Exhibits.

b. Personal Representative's Exhibits. Exhibit A, indicating that Khalid Mujtaba, ISN 20024, was advised of the basis for internment and the facts supporting internment. Exhibit B, indicating that Khalid Mujtaba, ISN 20024, met with a personal representative and was advised of his rights at the DRB.

c. Detainee Criminal Investigative Detachment (DCID) Report of Investigation (ROI) dated 10 May 10.

d. Behavioral Science Consultation Team (BSCT) Assessment. (b)(1)1.4a, (b)(1)1.4c

e. Detainee's DRB Statement and Responses to Questions: Khalid Mujtaba, ISN 20024, testified in English. He responded to the allegations.

Khalid Mujtaba knew AQ people, because he grew up with them. His father send Khalid Mujtaba to be educated in Peshawar, Pakistan. The father continued to live in Afghanistan. Khalid related a couple of occasions when he picked up money for (b)(6), (b)(1)1.4a, (b)(1)1.4c and (b)(1)1.4a, (b)(1)1.4c two known Peshawar Al Qaeda. Khalid said that he thought it was an innocent transfer, which is why he openly used his true name when conducting the transactions.

Upon returning to Afghanistan in September, 2008, Khalid Mujtaba said he left his Al Qaeda influences behind him. The last year he worked in education. He is inspired by Greg Mortenson, author of "Three Cups of Tea." At the time of capture, Khalid Mujtaba was in the process of collaborating with the ICRC to distribute pencils and paper to orphans. He wants to continue service in the area of education.

He and his father supported President Karzai's election. There were pro-Karzai materials in his car when he was captured.

7. WITNESS INFORMATION. In making its findings and recommendations, the DRB considered the following witness information:

TESTIMONIAL EVIDENCE

(b)(1)1.4a, (b)(1)1.4c from Mohammad Agha District, Logar Province, ICRC liaison for family DRB letters (b)(1)1.4a, (b)(1)1.4c, knows the Khalid's father. About a year ago Khalid came back to Afghanistan and worked in his father's shop (b)(1)1.4a, (b)(1)1.4c, (b)(6) started seeing Khalid Mujtaba more frequently after his return to Afghanistan. The father (b)(1)1.4a, (b)(1)1.4c, (b)(6) had sent his sons and

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JTF-435-LO

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Recommendation, Transfer to Afghan Authorities for Criminal Prosecution of Khalid Mujtaba (S//X)(b)(1)(1.4a, (b)(1) ISN 20024

daughters to school in Pakistan. Khalid Mujtaba is a member of an educated family, and he would not be a threat if released. His father has a prosperous business, and Khalid is expected to work in his father's business.

(b)(1)(1.4a, (b)(1)1.4c, (b)(6)) (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) Khalid Mujtaba was arrested for having a phone number in his phone or due to some false reporting, but he really doesn't know the reason.

(b)(1)(1.4a, (b)(1)1.4c, (b)(6)) (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) Head of Provincial Council of Logar Province (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) is a senior elder and repeat participant in the DRB process (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) knows the family of Khalid Mujtaba, and he knows that the sisters are also educated. He doesn't think Khalid Mujtaba did anything wrong. Also, he wants release of Khalid Mujtaba, because they need educated people in Afghanistan. Khalid Mujtaba needs to operate as an asset to his community (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) knows Khalid's family, and they are really good people.

(b)(1)(1.4a, (b)(1)1.4c, (b)(6)) (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) from Logar Province, father of Khalid Mujtaba, ISN 20024 (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) has a business in Kabul. Khalid Mujtaba moved to Kabul for the purpose of working in the business. He started with a well-drilling pump business. They would make wells for the ICRC and others. After drilling, the business expanded and diversified. On the prompting of his son, (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) started an education program. They hired a teacher (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) and paid the teacher's salary out of his own pocket. Later, he linked up with ICRC in order to continue community education work (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) will serve his country in the future. The witness exchanged in a dialogue with Board President.

(b)(3), (b)(6) DRB Analyst, (b)(3), (b)(6) investigated all of Khalid Mujtaba's phones.

(b)(1)(1.4a, (b)(1)1.4c, (b)(6)) (b)(1)(1.4a, (b)(1)1.4c, (b)(6)) There was a contact with a HIG member (there were both incoming and outgoing calls). There are two other nefarious contacts. The HIG contact was a former detainee at the DFIP, released pursuant to a big witness event. There may have been political motivation to the release of the nefarious contact. Both the son's and father's phone¹ indicate contact with known high-level HIG personality (b)(1)(1.4a, (b)(1)1.4c, (b)(6))

(b)(1)1.4a, (b)(1)1.4c

(b)(3), (b)(6) expressed an over-all opinion. Khalid Mujtaba is a mid-high level HIG operator. He has high level contacts.

(b)(1)1.4a, (b)(1)1.4c, (b)(6)

(b)(1)1.4a, (b)(1)1.4c, (b)(6)

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JTF-435-LO

SUBJECT: 3 June 2010 Detainee Review Board (DRB) Recommendation, Transfer to Afghan Authorities for Criminal Prosecution of Khalid Mujtaba, (b)(1)1.4(a), (b)(1)1.4(c), ISN 20024

LOCAL NATIONAL "OBSERVERS"

(b)(1)1.4a, (b)(1)1.4c, (b)(6) Logar, Local Provincial Council Deputy. He gave a short speech, praising the cooperation and respect the DRB process has shown to Logar and Pakistan leadership.

(b)(1)1.4a, (b)(1)1.4c, (b)(6) Parliament Member from Logar Province. (b)(1)1.4a, (b)(1)1.4c, (b)(6) gave a short statement. He too was born in Pakistan and asks for release of Khalid Mujtaba.

WRITTEN TESTIMONY & EVIDENCE

Letter of support from Khalid Mujtaba's father. His father subsequently testified during the DRB hearing.

Letter of support from district chief.

Documentation of ICRC school program.

Certificate of Achievement from the United States Department of Agriculture. This is a certificate for the father, (b)(1)1.4a, (b)(1)1.4c, (b)(6)

8. **SUMMATION OF DRB FINDINGS AND RECOMMENDATIONS, THREAT ASSESSMENT.** In determining whether continued internment is necessary to mitigate the threat posed by Khalid Mujtaba, ISN 20024, the DRB assessed the detainee's level of threat and weighed, among other things, his potential for rehabilitation, reconciliation, and eventual reintegration into society. In considering this recommendation, the DRB noted the risk posed by Khalid Mujtaba, ISN 20024, in relation to the COIN impact of release versus continued internment. Atmospheric, community leadership support, and stable family background all contribute to mitigate any threat potentially posed by Khalid Mujtaba, ISN 20024. As a result of all of these considerations, the DRB believes that transfer to Afghan authorities for criminal prosecution is the best alternative.

9. The point of contact for this review is MAJ (b)(3), (b)(6), JTF-435 DRB, at DSN (b)(2) - (b)(2) or (b)(2), (b)(3), (b)(6).

(b)(3), (b)(6)

- 2 Encls.
- 1. DRB Voting Packet
- 2. Summarized Testimony

COL, CM, USA
President, Detainee Review Board

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(U//FOUO)

-020024

Khald ((MUJTABA)) s/o

POC:

DOC:

(S//REL USA, GCTF ISAF, NATO) Capturing Unit:

(b)(1)1.4a, (b)(1)1.4c, (b)(6)

(U//FOUO) POB/POR: Kabul, Kabul, Kabul

Tribe/SubTribe: Farsi, Tajik

Primary Language: Pashto

Circumstances of Capture: (S//REL AFGU) Khalid Mujtaba ISN 20024 [redacted], was captured on [redacted] after a raid in which he was the targeted individual.

Internment Criteria: (U//FOUO) Was a part of, or substantially supported al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities in aid of such enemy armed forces.

SSE: (U//FOUO) 1 Acer Laptop, 2 Nokia cell phones, ID papers, loose papers, business cards, 9 loose SIM cards.

Exploitation:

• (U//FOUO) MEDEX: Recovered from Detainee's laptop computer is a selection of top documentaries covering the GWOT and the hunt for AQSL.

Reporting:

[Large redacted area]

(b)(1)1.4a, (b)(1)1.4c

(S//REL USA, GCTF ISAF, NATO)

Organization & Role:

[redacted]

(b)(1)1.4a, (b)(1)1.4c

(S//REL USA, GCTF ISAF, NATO)

Associated Personalities:

[redacted]

(b)(1)1.4a, (b)(1)1.4c, (b)(6)

(U//FOUO)

Other Names/Alias

[redacted]

(b)(1)1.4a, (b)(1)1.4c, (b)(6)

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(U//FOUO) [redacted] 020024 [redacted]

Khalid ((MUJTABA)) s/o [redacted]

POC: [redacted]

DOC: [redacted]

(C//REL USA, COTF, ISAF, NATO) Capturing Unit: [redacted]

[redacted] (b)(1)1.4a, (b)(1)1.4c

Detainee Statement:

- (S//NF) [redacted] Admitted to holding documents and propaganda videos for IMU Facilitator, [redacted] from Peshawar, PK.
- (S//NF) [redacted]: Claimed that his AQ associates were mostly childhood friends.
- (S//NF) [redacted] Admitted to delivering flash drives (he believed they contained AQ propaganda to [redacted] a known AQ media facilitator.
- (S//NF) [redacted] Detainee collected funds from two U//I Saudi hawalas in Peshawar on five separate occasions during 2007 on [redacted] (IMU financial facilitator) behalf. The amount of the funds collected by Detainee ranged between 120,000 Pakistani Rupees and 600,000 Pakistani Rupees on each occasion.
- (S//NF) [redacted] Admitted to giving 20,000 rupees to [redacted] Later found out that [redacted] was detained in Kabul.
- (S//NF) [redacted] Detainee claims [redacted] sent funds from UAE and/or Kuwait which Detainee received in Peshawar on multiple occasions during 2007-2008. Detainee received two separate money transfers of 800,000 Pakistani Rupees each from [redacted] during this month at a U//I Hawala (shop number 34 in Royal Plaza) in the Kharkano Bazaar area of Peshawar. [redacted] transferred these funds under the name [redacted] Detainee later provided these funds to [redacted] in Peshawar.
- (S//NF) [redacted]: Since June 2009, Detainee believes that [redacted] has assumed Detainee's former responsibilities, working with [redacted] as a Peshawar-based facilitator to procure supplies and carry out logistics related tasks for AQ.

BSCT Assessment: (S//NF) [redacted]

DR/OR Summary: (S//NF) [redacted]

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Detainee Review Board Report of Findings and Recommendations – Final Board Result v.22 Feb 2010

Date of Board 3 JUN 10	Detainee Name Khalid Mujtaba s/o	(b)(1)1.4a, (b)(1)1.4c, (b)(6)	Detainee ISN 70024
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STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks; *(Continue to Step 2)* **OR**

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. *(Continue to Step 2)*

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

IS NOT NECESSARY to mitigate the threat the detainee poses; *(Go to Step 3A)*

OR

IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) *(Go to Step 3B)*

Explain the facts presented at the DRB which led to your recommendation/
(Mandatory regardless of which threat assessment is made):

Criminal Act is terrorist financial activity via banknotes in Pakistan, PK.
Seems repleat. Seems like supportive security & countermeasures.

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2.

- 5- Significant threat to American and Coalition Forces and Civilians
- 4- Moderate Threat to American and Coalition Forces
- 3- Minimal threat to US/Coalition forces or civilians
- 2- Minimal threat to US/Coalition forces or civilians
- 1- Negligible or no threat to US/Coalition forces or civilians
- 0- No threat to US/Coalition forces or civilians

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be **(PICK ONLY 1)**:

- Released without conditions; or
- Transferred to Afghan authorities for their consideration of criminal prosecution.
- Transferred to Afghan authorities for participation in a reconciliation or reintegration program.
- (For non-Afghan and non-U.S. third-country national):** Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. *(circle one)*

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

Write the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT *(circle one)* be considered for Reintegration programs within the DFIP.

STEP 4: The Detainee IS or IS NOT an Enduring Security Threat *(circle one)*.

DRB President (Printed)	(b)(6), (b)(3)
DRB President (Signature)	

Detainee Review Board Report of Findings and Recommendations

v. 5 Feb 2010

Date of Board 3 JUN 10	Detainee Name KHALID MUTTABA	Detainee ISN 20024
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STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks; *(Continue to Step 2)*

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. *(Continue to Step 2)*

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

IS NOT NECESSARY to mitigate the threat the detainee poses; *(Go to Step 3A)*

OR

IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) *(Go to Step 3B)*

Explain the facts presented at the DRB which led to your recommendation/
(Mandatory regardless of which threat assessment is made):

- WELL EDUCATED
- TRAVELS EASILY
- FINANCING / FACILITATING AQ TERRORIST ACTIVITY.

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2

- 5- Strategic threat to American and Coalition Forces and Civilians
- 4- National threat to American and Coalition Forces
- 3- Regional threat to GHQ forces or authority
- 2- Provincial threat to GHQ forces or authority
- 1- Threat to local village authorities
- 0- Is not a threat to his village or beyond

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be:

- Released without conditions; or
- Transferred to Afghan authorities for their consideration of criminal prosecution.
- Transferred to Afghan authorities for participation in a reconciliation or reintegration program.
- (For non-Afghan and non-U.S. third-country national):* Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. *(circle one)*

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT *(circle one)* be considered for Reintegration programs within the DFIP.

STEP 4: "Enduring Security Threat" Assessment — * Prior to completing your Enduring Security Threat Assessment, go to page 2 of this form and complete the EST Worksheet, paying particular attention to the *criteria and definitions*.

The Detainee IS or IS NOT an Enduring Security Threat *(circle one)*.

(b)(6), (b)(3)

Page 12 redacted for the following reason:

(b)(1)1.4a, (b)(1)1.4c

Detainee Review Board Report of Findings and Recommendations

v. 5 Feb 2010

Date of Board	Detainee Name	Detainee ISN
3 June 10	Khalid Mujtaba	(b)(1)1.4a, (b)(1)1.4c 20020024 (b)(1)1.4c

STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks; *(Continue to Step 2)*

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. *(Continue to Step 2)*

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

IS NOT NECESSARY to mitigate the threat the detainee poses; (Go to Step 3A)

OR

IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) (Go to Step 3B)

Explain the facts presented at the DRB which led to your recommendation/ (Mandatory regardless of which threat assessment is made):

(b)(1)1.4a, (b)(1)1.4c

Harueller facilities include this is a criminal prosecution case and self admits

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2

- 5 - Strategic threat to American and Coalition Forces and Civilians
- 4 - National threat to American and Coalition Forces
- 3 - Regional threat to G/ROA forces or authority
- 2 - Provincial threat to G/ROA forces or authority
- 1 - Threat to local village authorities
- 0 - Is not a threat to his village or beyond

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be:

Released without conditions; or

Transferred to Afghan authorities for their consideration of criminal prosecution.

Transferred to Afghan authorities for participation in a reconciliation or reintegration program.

(For non-Afghan and non-U.S. third-country national): Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. *(circle one)*

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT *(circle one)* be considered for Reintegration programs within the DFIP.

STEP 4: "Enduring Security Threat" Assessment — * Prior to completing your Enduring Security Threat Assessment, go to page 2 of this form and complete the EST Worksheet, paying particular attention to the *criteria and definitions*.

The Detainee IS or IS NOT an Enduring Security Threat *(circle one)*.

(b)(3), (b)(6)

DRB Member Signature

(b)(3), (b)(6)

Page 14 redacted for the following reason:

(b)(1)1.4a, (b)(1)1.4c

Detainee Review Board Report of Findings and Recommendations

v. 5 Feb 2010

Date of Board	Detainee Name	Detainee ISN
G-03-10	Khalid Murtaba	(b)(1)1.4a, (b)(1)1.4c-0200214 (b)(1)1.4a, (b)(1)1.4c

STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

___ The detainee DOES NOT MEET THE CRITERIA for internment and will be released. Stop here and sign at the bottom.

OR

___ The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks; (Continue to Step 2)

OR

X The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. (Continue to Step 2)

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

X IS NOT NECESSARY to mitigate the threat the detainee poses; (Go to Step 3A)

(b)(3), (b)(6) IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) (Go to Step 3B)

Explain the facts presented at the DRB which led to your recommendation/ (Mandatory regardless of which threat assessment is made):

terrorism P. national activities
Political propaganda

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2.

- 5- Strategic threat to American and Coalition Forces and Civilians
- 4- National threat to American and Coalition Forces
- 3- Regional threat to G/Coal forces or authority
- 2- Provincial threat to G/Coal forces or authority
- 1- Threat to local village authorities
- 0- Is not a threat to his village or beyond

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be:

___ Released without conditions; or

X Transferred to Afghan authorities for their consideration of criminal prosecution.

___ Transferred to Afghan authorities for participation in a reconciliation or reintegration program.

___ (For non-Afghan and non-U.S. third-country national): Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. (circle one)

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT (circle one) be considered for Reintegration programs within the DFIP.

STEP 4: "Enduring Security Threat" Assessment --- * Prior to completing your Enduring Security Threat Assessment, go to page 2 of this form and complete the EST Worksheet, paying particular attention to the criteria and definitions.

The Detainee IS or IS NOT an Enduring Security Threat (circle one).

(b)(3), (b)(6)

DRB Member Signature

(b)(3), (b)(6)

Page 16 redacted for the following reason:

(b)(1)1.4a, (b)(1)1.4c

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1 (S//NF) [ISN 1.4a, (b)(1) 020024a, (b)(1) KHALID MUJTABA, entered the
2 boardroom, took his seat in front of the board members, and the
3 unclassified hearing was called to order at 1419, 3 June 2010.]
4

5 (U) Persons Present:
6

7 (U) COLONEL [REDACTED] (b)(3),(b)(6), PRESIDENT OF THE BOARD;
8

9 (U) MAJOR [REDACTED] (b)(3),(b)(6) MEMBER ONE;
10

11 (U) MAJOR [REDACTED] (b)(3),(b)(6), MEMBER TWO;
12

13 (U) CAPTAIN [REDACTED] (b)(3),(b)(6), DETAINEE REVIEW BOARD
14 RECORDER FOUR;
15

16 (U) MAJOR [REDACTED] (b)(3),(b)(6), PERSONAL REPRESENTATIVE
17 FOUR;
18

19 (U) MAJOR [REDACTED] (b)(3),(b)(6), LEGAL REPRESENTATIVE; and
20

21 (U) SENIOR AIRMAN [REDACTED] (b)(3),(b)(6), PARALEGAL.
22

23 (U) [The recorder was sworn.]
24

25 (U) The detainee was advised by the president of how this board
26 was not a criminal trial and how this board was to determine
27 whether or not he met the criteria for further internment.
28

29 (U) The president also notified the detainee that he may be
30 present at all open sessions of the board permitting that he
31 acted appropriately. ISN 20024 was also advised that he could
32 testify under oath or unsworn if he wished to do so, that he had
33 a personal representative which was present at the hearing, that
34 he may present information at the hearing including the
35 testimony of witnesses, and that he can examine documents
36 presented to the board all of which the detainee understood.
37

38 (U) Further, ISN 20024 was instructed that, at the conclusion of
39 the board after the legal review, the board would determine
40 whether he met the criteria for further internment at the
41 Detention Facility in Parwan. The detainee understood the fact

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1 that if he does not meet the criteria, then he would be released
 2 as soon as possible. However, if he did meet the criteria, then
 3 he would be recommended for further internment, transferred to
 4 Afghan authorities, or released without conditions.

5
 6 (U) CAPTAIN (b)(3),(b)(6) presented the following unclassified
 7 information to the board:

8
 9 (U//FOUO) ISN 20024, Khalid Mujtaba was captured (b)(1)1.4a, (b)(1)1.4c

10 (b)(1)1.4a, (b)(1)1.4c

11
 12 (U//FOUO) The detainee was captured with several media
 13 storage devices containing al Qaeda propaganda.

14 (U//FOUO) The detainee has admitted to transmitting
 15 electronic files and channeling money to known al Qaeda
 16 operatives.

17
 18 (U//FOUO) The detainee is assessed to be an al Qaeda
 19 courier with direct ties to al Qaeda senior leadership.

20 (U//FOUO) He meets Internment criteria IF HE was part of,
 21 or substantially supported Taliban forces or associated forces
 22 that were engaged in hostilities against the United States or
 23 its coalition partners, including any person who has committed a
 24 belligerent act, or has directly supported hostilities, in aid
 25 of such enemy armed forces.

26 (U) The detainee, ISN 020024, made the following statement to
 27 the board:

28
 29 (U//FOUO) I would like to make a statement. I would like to
 30 thank American soldiers to let me speak in front of the DRB
 31 members.

32
 33 (U//FOUO) I was connected to the money transfers, but
 34 indirectly. The two guys named (b)(6), (b)(1)1.4a, (b)(1)1.4c, (b)(6), (b)(1)1.4a, (b)(1)1.4c
 35 living in my neighborhood in Peshawar. He called me to pick up
 36 hawalas two times with my original ID card. If I knew how
 37 dangerous this was and where this money was going I would not
 38 have done this especially with my original ID and using my full
 39 name (b)(6), (b)(1)1.4a, (b)(1)1.4c full name is (b)(6), (b)(1)1.4a, (b)(1)1.4c. One time he

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1 called me when he was in Saudi in Hajj time and he told me that
2 he was going to send me a lot of hawala money one time and told
3 me to give it to his brother who was detained here, so I did it
4 with my original ID.

5
6 (U//~~FOUO~~) My shop was in Peshawar in his neighborhood and
7 about four separate times he told me to get this hawala money
8 because he had some urgent work. I used my original ID card for
9 all these hawala money transfers. If I'm lying then just keep me
10 detained here.

11
12 (U//~~FOUO~~) Please repeat the Taliban statement. I am not
13 connected with the Taliban and they only asked me about my
14 friends and who is associated to the al Qaeda organizations. I
15 learned this from my interrogator's questioning.

16
17 (U//~~FOUO~~) I left Pakistan in 2008 September and moved to
18 Kabul. Until September 2009 I was living in Kabul. If I have no
19 connection with Taliban I am innocent. I came here to serve my
20 country and serve in the field of education. When I was
21 arrested no guns were found with me, just books. I was going to
22 distribute the books to the ICRC. There were no propaganda
23 movies in my laptop just TV movies. I taped the documentaries
24 from BBC and CNN; I didn't use it for propaganda.

25
26 (U//~~FOUO~~) Please do not ask my witnesses pertaining to
27 anything before September 2008 about me because they were not
28 around then, so they will not know anything about what I did.
29 They were in Afghanistan not Pakistan, so they will not know
30 anything.

31
32 (U) DETAINEE TESTIMONY

33
34 (U//~~FOUO~~) Khalid Mujtaba (b)(1) 1.4a, (b)(1) 1.029, 0.24 (a), (b)(1) was called for the
35 board and testified, in substance, as follows:

36
37 (U) DIRECT EXAMINATION

38
39 (U) Detainee Review Board Recorder 4 asked, in substance, the
40 following questions:

41
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1 (U//~~FOUO~~) No, I never sent any propaganda CDs (b)(6), (b)(1)1.4a, (b)(1)1.4c
 2 never said that I (b)(1)1.4a, (b)(1)1.4c (b)(6) that I didn't know had
 3 propaganda on it.

4
 5 (U//~~FOUO~~) The four money transfers were about 250,000
 6 Rupees each, which totaled to about 1,000,000 rupees.

7
 8 (U//~~FOUO~~) My father advised me not to hang out with (b)(6), (b)(1)1.4a, (b)(1)1.4c
 9 (b)(6), (b)(1)1.4a, (b)(1)1.4c said had a bad feeling about them but I still hung
 10 out with them.

11
 12 CROSS-EXAMINATION

13
 14 (U) Personal Representative 4 asked, in substance, the following
 15 questions:

16
 17 (U//~~FOUO~~) I had a computer shop from January 2008 -
 18 September 2008. I lost money and had to close the shop in
 19 September 2008. In September 2008, I went to Kabul and went to
 20 work in the construction shop that my father owned. You can ask
 21 the people I worked with if I was doing suspicious things. I
 22 was working in that shop until I was captured.

23
 24 (U//~~FOUO~~) I quit my all connections with those guys (b)(6), (b)(1)1.4a, (b)(1)1.4c
 25 (b)(6), (b)(1)1.4a, (b)(1)1.4c in September 2008. I did it because one of the
 26 guys told me that I would have to quit school and I noticed they
 27 were all suspicious. That's why I moved to Kabul to get away
 28 from any connection I had with them.

29
 30 (U//~~FOUO~~) I told interrogators that my father was in the
 31 Hig in Kabul and we participated in the campaign for the
 32 President. I'm not sure that the Hig is part of the Taliban.
 33 The Hig we are with I don't know who they are fighting with.

34
 35 (U//~~FOUO~~) I tell you guy's this information because I am
 36 not a part of the Taliban and I'm honest. I don't want to be
 37 here and I want to start over again.

38
 39 (U//~~FOUO~~) I picked up the cash money and gave it (b)(6), (b)(1)1.4a, (b)(1)1.4c
 40 Al (b)(6), (b)(1)1.4a, (b)(1)1.4c and call me and I would hold the money until he
 41 came into town.

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1
2 (U//~~FOUO~~) When I lived in Pakistan my witnesses won't know
3 what I did because they weren't there and I don't want to share
4 everything with everyone.

5
6 (U//~~FOUO~~) I request that you ask the witnesses about my
7 future life.

8
9 EXAMINATION BY THE BOARD

10
11 (U) Member 1 asked, in substance, the following questions:

12
13 (U//~~FOUO~~) If I were to be released, I would work in the
14 field of education like I did before.

15
16 (U) Member 2 asked, in substance, the following questions:

17
18 (U//~~FOUO~~) I was in contact with my friends, (b)(6), (b)(1)1.4a, (b)(1)1.4c
19 (b)(6), (b)(1)1.4a, (b)(1)1.4c weekly because my shop was in their neighborhood. Also,
20 holiday's I would see them.

21
22 (U) The President of the Board asked, in substance, the
23 following questions:

24
25 (U//~~FOUO~~) Hawala is a way to make money transfers to and
26 from different businesses. It is similar to Western Union and
27 can be done all over the world with people you know and on a
28 system of trust. Now they will not give you money until you
29 give them your I.D card to prove you are who you are.

30
31 (U//~~FOUO~~) Some of my friends were al Qaeda. I do not want
32 my father to know everything about me.

33
34 (U//~~FOUO~~) My father is a member of Hig, not the battle
35 group HIG, but the political one. In this country if someone
36 wants to fight they fight, they don't have to be in a group. To
37 my knowledge there is no connection to battle Hig with the
38 political Hig group. The war is strong in Afghanistan.

39
40 (U//~~FOUO~~) We do not need any more orphans and widows here
41 in Afghanistan and thirty years of war is enough.

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1
2 (U) CIVILIAN AFGHAN WITNESS TESTIMONY
3

4 (U//~~FOUO~~) ~~(b)(6), (b)(1)1.4a, (b)(1)1.4c~~ Afghanistan civilian, was called as a
5 witness for the board, entered the boardroom, and testified, in
6 substance, as follows:
7

8 (U) DIRECT EXAMINATION
9

10 (U) Detainee Review Board Recorder 4 asked, in substance, the
11 following questions:
12

13 (U//~~FOUO~~) I am from Logar province. I work with ICRC,
14 exchanging detainee's letters with their families. I know
15 Khalid Mujtaba. I know his father ~~(b)(6), (b)(1)1.4a, (b)(1)1.4c~~ His father and
16 I traveled to Pakistan together during the Russian times. He
17 got his education in Pakistan and one of his sisters graduated
18 from law school and another from medical school. Detainee came
19 back from Pakistan to work with his father.
20

21 (U//~~FOUO~~) Their house is still in Pakistan. His sisters
22 are still going to college there.
23

24 (U//~~FOUO~~) He worked with his father working in construction
25 supply. His father is very good at it.
26

27 (U//~~FOUO~~) I have documents from his father about his
28 education. They are also coming and helping us with the ICRC.
29 They give a lot of things to the orphans in our area, especially
30 his father.
31

32 (U//~~FOUO~~) [PR presented photos of books and donations to
33 the board.] They are an educated family, not a threat to this
34 country.
35

36 (U//~~FOUO~~) If he were released, we will watch him and make
37 sure he never does anything wrong. His father has a good
38 business and he doesn't have to look for a job because he'll
39 work for his father. We will make sure he stays out of trouble
40 and work hard.
41

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

1 (U) CROSS-EXAMINATION

2

3 (U) Personal Representative 4 asked, in substance, the following
4 questions:

5

6 (U//~~FOUO~~) I asked his parents to come to the ICRC office to
7 speak to him, but I never came to visit Khalid. We heard he was
8 taken and we looked for him in all the agencies of the
9 government, then we found him here. I didn't ask the reason why
10 detainee was captured. I asked his father and said maybe
11 someone's number was found in his phone and maybe someone passed
12 on false information.

13

14

15 (U) [The witness withdrew from the boardroom.]

16

17 (U//~~FOUO~~) (b)(6), (b)(1)1.4a, (b)(1)1.4c stated that they appreciated the
18 board's effort and that they came three or four times to request
19 releases and always got a positive outcome. Furthermore, he
20 stated that the process of releasing detainees is a good process
21 and that they know the country needs it. As a Logar
22 representative, he apologized for any of the detainee's mistakes
23 and that the detainee would not make the same one in the future.
24 He explained that Khalid is young and if Khalid has made a
25 mistake then he apologizes again for him. The witness stated
26 that the detainee is educated and they would use him positively
27 in the future. He also stated that he hoped the relationship
28 will become closer and more united with the United States, and
29 that all detainees will be released one day.

30

31

(U) AFGHAN WITNESS WITNESS TESTIMONY

32

33 (U//~~FOUO~~) (b)(6), (b)(1)1.4a, (b)(1)1.4c Member of Parliament, Logar Province
34 was called as a witness for the board, entered the boardroom,
35 and testified, in substance, as follows:

36

37

(U) DIRECT EXAMINATION

38

39 (U) Personal Representative 4 asked, in substance, the following
40 questions:

41

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~~SECRET//NOFORN~~

1 (U//~~FOUO~~) He was born in Pakistan and we lived in the same
2 neighborhood there. I hope you help him and release him.

3
4 [The witness withdrew from the boardroom.]

5
6 (U) CROSS-EXAMINATION

7
8 (U) AFGHAN CIVILIAN WITNESS TESTIMONY

9
10 (U//~~FOUO~~) (b)(6), (b)(1)1.4a, (b)(1)1.4c, Afghan civilian, was
11 called as a witness for the board, entered the boardroom, and
12 testified, in substance, as follows:

13
14 (U) DIRECT EXAMINATION

15
16 (U) Personal Representative 4 asked, in substance, the following
17 questions:

18
19 (U//~~FOUO~~) Thank you very much for giving me the chance to
20 speak on behalf of an educated person. I am (b)(6), (b)(1)1.4a, (b)(1)1.4c
21 (b)(6), (b)(1)1.4a, (b)(1)1.4c, a provincial councilman of Logar province. As a
22 representative of the people, I know a lot of people. I know
23 his family. I know his sisters are educated girls in an
24 educated family which is rare in Afghanistan.

25
26 (U//~~FOUO~~) First of all, I don't think he was involved in
27 anything wrong. After 30 years of war sometimes people give
28 false information about other people and maybe that is what
29 happened here. If you release him, he is an educated person,
30 and an engineer, and Afghanistan needs those. I think since
31 he's an educated person, he's smart and he won't get involved in
32 anything against his country.

33
34 (U) Recorder 4 asked, in substance, the following questions:

35
36 (U//~~FOUO~~) Since I am representative of the people, I
37 usually hear from people that they give false information
38 against each other. Since I know his family and they are good
39 people, his father is an especially nice person. I don't think
40 someone with a father like that would do anything wrong.

41
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~~SECRET//NOFORN~~

1 (U) [The witness withdrew from the boardroom.]

2
3 (U) AFGHAN CIVILIAN WITNESS TESTIMONY

4
5 (U//~~FOUO~~) b(6), (b)(1)1.4a, (b)(1)1.4c Afghan civilian, was called as a witness
6 for the board, entered the boardroom, and testified, in
7 substance, as follows:

8
9 (U) DIRECT EXAMINATION

10
11 (U) Detainee Review Board Recorder 4 asked, in substance, the
12 following questions:

13
14 (U//~~FOUO~~) I do not know why my son is here.

15
16 (U//~~FOUO~~) I've never asked him why he is being detained
17 here either.

18
19 (U//~~FOUO~~) During Mujahadeen times I was in the Gulbaddin
20 party. Ideologically, I support that party but I have no time
21 for politics, working in a store and all.

22
23 (U//~~FOUO~~) Gulbaddin was popular for a while but I don't
24 know what happened. There are many people in Gulbaddin's party
25 in Afghanistan; you cannot say all of them support terrorism.
26 They have an office and are positive, but not in terrorism.
27 They are not the only ones who make up the party and don't
28 support what the HIG terrorists do. There are a lot of other
29 people that are in that party.

30
31 (U//~~FOUO~~) Thank you for giving me a chance to come here and
32 speak on behalf of my son.

33
34 (U) CROSS-EXAMINATION

35
36 (U) Personal Representative 4 asked, in substance, the following
37 questions:

38
39 (U//~~FOUO~~) My name is b(6), (b)(1)1.4a, (b)(1)1.4c and I live in Logar
40 province. I am the father of the detainee. He was born and
41 educated in Pakistan. After college he came back and started

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~~SECRET // NOFORN~~

1 working with me. Before, there was not enough water in this
2 country so I sold water pumps. Now I have a construction
3 materials company.

4
5 (U//~~FOUO~~) They were hand pumps and ICRC took them out to
6 waterless areas.

7
8 (U//~~FOUO~~) I donated education supplies to the children
9 because when I came back to this country with my son a lot of
10 kids were running around with no education. My son suggested
11 hiring them a teacher so they can have a chance to learn
12 something. We got school supplies and I hired and paid for a
13 teacher for them. I support sixty-one orphans in Pakistan. I
14 told ICRC that I will pay for about 35 more kids education in
15 the future. If my son is released he would resume doing that.
16 I'm sorry if he has done anything wrong in the past, but I am
17 confident he will never do anything wrong again. I'll make sure
18 he doesn't get in trouble again.

19
20 (U) [The witness withdrew from the boardroom.]

21
22 (U) The recorder did offer unclassified exhibits.

23
24 (U) The personal representative did offer unclassified exhibits.

25
26 (U) The recorder had no further unclassified information to
27 offer the board and, per the recorders request, the president
28 granted a closed hearing at the culmination of the unclassified
29 hearing.

30
31 (U) The president announced the conclusion of the unclassified
32 hearing.

33
34 (U) The president of the board instructed the detainee that he
35 would be notified of the board's decision within a couple of
36 weeks and that he would be released if the decision is made that
37 further internment would not be required. However, if the board
38 decided that further internment is required, he would be
39 retained at the Detention Facility in Parwan, transferred to
40 Afghan authorities for participation in a reconciliation
41 program, or released transferred to his national country for

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~~SECRET//NOFORN~~

1 participation in a reconciliation program. Furthermore, if
2 continued internment was recommended, then an additional
3 Detainee Review Board would be reconvened in 6 months.

4
5 (U) The detainee made the following statement:

6
7 If you can give me time, I would like to meet these
8 respected guests.

9
10 (U) [The unclassified hearing adjourned at 1555, 3 June 2010.]

11
12 (U) [The detainee withdrew from the boardroom.]

13
14 (U) [The classified hearing was called to order at 1559, 3 June
15 2010.]

16
17 (U) The recorder presented the following information to the
18 board:

19
20 (~~S//NF~~)

(b)(1)1.4a, (b)(1)1.4c

21
22
23
24
25
26
27
28
29
30 (b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(6)
31
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38
39
40
41

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

1 (U) EXPERT WITNESS TESTIMONY

2
3 (U//FOUO) [redacted (b)(6), (b)(3)], civilian DRB analyst, was called
4 as a witness for the board, entered the boardroom, and
5 testified, in substance, as follows:

6
7 (U) DIRECT EXAMINATION

8
9 (U) Detainee Review Board Recorder 4 asked, in substance, the
10 following questions:

11
12 (~~S//NF~~) [redacted (b)(1)1.4a, (b)(1)1.4c,

13
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20
21
22
23
24
25
26 (b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(6)

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~~SECRET//NOFORN~~

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(S//NF)

(b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(6)

(U) CROSS-EXAMINATION

(U) Personal Representative 4 asked, in substance, the following questions:

(S//NF)

(b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(6)

(U) EXAMINATION BY THE BOARD

(U) Member 1 asked, in substance, the following questions:

(S//NF)

(b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c

(U) The President of the Board asked, in substance, the following questions:

(S//NF)

(b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c

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(b)(1)1.4a, (b)(1)1.4c

(U) [The witness withdrew from the boardroom.]

(U) The personal representative presented the following information to the board:

(~~S//NF~~) (b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c

(U) The recorder did offer classified exhibits.

(U) The personal representative did not offer classified exhibits.

(U) The president and members of the board voted on ISN 020024. The votes were then collected and handed to the legal representative.

(U) [The classified session adjourned at 1636, 3 June 2010.]

[END OF PAGE]

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STAFF SUMMARY ROUTING SHEET

JTF 435/DCDO USFOR-A



SUBJECT: Status recommendation for ISN 20024 the Detention Facility In Parwan (DFIP).

DATE: 7 June 2010

PROBLEM OR REASON FOR ACTION: To obtain DC-DO TF 435 approval, change, or validate the status of ISN 20024 to be transferred to the Afghan authorities for criminal prosecution.

ACTION OFFICER NAME/SECTION/PHONE NUMBER:
 CAPT (b)(3), (b)(6), Director Legal Operations
 DSN (b)(2)

Office Primarily Responsible (OPR): JTF 435 Dir Legal
Office Supporting Response (OSR):

COORDINATION

	TO	ACTION	SIGNATURE (SURNAME), GRADE AND DATE		TO	ACTION	SIGNATURE (SURNAME), GRADE AND DATE
1	DRB President	Review/Sign	(b)(3), (b)(6) <i>[Signature]</i>	6	JTF 435 DC-DO	Sign	
2	DRB Legal Advisor	Review/Sign		7			
3	TF-Protector TF-Protector	Review	(b)(3), (b)(6) <i>[Signature]</i>	8			
4	JTF 435 Director Legal Operations	Review		9			
5	DC JTF 435	Review	(b)(3), (b)(6)	10			

Recorder - Captain (b)(3), (b)(6)

Case - copy of the DFIP

SCJS TRACKING NUMBER

DATE Logged

BAGRAM / CENTCOM /001360

Exhibit S

~~UNCLASSIFIED//FOUO~~



DEPARTMENT OF DEFENSE
JOINT TASK FORCE 435
APO AE 09356

IN REPLY REFER TO:

JTF 435 6 000

MEMORANDUM FOR Commander, Task Force Protector, Bagram Airfield, Afghanistan
Director, Legal Operations, Bagram Airfield, Afghanistan

SUBJECT: 2 June 2010 Detainee Review Board (DRB) Recommendation Vote for Release for ISN 4180

1. I reviewed the findings and recommendations of the DRB that convened on 2 June 2010 concerning the internment of Detainee ISN 4180. By a vote of 3 to 0, the board members found that internment is necessary to mitigate the threat ISN 4180 poses. After consideration, I approve the DRB's finding and direct that ISN 4180 continue to be detained at the Detention Facility in Parwan.
2. The DRB's recommendation that ISN 4180 not be assessed as an Enduring Security Threat is approved.
3. The point of contact for this memorandum is CAPT (b)(7)(F), Director of Legal Operations, JTF 435, at DSN (b)(7)(F).

ROBERT S. HARWARD
Vice Admiral, U.S. Navy

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BAGRAM / CENTCOM /001524

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DEPARTMENT OF DEFENSE
JOINT TASK FORCE 435
APO AE 09354



REPLY TO
ATTENTION OF:

JTF-435-LO

6 June 2010

MEMORANDUM FOR Deputy Commander, Joint Task Force 435, Kabul Afghanistan, APO AE 09356

SUBJECT: 2 June 2010 Detainee Review Board (DRB) Recommendation, Continue Internment of Nouredin, ISN 4180

1. DRB FINDINGS AND RECOMMENDATIONS. The DRB met on 2 June 2010 and made the following findings and recommendations concerning the internment of Nouredin, ISN 4180:

- a. That Nouredin, ISN 4180, met criteria for initial internment because he was assessed to be a part of or a substantial supporter of insurgent forces opposing Coalition Forces.
- b. That internment is necessary to mitigate the threat posed by Nouredin, ISN 4180. That Nouredin, ISN 4180, should continue to be interned at the Detention Facility in Parwan.
- c. The DRB recommends approval for the continued internment of Nouredin, ISN 4180.
- d. That Nouredin, ISN 4180, should be considered for reintegration programs within the DFIP.
- e. That Nouredin, ISN 4180, is not an Enduring Security Threat.

2. DRB ASSESSMENT. Reporting indicates that Nouredin, ISN 4180, is a bandit, working for the Taliban. He claimed his sole income is from doing assignments for Coalition Forces. The DRB assessed that this was not enough income to support his three wives. Ultimately, the DRB believed the reporting.

The assessment of the evidence has much to do with credibility. If a factfinder believes he is a bona fide and [redacted], then there would be a legitimate purpose for Taliban contacts. If a factfinder believes Nouredin is lying, then the reporting tends to show he is engaged in nefarious conduct for wrongful reasons.

3. CIRCUMSTANCES OF CAPTURE. Nouredin, ISN 4180, was captured by FOB Murphy, Shindand District, Herat Province on [redacted]. The predicate for capture was Nouredin coming to the FOB Murphy gate, looking to meet with

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JTF-435-LO

SUBJECT: 2 June 2010 Detainee Review Board (DRB) Recommendation, Continue Internment of Noureddin, ISN 4180

someone on the base. The [redacted] recognized him as a Taliban criminal. The [redacted] became alarmed and arrested Noureddin. Noureddin claimed to be a confidential source for Coalition Forces.

4. BASIS FOR TARGETING AND INTERNMENT. In making its findings and recommendations, the DRB considered the following evidence:

- a. Physical Evidence: Phones and SIM cards.
- b. CELLEX: Two nefarious contacts.
- c. Classified Reporting: The sources are generally of poor quality. Some of the allegations accuse Noureddin being the following: rocket attacker; kidnapper; Taliban commander; kinetic attacker; mine placer; and ambusher.

5. DETAINEE ADMISSIONS AND CLAIMS (PRE-DRB). In making its findings and recommendations, the DRB considered information from interrogations and interviews, including but not limited to the following:

- a. Interrogations and Interviews: Noureddin provided details of his work as a paid informant for Coalition Forces, specifically for the United States. He named his handlers and described his interactions with them. Noureddin also denied being involved in kidnappings, claiming he had knowledge that other specific people did the kidnappings.
- b. Polygraph: None.

6. EXHIBITS SUBMITTED & DETAINEE TESTIMONY AT DRB. In making its findings and recommendations, the DRB considered the following exhibits and detainee testimony:

- a. Recorder's Unclassified and Classified Exhibits.
- b. Personal Representative's Exhibits. Exhibit A, indicating that Noureddin, ISN 4180, was advised of the basis for internment and the facts supporting internment. Exhibit B, indicating that Noureddin, ISN 4180, met with a personal representative and was advised of his rights at the DRB.
- c. Detainee Criminal Investigative Detachment (DCID) Report of Investigation (ROI) dated 29 April 2010.
- d. Behavioral Science Consultation Team (BSCT) Assessment. Risk Level: [redacted] CONF: Yellow. Confidence: [redacted] Date: [redacted]

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JTF-435-LO

SUBJECT: 2 June 2010 Detainee Review Board (DRB) Recommendation, Continue Internment of Nouredin [redacted] SN 4180

e. Detainee's DRB Statement and Responses to Questions: Nouredin described working for Coalition Forces as a paid informant. At one time he was sent to an area by his handler and captured by the Taliban. The Taliban shot him twice, but he eventually escaped and his wounds healed. He was assigned to work another area, but considered it to be too dangerous. It was too dangerous to operate as an undercover intelligence gatherer, because people knew him there. [redacted] stopped being his handler. He was switched to a handler named [redacted]. That person was recommended by [redacted]. He met another potential handler named [redacted]. He did not like [redacted]. One time [redacted] told him he would shoot him if he didn't work for him. Nouredin said that his sole source of income was American money for his information-gathering activities. He described the MO for conducting information-gathering missions. His handler would give him an area and some names. He would then physically relocate to the assigned area of operations and integrate himself into the area. Nouredin described providing names of several Taliban that were killed by Coalition Forces after he informed on them.

Taliban beheaded two of his family members. Nouredin gave this as a reason for not liking Taliban.

His younger brother worked on one of the Coalition Forces bases. His younger brother also worked as a source for Coalition Forces.

Prior to working for the Coalition Forces as an informer Nouredin earned a living as farmer. If he did not make enough money farming, he would take trips to Iran for work. He got across the border by paying human smugglers. While working as a paid informant, Nouredin made enough money to own a vehicle.

Nouredin was completely illiterate before internment. Now he can read and has learned more about the Koran.

7. WITNESS INFORMATION. In making its findings and recommendations, the DRB considered the following witness information: Nouredin asked his Personal Representative to contact District Chief [redacted] and a person named [redacted]. The Personal Representative called District Chief [redacted] prior to the DRB hearing [redacted] verified that Nouredin "worked for the US government," but would not elaborate. The Personal Representative attempted to contact [redacted] by phone but was unable to make contact. Neither [redacted] was contacted during the DRB hearing.

The Personal Representative admitted a letter from Nouredin's brother. It was a letter of support, declaring Nouredin's innocence. He lamented financial problems encountered by his family.

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JTF-435-LO

SUBJECT: 2 June 2010 Detainee Review Board (DRB) Recommendation, Continue Internment of Noureddin, ISN 4180

8. SUMMATION OF DRB FINDINGS AND RECOMMENDATIONS, THREAT

ASSESSMENT. In determining whether continued internment is necessary to mitigate the threat posed by Noureddin, ISN 4180, the DRB assessed the detainee's level of threat and weighed, among other things, his potential for rehabilitation, reconciliation, and eventual reintegration into society. In considering this recommendation, the DRB noted the risk posed by Noureddin, ISN 4180, in relation to the COIN impact of release versus continued internment. As a result of all of these considerations, the DRB believes that internment is necessary to mitigate the threat posed by Noureddin, ISN 4180.

9. The point of contact for this review is MAJ (b)(6) (b)(7)(C) (b)(7)(D), JTF-435 DRB, at DSN (b)(7)(C) (b)(7)(D) or (b)(6) (b)(7)(C) (b)(7)(D)

(b)(6) (b)(7)(C) (b)(7)(D)

- 2 Encis.
- 1. DRB Voting Packet.
- 2. Summarized Testimony

COL, QM, USA
President, Detainee Review Board

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(U//FOUO)

-004180

Noureddin ((LNU)) s/o

POC: FB Murphy, Shindand, Herat, DOB:

(~~C//REL USA, GCTF, ISAF, NATO~~) Capturing Unit:

(U//FOUO) POB/POR: FB Murphy, Shindand, Herat

Tribe/SubTribe: Noorzai

Primary Language: Dari

Interrogation/ IIRs:

(b)(1)1.4a, (b)(1)1.4c

Circumstances of Capture: (~~S//REL USA, ISAF, NATO~~) Noureddin (LNU), ISN 4180 () was transferred to () on 21 SEP 09. On 18 SEP 09, Noureddin approached the front gate of FB Murphy to speak with CF () on duty recognized Noureddin and alerted (), who then detained Noureddin, due to his suspected criminal activities in the area.

Internment Criteria: (U//FOUO) Was part of, or substantially supported, Taliban or associated forces that are engaged in hostilities against the United States or its coalition partners, including person who has committed a belligerent act, or has directly supported hostilities in aid of such enemy armed forces.

SSE:

- (~~U//FOUO~~) Nokia cell phone, (3) SIM Cards, (1) calling card.

Exploitation:

- (~~S//NF~~) DOCEX – Five known insurgent contacts with multiple reporting. (DOCEX Report)

Reporting:

Sensitive Intelligence Indicators

- (~~S//NF~~) () three SIM cards, and his phonebook. Results () indicate Noureddin had contact with known associates of () and ().

Other Reporting Indicators

- (~~S//REL USA, ISAF, NATO~~) () reliability reports that () and Nooradin are the Taliban commanders behind the 17 August 2009, rocket attack on FOB Murphy.
- (~~S//REL TO USA, NLD, FVEY~~) () reported Noureddin kidnaps an UJM in Shindand District.
- (~~S//REL TO USA, NLD, FVEY~~) () reports Nooradin is involved in kidnappings and mine emplacement throughout Zer-E-Koh Valley. ()
- JUL 09) (~~S//REL TO USA, NLD, FVEY~~) () reported Noureddin is a TB commander in Shindand District and plans on attacking military checkpoints. ()
- JUL 09) (~~S//REL TO USA, NLD, FVEY~~) () reported Noureddin is a known kidnapper in Western Afghanistan who also facilitates the movement of weapons, money, and suicide bombers. ()
- (~~S//REL TO USA, NLD, FVEY~~) () provided a possibly true report Noureddin conducts kinetic operations in Zer-E-Koh Valley. ()
- (~~S//NF~~) Mullah Noureddin travels to Iran to meet with Islamic Revolutionary Guards Quds (IRGC-QF). ()
- (~~S//REL TO USA, NLD, FVEY~~) () reported that Noureddin is a kidnapper and kidnaps people in Shindand and Anar Dara Districts. ()
- JUN 09) (~~S//REL TO USA, ISAF, NATO~~) () reported that Noureddin has a kidnapping ring in Shindand District under Nangai Khan. ()
- (~~S//REL TO USA, ISAF, NATO~~) () again reported that Nooridin reportedly was sent and paid by TB to report on the Shindand District sub-governor. Nooridin worked with the sub-governor until the sub-governor found out that Nooridin was paid \$50,000 USD to kill the sub-governor. This attempt failed in Killing the sub-governor, but succeeded in killing one of the sub-governor's sons and a nephew. ()

Organization & Role:

Taliban Commander

Associated Personalities

Other Names/Alias

DRB Hearing Date: 02 JUN 10

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(b)(6), (b)(1)1.4a, (b)(1)1.4c

(b)(6), (b)(1)1.4a, (b)(1)1.4c

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(U//FOUO) [redacted] -004180 [redacted]

Noureddin ((LNU))s/o [redacted]

POC: FB Murphy, Shindand, Herat, DO [redacted]

(C//REL USA, GCTF, ISAF, NATO) Capturing Unit [redacted]

SLIDE #2

Reporting (cont'd):

- (S//NF) [redacted] An eighth source reported that Noureddin was involved in the 07 APR 09 attack on a CF patrol in Bakhtabad (CNA), Shindand District. He was wounded in the foot by small arms fire from [redacted]. He currently has an RPG and an unspecified amount of AK47 rifles [redacted].
- (S//NF) [redacted] reported that as of early May 09, those TB responsible for emplacing mines in the Shindand District include the following: (5) NURUDDIN had 20 men in his command and was associated with [redacted]. He placed mines from Azizabad to Showz Villages, Shindand District. He is from the Ishaqzai Tribe. [redacted]
- (S//NF) [redacted] service again reported that in 16 April 2009, fighting broke out in Zer-e-koh in Shahabad Village and Bakhtabad Village which was initiated by [redacted]. After fighting broke out, [redacted] was supported by [redacted].
- (S//NF) [redacted] reported that [redacted] and eight other insurgents followed then attacked a US and Afghan forces patrol in Shindand District, Herat Province, AF on 30 MAR 09. [redacted]
- (S//NF) [redacted] reported that Mullah Noureddin and [redacted] are two Corzai AAF that are taking advantage of [redacted] name and executing attacks to defame his name and his group. [redacted]
- (S//NF) [redacted] again reported that Commander [redacted] Zer-e-koh, Herat Province, met in Emarat, Shindand District, Herat Province, AF to discuss the set up of ambushes on CF patrols during the poppy season. They intend to stop the poppy eradication initiative to gain support from local subsistence farmers in Zer-e-koh as well as justify themselves as protectors. [redacted] Mullah Noureddin, [redacted] will be in attendance. [redacted]
- (S//NF) [redacted] reported that Mullah Nooradeen is a TB commander in the Zerekoh valley in charge of approximately 25 TB fighters. Mullah Nooradeen maintains a residence in Pashtunabad (CNA), Shindand District, Herat Province, AF, and belongs to the Pastun-Isaikzai Tribe. [redacted]

Detainee Statement:

- (S//NF) Claims that [redacted] are responsible for the kidnapping of a gas station owner, not him. [redacted]
- (S//NF) Claims that he has worked as a source for the U.S. for the past few years and has helped them numerous times. [redacted]
- (S//NF) Claims that he was scared after [redacted] kidnapped a man, and that he was being blamed for it. He went to Pakistan for a couple months because he was scared. [redacted]
- (S//NF) Claims he told [redacted] what happened, and [redacted] told him not to worry and turn himself in. Detainee did so, and was apprehended by ANA forces. [redacted]
- (S//NF) Claims that he still wants to work for the Americans and doesn't blame them for the mix up. [redacted]
- (S//NF) Claims another reason for going to Pakistan is because an American, [redacted], put a pistol in his face and told him he could kill him whenever he wanted. [redacted]
- (S//NF) Says he was willing to identify the locations of two JPEL targets, but was unable to due to mapping software limitations (Interrogator Comment). [redacted]
- (S//NF) Provided information on two other JPEL targets, but had never been to their house personally. [redacted]

BSCT Assessment:

- (S//NF) CURRENT: Risk Level: [redacted] COIN: [redacted] (Confidence: [redacted])
- (S//NF) PRIOR: Risk Level: [redacted] COIN: [redacted] (Confidence: [redacted])

DR/OR Summary:

- (S//NF) See DFIP Progress Report

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1 ~~(S//REL TO USA, ISAF, NATO)~~ [ISN ~~(b)(1)~~ 4180] NOUREDDIN LNU,
 2 entered the boardroom, took his seat in front of the board
 3 members, and the unclassified hearing was called to order at
 4 1111, 2 June 2010.]

(U) Persons Present:

8 (U) COLONEL ~~(b)(1)~~ ~~(b)(3)~~, PRESIDENT OF THE BOARD;

10 (U) MAJOR ~~(b)(1)~~ ~~(b)(3)~~, MEMBER ONE;

12 (U) MAJOR ~~(b)(1)~~ ~~(b)(3)~~, MEMBER TWO;

14 (U) CAPTAIN ~~(b)(1)~~ ~~(b)(3)~~, DETAINEE REVIEW BOARD
 15 RECORDER THREE;

17 (U) LIEUTENANT ~~(b)(1)~~ ~~(b)(3)~~, PERSONAL REPRESENTATIVE
 18 ONE;

20 (U) MAJOR ~~(b)(1)~~ ~~(b)(3)~~, LEGAL REPRESENTATIVE; and

22 (U) SERGEANT ~~(b)(1)~~ ~~(b)(3)~~, PARALEGAL.

24 (U) [The recorder was sworn.]

26 (U) The detainee was advised by the president of how this board
 27 was not a criminal trial and how this board was to determine
 28 whether or not he met the criteria for further internment.

30 (U) The president also notified the detainee that he may be
 31 present at all open sessions of the board permitting that he
 32 acted appropriately. ISN 4180 was also advised that he could
 33 testify under oath or unsworn if he wished to do so, that he had
 34 a personal representative who was present at the hearing, that
 35 he may present information at the hearing including the
 36 testimony of witnesses, and that he can examine documents
 37 presented to the board all of which the detainee understood.

39 (U) Further, ISN 4180 was instructed that, at the conclusion of
 40 the board after the legal review, the board would determine
 41 whether he met the criteria for further internment at the

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1 Detention Facility in Parwan. The detainee understood the fact
 2 that if he does not meet the criteria, he would be released as
 3 soon as possible. However, if he did meet the criteria, then he
 4 would be recommended for further internment, transferred to
 5 Afghan authorities, or released without conditions.

6
 7 (U) CPT (b)(3)(b) presented the following unclassified information
 8 to the board:

9
 10 (U//~~FOUO~~) On (b)(1)14a, (b)(1)14c Nouredin approached the
 11 front gate of FB Murphy to speak with Coalition Forces.
 12 (b)(1)14a, (b)(1)14c on duty recognized Nouredin and alerted (b)(1)14a, (b)(1)14c
 13 (b)(1)14a, (b)(1)14c, who in turn detained Nouredin, due to
 14 his known criminal activities in the area. (b)(1)14a, (b)(1)14c began
 15 questioning making several attempts to address his
 16 involvement in kidnapping, murders, and Coalition Forces
 17 attacks. (All of which he denied.) On 20 September 2009,
 18 (b)(1)14a, (b)(1)14c transferred Nouredin to an element
 19 of (b)(1)14a, (b)(1)14c. He was subsequently brought to
 20 the (b)(1)14a, (b)(1)14c compound for continued detention. On 21
 21 September 2009, (b)(1)14a, (b)(1)14c assumed custody after
 22 local authorities determined they did not want to take
 23 custody from the (b)(1)14a, (b)(1)14c.

24
 25 (U//~~FOUO~~) He was detained carrying a cell phone, three SIM
 26 cards and a calling card.

27
 28 (U//~~FOUO~~) He claims to have previously worked for the US
 29 and Coalition Forces as a source for the past few years
 30 prior to capture and has provided information on numerous
 31 times.

32
 33 (U//~~FOUO~~) He is suspected of being a Taliban sub commander
 34 involved in a kidnapping ring to extort money through
 35 ransoms and attacks on Coalition Forces in the Shindand
 36 District, Herat Province, Afghanistan.

37
 38 (U//~~FOUO~~) He meets criteria for internment if he was a part
 39 of, or substantially supported, Taliban or associated
 40 forces that are engaged in hostilities against the United
 41 States or its coalition partners, including any person who

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1 has committed a belligerent act, or has directly supported
2 hostilities in aid of such enemy armed forces.

3
4 (U) The detainee, ISN 4180, made the following statements to the
5 board:

6
7 (U//~~FOUO~~) I was a working with and helping the Coalition
8 Forces and American forces, but there was a gap of three
9 months. During this time, I was captured. The American
10 that I was working for was named (b)(7)(F), unfortunately he
11 went home. The translator who was working with them was a
12 lady named (b)(7)(F). I received an assignment from (b)(7)(F).
13 I was sent to some area. When I got there I was captured by
14 the Taliban. They asked me so many questions. They took
15 me into custody, and they shot me twice. I was in their
16 custody for quite awhile and then I escaped. When I
17 escaped, I went back to the American forces to have my
18 wounds treated.

19
20 (U//~~FOUO~~) When I was captured I had three others who were
21 working with me. The Taliban confiscated my vehicle and
22 kept me in custody. When I returned to (b)(7)(F), he asked me
23 some questions and gave me another vehicle, a white van.
24 Then, when (b)(7)(F) was going to leave, (b)(7)(F) told me to start
25 working with another American. After I was introduced to
26 the new boss, I was assigned a new job. I didn't like the
27 area, because everyone in the area knew about me. I was
28 scared for my safety, so I told the boss that I didn't want
29 to do this job. I told him that I wanted to go to Iran to
30 make some money. I spent two months in Iran working to get
31 some money. Then I changed my mind and I came back home.

32
33 (U//~~FOUO~~) The second boss made contact with my brother and
34 offered me a job. When I got that message I went to make
35 contact with the boss for the job. My brother and I went
36 and met the new boss, and the boss asked me to come to work
37 the afternoon shift, because there were so many people from
38 the village that I was scared would see me. After that
39 meeting, I went home, I didn't continue working. Then the
40 boss called me. I told him I didn't have any fresh
41 information. I told them I would not accuse innocent

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1 people. After that conversation, he handcuffed me and
 2 blindfolded me and captured me. The boss said it seems
 3 like you are not working for me, so I can't take care you.
 4 He said, you might have been working for the previous boss,
 5 but you are not working for me. I worked for [redacted] for
 6 eight months. If you can find this previous boss, [redacted],
 7 he will tell you that I was working for him, that I am
 8 innocent, otherwise, I am in trouble. I am a poor person;
 9 I do not have people to testify for me.

(U) DETAINEE TESTIMONY

10
 11
 12
 13 ~~(S//REL TO USA, ISAF, NATO)~~ NOUREDDIN LNU, [redacted] (U//FOUO) [redacted] was
 14 called for the board and testified, in substance, as follows:
 15

(U) DIRECT EXAMINATION

16
 17
 18 (U) CPT [redacted] asked, in substance, the following questions:
 19

20 (U//FOUO) I don't know exactly the dates when I stopped
 21 working for the Americans, but I figure that it was about
 22 three months. I was in telephonic contact with the second
 23 boss once while I was in Iran, but I wasn't working for
 24 him. The new boss' name was [redacted]. I met [redacted], too. But
 25 originally I was referred by [redacted] not to [redacted]. I
 26 preferred working with [redacted], because [redacted]
 27 recommended him to me. I don't know if [redacted] was joking or
 28 serious, but he told me if I didn't work with him he would
 29 shoot me.
 30

31 (U//FOUO) The reason I was in Furat and was captured was
 32 because I had an assignment from [redacted]. He gave me a phone
 33 number and a name.
 34

35 (U//FOUO) My name is Nouredin. My father is [redacted].
 36 I'm from Shindand, Farat. I have just three wives and four
 37 kids. No other family members live with us in our
 38 compound. I was making a living working for the district
 39 chief. After the district chief introduced me to [redacted], my
 40 work for him was my only source of income.
 41

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1 (U//~~FOUO~~) Usually, (b)(7)(C) would send me to an area and give
 2 me some names, and I would go and gather some information:
 3 where they were living, what they were doing, and their
 4 job. There was one person, (b)(7)(C).
 5 When I brought the information, it was correct. The
 6 Coalition Forces went there, raided the house, and, when he
 7 resisted, killed that person. I also gave information on
 8 (b)(7)(C) and that information was also correct. He was
 9 also killed in the raid. The third person I gave
 10 information on was (b)(7)(C). He was a commander. He got
 11 the same punishment. The fourth raid was on (b)(7)(C), but he
 12 escaped. He didn't get captured. If you go to my record,
 13 while I was working with (b)(7)(C) and the District
 14 Chief, (b)(7)(C), knew about my activities. I worked
 15 with (b)(7)(C) for five or six months as a driver.
 16 Once I started working for (b)(7)(C), he said that I should
 17 stay away from him because people knew him, for my safety.
 18 Would I help Taliban when they beheaded my cousin? Do you
 19 think that I would work for the Taliban when they beheaded
 20 two of my close relatives, one on my mother's side and one
 21 on my father's?

22
 23 (U//~~FOUO~~) (b)(6), (b)(7)(1), (b)(7)(4), (b)(1)(14) lives in Pakistan. He is involved
 24 with the Taliban. He is a chief.

25
 26 (U//~~FOUO~~) I have never been involved in any kidnapping in
 27 Shindand. Since I have come here, I have heard these
 28 allegations. I have no information regarding who is
 29 responsible for these kidnappings. I heard that the
 30 kidnapping occurred, but I can't say who did it.

31
 32 (U//~~FOUO~~) You probably know better why they were kidnapping
 33 then I do. These things are very common now, especially in
 34 the Herat area.

35
 36 (U//~~FOUO~~) My last activity for American forces was on
 37 (b)(6), (b)(7)(1), (b)(7)(4), (b)(1)(14). I don't know the exact date.

38
 39 (U//~~FOUO~~) I am for the Americans. I love them. They are
 40 building and helping the country. What else can I say
 41 about them?

~~SECRET // NO FORN~~

~~SECRET//NO FORN~~

1
2 (U//~~FOUO~~) The accusations against me are false. I was
3 working for the Americans. I was working for (b)(7)(G). The
4 reasons for these accusations are pretty clear. Somebody
5 has something against me. They go to the authorities and
6 file a report: this is a murderer, this is a kidnapper, or
7 this is a Taliban commander.

8
9 (U//~~FOUO~~) I went to Iran for work instead of staying here
10 because I was scared.

11
12 (U) CROSS-EXAMINATION

13
14 (U) Lieutenant (b)(7)(G) asked, in substance, the following
15 questions:

16
17 (U//~~FOUO~~) My brother worked with me, but he is much
18 younger. I would use him to go and help gather
19 information. Before I worked for the American Forces I
20 worked farming our lands. If we can't make it farming our
21 lands, we go to Iran and make some money and come back.

22
23 (U//~~FOUO~~) I don't know exactly why I was detained but I am
24 lucky that I was. My life was in danger. While I was
25 working with (b)(7)(G), he kept my work strictly confidential.
26 But with the new boss, everybody knows and I am in danger.
27 If I was released, I would go back to working for the
28 Coalition Forces if it was with someone like (b)(7)(G). But if
29 it was for someone like the new boss, then I would not work
30 with them, even if they offered me ten thousand dollars a
31 month.

32
33 (U//~~FOUO~~) I was completely illiterate before I was
34 detained. Now, thanks to the Americans, I can read the
35 Koran, I can write, I learned many things. Regarding my
36 behavior in the facility, accidents happen. In this
37 facility there are all kinds of people: people for the
38 government and people against the government. I control
39 myself a lot, but sometimes I get out of control. Other
40 detainees ask me why I talk so much to the Americans; I say
41 that is my prerogative. I have to speak to them, I am

~~SECRET//NO FORN~~

~~SECRET // NO FORN~~

1 sick. Some people are cursing the government and I can't
2 take that.

3
4 (U) EXAMINATION BY THE BOARD

5
6 (U) Member 1 asked, in substance, the following questions:

7
8 (U//~~FOUO~~) Yes, I mentioned that I was shot by the Taliban.
9 I was shot in two places.

10
11 (U//~~FOUO~~) I had a vehicle that (b)(9) gave me. I sold it
12 when I went to Iran. When I got back, I bought a white
13 Toyota.

14
15 (U//~~FOUO~~) There are restrictions, you cannot freely go to
16 Iran, but there are places to get in. You go to some
17 people and give them some money, and they smuggle you into
18 Iran. It's the same when you're coming back.

19
20 (U) President reads the letter from his brother petitioning for
21 the detainee's release.

22
23 (U) Personal Representative was able to contact the District
24 Chief, (b)(6), (b)(11), (b)(11), (b)(11), (b)(11), who confirmed that the detainee did work
25 for the government at one point. He did not wish to testify.
26 He was unable to get a hold of (b)(6), (b)(11), (b)(11), the other witness the
27 detainee requested.

28
29 (U) The recorder did offer unclassified exhibits.

30
31 (U) The personal representative did offer unclassified exhibits.

32
33 (U) The recorder had no further unclassified information to
34 offer the board and, per the recorder's request, the president
35 granted a closed hearing at the culmination of the unclassified
36 hearing.

37
38 (U) The president announced the conclusion of the unclassified
39 hearing.

40
~~SECRET // NO FORN~~

~~SECRET//NO FORN~~

1 (U) The president of the board instructed the detainee that he
2 would be notified of the board's decision within a couple of
3 weeks and that he would be released if the decision is made that
4 further internment would not be required. However, if the board
5 decided that further internment is required, he would be
6 retained at the Detention Facility in Parwan, transferred to
7 Afghan authorities for participation in a reconciliation
8 program, or released transferred to his national country for
9 participation in a reconciliation program. Furthermore, if
10 continued internment was recommended, then an additional
11 Detainee Review Board would be reconvened in 6 months.

12

13 (U) The detainee made the following statement:

14

15 (U//~~FOUO~~) I appreciate you all.

16

17 (U) [The unclassified hearing adjourned at 1216, 2 June 2010.]

18

19 (U) [The detainee withdrew from the boardroom.]

20

21 (U) [The classified hearing was called to order at 1216, 2 June
22 2010.]

23

24 (U) Captain (S)(M) presented the following information to the
25 board:

26

27 (S//NF) This is purely a HUMINT case. There have been 16
28 reports, which is quite a few, from 12 different sources.
29 This is the first time I've heard the name (S)(M). The
30 interrogation reports say (S)(M). This is obviously
31 the person they are talking about in the reports. The
32 reports are pretty consistent, and continued while he
33 claims he was in Iran. There is a diagram of all the
34 people he is connected to. (S)(M)

35

(S)(M), I wasn't able to get it reduced.
36 It connected him to (S)(M), who he admits to working
37 for. The DOCEX information was pulled off of the phone
38 book: For someone who isn't involved with the Taliban, he
39 knows a whole lot about them.

40

~~SECRET//NO FORN~~

~~SECRET // NO FORN~~

1 (U//~~FOUO~~) He did turn himself in. He walked up to the base
2 and asked to talk to Coalition Forces.

3
4 (~~S//NF~~) I was unable to confirm that he was a source, but
5 all the information I have indicates that he was actually a
6 source.

7
8 (U) Lieutenant ~~(S//NF)~~ presented the following information to the
9 board:

10
11 (~~S//NF~~) Even though there is a significant amount of
12 reporting on him, it isn't of consistent quality. He has
13 spent 244 days in detention. He is still actively trying
14 to provide information. As far as the documentation
15 captured with him, if he is acting as a source, his handler
16 would give him names. It's not unlikely that he would have
17 these names on him.

18
19 (U) The recorder did offer classified exhibits.

20
21 (U) The personal representative did not offer classified
22 exhibits.

23
24 (U) The president and members of the board voted on ISN 4180.
25 The votes were then collected and handed to the legal advisor.

26
27 (U) [The classified session adjourned at 1222, 2 June 2010.]

28
29 [END OF PAGE]

30
~~SECRET // NO FORN~~



STAFF SUMMARY ROUTING SHEET
JTF 435/DCDO USFOR-A



SUBJECT: Status recommendation for ISN 4180 at the Detention Facility in Parwan (DFIP)

DATE: 7 June 2010

PROBLEM OR REASON FOR ACTION: To obtain DC JTF 435 approval or disapproval to change or validate the status of ISN 4180 to be continually interned at the DFIP.

ACTION OFFICER NAME/SECTION/PHONE NUMBER:

CAPT (b)(6) (b)(7)(C), Director Legal Operations
 DSN (b)(7)(C)

Office Primarily Responsible (OPR): JTF 435 Dir Leg Ops
Office Supporting Response (OSR):

COORDINATION

	TO	ACTION	SIGNATURE (SURNAME), GRADE AND DATE		TO	ACTION	SIGNATURE (SURNAME), GRADE AND DATE
1	DRB President	Review/ Sign	(b)(6) (b)(7)(C) 20 Jun 10	5	DC JTF 435	Sign	
2	Recorder	Review	CAPT (b)(6) (b)(7)(C) 20 Jun 10	6			
3	DRB Legal Advisor	Review/ Sign	MAJ (b)(6) (b)(7)(C) 20 Jun 10	7			
4	JTF 435 Director Legal Ops	Review	(b)(6) (b)(7)(C) 7/5/10	8			

Sir,
 Recommend continued internment.
 Individual seems to play both sides of fence and connected to too many notorious characters.

V/R LTC (b)(6) (b)(7)(C)

UNCLASSIFIED WHEN SEPARATED FROM ATTACHMENTS

SCJS TRACKING NUMBER

DATE Logged

Detainee Review Board Report of Findings and Recommendations – Final Board Result

v.22 Feb 2010

<u>Date of Board</u> 2 JUN 10	<u>Detainee Name</u> Nawreddin S/	(b)(1)(1)(d)(b)(9)(q)	<u>Detainee ISN</u> 4180
----------------------------------	--------------------------------------	-----------------------	-----------------------------

STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks; (*Continue to Step 2*) OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. (*Continue to Step 2*)

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

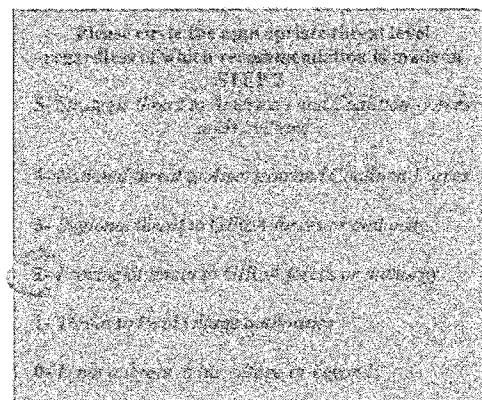
IS NOT NECESSARY to mitigate the threat the detainee poses; (*Go to Step 3A*)

OR

IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) (*Go to Step 3B*):

Explain the facts presented at the DRB which led to your recommendation/
(Mandatory regardless of which threat assessment is made):

Review indicates he is a bandit, works for Taliban, has (3x) wives, indicating frequent income sources.



STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be (PICK ONLY 1):

- Released without conditions; or
- Transferred to Afghan authorities for their consideration of criminal prosecution.
- Transferred to Afghan authorities for participation in a reconciliation or reintegration program.
- (For non-Afghan and non-U.S. third-country national): Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. (*circle one*)

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT (*circle one*) be considered for Reintegration programs within the DFIP.

STEP 4: The Detainee IS or IS NOT an Enduring Security Threat (*circle one*).

DRB President (Printed)	(g)(q) (c)(q)
DRB President (Signature)	

Detainee Review Board Report of Findings and Recommendations

v. 5 Feb 2010

Date of Board	Detainee Name	Detainee ISN
2 June 10	Nouredin	<input type="checkbox"/> (a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/> (1) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j) <input type="checkbox"/> (k) <input type="checkbox"/> (l) <input type="checkbox"/> (m) <input type="checkbox"/> (n) <input type="checkbox"/> (o) <input type="checkbox"/> (p) <input type="checkbox"/> (q) <input type="checkbox"/> (r) <input type="checkbox"/> (s) <input type="checkbox"/> (t) <input type="checkbox"/> (u) <input type="checkbox"/> (v) <input type="checkbox"/> (w) <input type="checkbox"/> (x) <input type="checkbox"/> (y) <input type="checkbox"/> (z)

STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks: *(Continue to Step 2)*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. *(Continue to Step 2)*

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

IS NOT NECESSARY to mitigate the threat the detainee poses; *(Go to Step 3A)*

OR

IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) *(Go to Step 3B);*

Explain the facts presented at the DRB which led to your recommendation/
(Mandatory regardless of which threat assessment is made):

HUMINT reporting indicates Detainee is a bandit working for Taliban, criminal activities and other notorious individuals.
Detainee conducts kinetic operations in Zai-E-Kuh Valley.

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2.

- 5- Strategic threat to American and Coalition Forces and Civilians
- 4- National threat to American and Coalition Forces
- 3- Regional threat to CIRA forces or authority
- 2- Provincial threat to CIRA forces or authority
- 1- Threat to local village authorities
- 0- Is not a threat to his village or beyond

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be:

- Released without conditions; or
- Transferred to Afghan authorities for their consideration of criminal prosecution.
- Transferred to Afghan authorities for participation in a reconciliation or reintegration program.
- (For non-Afghan and non-U.S. third-country national):** Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. *(circle one)*

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT *(circle one)* be considered for Reintegration programs within the DFIP.

STEP 4: "Enduring Security Threat" Assessment — * Prior to completing your Enduring Security Threat Assessment, go to page 2 of this form and complete the EST Worksheet, paying particular attention to the criteria and definitions.

The Detainee IS / IS NOT an Enduring Security Threat *(circle one)*.

(b)(7)(C) (9)(a) (e)(a)

BAGR

001654

Page 3 redacted for the following reason:

(b)(1)1.4a, (b)(1)1.4c

Detainee Review Board Report of Findings and Recommendations

v. 5 Feb 2010

Date of Board	Detainee Name	Detainee ISN
06-02-10	Nour eddin (LNU)	(b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1) (b)(1)(1)

STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks; (*Continue to Step 2*)

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. (*Continue to Step 2*)

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

IS NOT NECESSARY to mitigate the threat the detainee poses; (*Go to Step 3A*)

OR

IS NECESSARY to mitigate the threat the detainee poses. * the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) (*Go to Step 3B*)

Explain the facts presented at the DRB which led to your recommendation/

(Mandatory regardless of which threat assessment is made):

Mutual Association w/ US Intl Coalition
 Pooled Resources RE. attacks on coalition
 Admitted kidnapping investigations

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2

- 5- Strategic threat to American and Coalition Forces and Civilians
- 4- National threat to American and Coalition Forces
- 3- Regional threat to CIA forces or authority
- 2- Provincial threat to CIA forces or authority
- 1- Threat to local village authorities
- 0- Is not a threat to this village or beyond

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be:

- Released without conditions; or
- Transferred to Afghan authorities for their consideration of criminal prosecution.
- Transferred to Afghan authorities for participation in a reconciliation or reintegration program.
- (For non-Afghan and non-U.S. third-country national): Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. (*circle one*)

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD NOT (*circle one*) be considered for Reintegration programs within the DFIP.

STEP 4: "Enduring Security Threat" Assessment --- * Prior to completing your Enduring Security Threat Assessment, go to page 2 of this form and complete the EST Worksheet, paying particular attention to the *criteria and definitions*.

The Detainee IS or IS NOT an Enduring Security Threat (*circle one*).

(b)(7)(C) (b)(7)(D)

BAGR

M / 001656

Page 5 redacted for the following reason:

(b)(1)1.4a, (b)(1)1.4c

Detainee Review Board Report of Findings and Recommendations

v. 5 Feb 2010

Date of Board	Detainee Name	Detainee ISN
2 JUN 10	NOURREDDIN	4180

STEP 1 (FINDINGS): By a preponderance of the information presented, as a member of the Detainee Review Board (DRB), I find that:

The detainee DOES NOT MEET THE CRITERIA for internment and will be released. *Stop here and sign at the bottom.*

OR

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for those attacks: *(Continue to Step 2)*

The detainee listed above MEETS CRITERIA FOR INTERNMENT because he is a person who was part of, or substantially supported, Taliban or al-Qaida forces or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act, or has directly supported hostilities, in aid of such enemy armed forces. *(Continue to Step 2)*

STEP 2 (THREAT ASSESSMENT RECOMMENDATION): After taking into account the detainee's potential for rehabilitation, reconciliation, and eventual reintegration into society, by a preponderance of the information, I find that continued internment:

IS NOT NECESSARY to mitigate the threat the detainee poses; *(Go to Step 3A)*

OR

IS NECESSARY to mitigate the threat the detainee poses (* the detainee will remain at the Detention Facility in Parwan (DFIP) to ensure detention required to mitigate his threat) *(Go to Step 3B)*

Explain the facts presented at the DRB which led to your recommendation!
(Mandatory regardless of which threat assessment is made):

- MULTIPLE REPORTS OF CRIMINAL ACTIVITY AGAINST CF/ISAF
- PARTICIPATION IN DIRECT ACTIVITIES AGAINST CF/ISAF

Please circle the appropriate threat level regardless of which recommendation is made in STEP 2

- 5- Strategic threat to American and Coalition Forces and Civilians
- 4- National threat to American and Coalition Forces
- 3- Regional threat to GIROA forces or authority
- 2- Provincial threat to GIROA forces or authority
- 1- Threat to local village authorities
- 0- Is not a threat to his village or beyond

STEP 3A: If your Recommendation in STEP 2 is that continued internment is not necessary to mitigate the threat the Detainee poses, then make one of the following recommendations: In light of the findings listed above, I recommend that the detainee be:

- Released without conditions; or
- Transferred to Afghan authorities for their consideration of criminal prosecution.
- Transferred to Afghan authorities for participation in a reconciliation or reintegration program.
- (For non-Afghan and non-U.S. third-country national):* Transferred to a third country for: criminal prosecution // participation in a reconciliation program // or release. *(circle one)*

STEP 3B: If your Recommendation in STEP 2 is that continued internment is necessary to mitigate the threat the Detainee poses, make the following further recommendation, and then Go to Step 4.

While the Detainee remains interned at the DFIP, he SHOULD / SHOULD NOT *(circle one)* be considered for Reintegration program within the DFIP.

STEP 4: "Enduring Security Threat" Assessment --- * Prior to completing your Enduring Security Threat Assessment, go to page 2 of this form and complete the EST Worksheet, paying particular attention to the criteria and definitions.

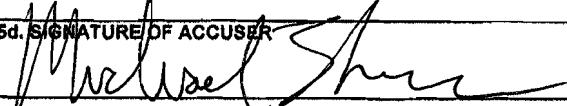
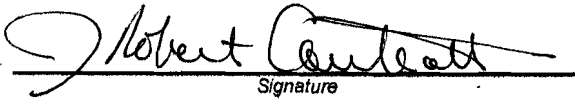
The Detainee IS or IS NOT an Enduring Security Threat *(circle one)*.

(b)(1)14a, (b)(1)14c

Page 7 redacted for the following reason:

(b)(1)1.4a, (b)(1)1.4c

Exhibit T

CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: TAREK MAHMOUD EL SAWAH		
2. ALIASES OF ACCUSED: a/k/a Tariq Mahmoud Ahmed al Sawah, a/k/a Tariq Mahmud Ahmad al Sawwah, a/k/a Abu al Laith al Masri, a/k/a Abu al Layth al Masri, a/k/a Abu al Laith al Muhajir		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0535		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.		
SPECIFICATION: See Attached Charges and Specifications.		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) SAVAGE, MICHAEL E.	5b. GRADE O5	5c. ORGANIZATION OF ACCUSER OMC-Prosecution
5d. SIGNATURE OF ACCUSER 		5e. DATE (YYYYMMDD) 20081212
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>12th</u> day of <u>December</u> , <u>2008</u> , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.		
<u>J. ROBERT CANTRALL</u> <i>Typed Name of Officer</i>	<u>OMC-Prosecution</u> <i>Organization of Officer</i>	
<u>LTCOL/O-5 United States Air Force</u> <i>Grade</i>	<u>Judge Advocate - Article 136(a)(1)</u> <i>Official Capacity to Administer Oath</i> (See R.M.C. 307(b) must be commissioned officer)	
 <i>Signature</i>		

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

J. ROBERT CANTRALL, LTCOL, USAF

*Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges*

OMC-Prosecution

*Organization of the Person Who Caused
Accused to Be Notified of Charges*

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1640 hours, on 12 Dec 2008, at Arlington, VA

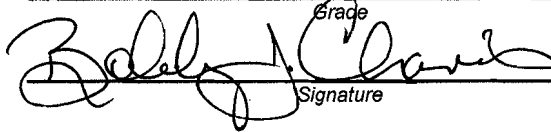
Location

For the Convening Authority: BOBBY J. CHAVIS

Typed Name of Officer

SSG, USA

Grade


Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

_____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

Continuation MC Form 458 ICO TAREK MAHMOUD EL SAWAH

CHARGE 1: Violation of 10 U. S. Code § 950 v(b)(28) CONSPIRACY

Specification: From in or about October 2000 to in or about November 2001, in Afghanistan, Tarek Al Sawah, (hereinafter "Sawah") a person subject to trial by military commission as an unlawful alien enemy combatant, did intentionally and knowingly conspire and agree with various members and associates, both known and unknown, of the al Qaeda organization, including Usama Bin Laden, Abdel Rahman al Muhajir, Abu Tarek al Tunisi, Abu Muhammad al Masri, and Muhammed Ibn al Libi and that al Qaeda engaged in hostilities against the United States, including the 1998 attack against the American embassies in Kenya and Tanzania, the 2000 attack against the USS Cole, the 11 September 2001 attack against the United States and other separate attacks, to commit one or more substantive offenses subject to trial by military commission, to wit: attacking civilians; attacking civilian objects; murder in violation of the law of war; destruction of property in violation of the law of war; hazarding a vessel and terrorism, and that Sawah knew the unlawful purpose of the agreement and joined willfully, with the intent to further the unlawful purpose, and in order to accomplish some objective and purpose of the agreement, Sawah knowingly committed at least one of the following overt acts:

- a. Attended al Qaeda Basic terrorist weapons training camp known as al Farouq.
- b. Attended specialized explosives training from al Qaeda explosive expert Muhsin Musa Matwalli Atwah (a/k/a Abd Abdel Rahman al Muhajir), including the following al Qaeda explosives techniques: how to build improvised explosive devices (IEDs) and remote detonation systems, how to use common chemicals to increase the explosive power of IEDs, and how to destroy bridges, buildings, and rail systems with explosives.
- c. Attended advanced explosives training from al Qaeda explosive expert Abu Tarek al Tunisi, in which the accused learned how to make explosive timers for IEDs, including the use of Casio wrist watches as remote detonators.
- d. Served in al Qaeda fighting positions near cities of Bagram and Kabul.
- e. Between approximately June 2001 and September 2001, Sawah accepted assignment to Tarnak Farms where he served as an explosives trainer for members of al Qaeda. He taught individuals how to use military equipment and manufacture explosives including but not limited to hand grenades, anti-personnel mines, and improvised explosive devices, all to be used as terror weapons to attack military personnel, civilians and civilian infrastructure.
- f. Between approximately July and October 2001, Sawah traveled to a variety of locations in Afghanistan and conducted explosives training courses teaching the

fundamentals of how to use explosives to members of al Qaeda, the Taliban, and others.

g. Between August 2001 and October 2001, while serving al Qaeda as an explosives trainer in Afghanistan, Sawah authored an approximately four-hundred (400) page handwritten manuscript that contained bomb making techniques and then gave said explosives manual to al Qaeda co-conspirators with the intent of making his knowledge of explosive devices readily available for other al Qaeda members.

h. Between August 2001 and October 2001, at Tarnak Farms, at the direction of a member of al Qaeda's Shura Council, Sawah developed and successfully tested a remote controlled limpet mine for use against U.S. warships.

i. In November 2001, fought with al Qaeda forces against United States and Coalition forces in the "Tora Bora" region of Afghanistan until wounded and captured by coalition forces.

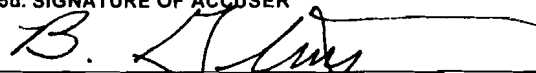
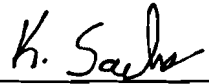
CHARGE II: Violation of 10 U. S. Code § 950 v(b)(25) PROVIDING MATERIAL SUPPORT FOR TERRORISM

Specification: From in or about October 2000 to in or about December 2001, at various locations in Afghanistan, in the context of, or associated with an armed conflict, Tarek al Sawah, a person subject to the jurisdiction of the military commissions as an unlawful alien enemy combatant, did intentionally provide material support and resources, that included but are not limited to: providing personnel including himself, expertise and training to al Qaeda, an international terrorist organization then engaged in hostilities against the United States, including violent attacks on the U. S. Embassies at or near Nairobi, Kenya and Dar es Salaam, Tanzania, on or about August 7, 1998; on the USS Cole at or near Aden, Yemen, on or about October 12, 2000, and at various locations in the United States on or about September 11, 2001, knowing that al Qaeda engaged in or engages in Terrorism, by:

- a. Attended al Qaeda Basic terrorist weapons training camp known as al Farouq.
- b. Attended specialized explosives training from al Qaeda explosive expert Muhsin Musa Matwalli Atwah (a/k/a Abd Abdel Rahman al Muhajir), including the following al Qaeda explosives techniques: how to build improvised explosive devices (IEDs) and remote detonation systems, how to use common chemicals to increase the explosive power of IEDs, and how to destroy bridges, buildings, and rail systems with explosives.
- c. Attended advanced explosives training from al Qaeda explosive expert Abu Tarek al Tunisi, in which the accused learned how to make explosive timers for IEDs, including the use of Casio wrist watches as remote detonators.

- d. Served in the al Qaeda fighting positions near the cities of Bagram and Kabul.
- e. Between approximately June 2001 and September 2001, Sawah was assigned to Tarnak Farms where he served as an explosives trainer for members of al Qaeda. He taught individuals how to use military equipment and manufacture explosives including but not limited to: hand grenades, anti-personnel mines, and improvised explosive devices, as terror weapons to attack military personnel, civilians and civilian infrastructure.
- f. Between approximately July and October 2001, Sawah traveled to a variety of locations in Afghanistan and conducted explosives training courses teaching the principles of explosives to members of al Qaeda, the Taliban or others.
- g. While serving al Qaeda as an explosives trainer in Afghanistan, Sawah authored an approximately four-hundred (400) page handwritten manuscript that contained bomb making techniques and then gave said explosives manual to al Qaeda co-conspirators with the intent of making his explosives knowledge readily available for other al Qaeda members.
- h. Between August 2001 and October 2001, at Tarnak, at the direction of a member of al Qaeda's Shura Council, Sawah developed and successfully tested a remote controlled limpet mine for use against U.S. warships.
- i. Fought with al Qaeda forces against United States and coalition forces in the "Tora Bora" region of Afghanistan until wounded and captured by coalition forces.

Exhibit U

CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: FAIZ MOHAMMED AHMED AL KANDARI		
2. ALIASES OF ACCUSED: ABU KHALLAAD; ABU KHALID; FAEZ MOHAMMED AL KANDARI, UMAR MUHAMMAD AHMED AL KANDARI; AMIN		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0552		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: <input checked="" type="checkbox"/> VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.		
SPECIFICATION: See Attached Charges and Specifications		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) Gleisner, B.	5b. GRADE O-4	5c. ORGANIZATION OF ACCUSER OMC-PROSECUTION
5d. SIGNATURE OF ACCUSER 		5e. DATE (YYYYMMDD) 20081021
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>21st</u> day of <u>October</u> , <u>2008</u> , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.		
_____ K. Sachs <i>Typed Name of Officer</i>		_____ OMC-PROSECUTION <i>Organization of Officer</i>
_____ O-4 <i>Grade</i>		_____ 10 U.S.C. 1044(b) <i>Official Capacity to Administer Oath</i> <small>(See R.M.C. 307(b) must be commissioned officer)</small>
 _____ <i>Signature</i>		

6

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

K. Sachs

*Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges*

OMC-PROSECUTION

*Organization of the Person Who Caused
Accused to Be Notified of Charges*

Signature


V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1215 hours, on 22 Oct 2008, at Arlington, VA

Location

For the Convening Authority: Donna L. Wilkins
Typed Name of Officer

GS-15
Grade


Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY	8b. PLACE	8c. DATE (YYYYMMDD)
--	-----------	---------------------

Referred for trial to the (non)capital military commission convened by military commission convening order _____

_____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

2

MC Form 458 21 October 2008 - Continuation Sheet for Charges in United States v. FAEZ MOHAMMED AHMED AL KANDARI:

CHARGE I: VIOLATION OF 10 U.S.C. §950v(b)(25), PROVIDING MATERIAL SUPPORT FOR TERRORISM

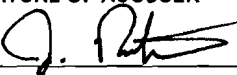

Specification: In that FAEZ MOHAMMED AHMED AL KANDARI, a/ka ABU KHALLAAD, a/ka ABU KHALID, a/k/a FAEZ MOHAMMED AL KANDARI, a/k/a UMAR MUHAMMAD AHMED AL KANDARI, a/k/a AMIN, a person subject to trial by military commission as an alien unlawful enemy combatant, in or around Kuwait and Afghanistan, from in or about August 2001 to in or about December 2001, in the context of and associated with an armed conflict and with knowledge that al Qaeda has engaged in and engages in terrorism, did provide material support and resources that include, but are not limited to personnel, including himself, expert advice and assistance, and training to al Qaeda, an international terrorist organization engaged in hostilities against the United States, with the intent to provide such material support and resources to al Qaeda.

CHARGE II: VIOLATION OF 10 U.S.C. §950v(b)(28), CONSPIRACY

Specification: In that FAEZ MOHAMMED AHMED AL KANDARI, a/ka ABU KHALLAAD, a/ka ABU KHALID, a/k/a FAEZ MOHAMMED AL KANDARI, a/k/a UMAR MUHAMMAD AHMED AL KANDARI, a/k/a AMIN, a person subject to trial by military commission as an alien unlawful enemy combatant, in Kuwait and Afghanistan, from in or about August 2001 to in or about December 2001, did conspire and agree with Usama bin Laden and other persons, including members of al Qaeda known and unknown, to commit one or more substantive offenses subject to trial by military commission, to wit: attacking civilians in violation of 10 U.S.C. §950v(b)(2); attacking civilian objects in violation of 10 U.S.C. §950v(b)(3); and terrorism in violation of 10 U.S.C. §950v(b)(24), and that FAEZ MOHAMMED AHMED AL KANDARI knew the unlawful purpose of the agreement and willfully entered into the agreement with the intent to further that unlawful purpose and, in order to accomplish some objective and purpose of the agreement, FAEZ MOHAMMED AHMED AL KANDARI knowingly committed at least one of the following overt acts:

1. Between in or about August 2001 and in or about December 2001, FAEZ MOHAMMED AHMED AL KANDARI visited the al Farouq training camp and provided instruction to al Qaeda members and trainees;
2. Between in or about August 2001 and in or about December 2001, FAEZ MOHAMMED AHMED AL KANDARI served as an advisor to Usama bin Laden in Afghanistan; and
3. Between in or about August 2001 and in or about December 2001, FAEZ MOHAMMED AHMED AL KANDARI produced recruitment audio and video tapes which encouraged membership in al Qaeda and participation in jihad.

Exhibit V

CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: FOUAD MAHMOUD HASAN AL RABIA		
2. ALIASES OF ACCUSED: Salman Fouad AL RABIA; Fouad AL KUWAITI; Abu Abdullah AL KUWAITI		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0551		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: <input checked="" type="checkbox"/> VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.		
SPECIFICATION: See Attached Charges and Specifications		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) Robertson, J.	5b. GRADE O-3	5c. ORGANIZATION OF ACCUSER OMC-PROSECUTION
5d. SIGNATURE OF ACCUSER 		5e. DATE (YYYYMMDD) 20081021
<p>AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>21st</u> day of <u>October</u>, <u>2008</u>, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.</p>		
<u>K. Sachs</u> <i>Typed Name of Officer</i>	<u>OMC-PROSECUTION</u> <i>Organization of Officer</i>	
<u>O-4</u> <i>Grade</i>	<u>10 U.S.C. 1044(b)</u> <i>Official Capacity to Administer Oath</i> <i>(See R.M.C. 307(b) must be commissioned officer)</i>	
 <i>Signature</i>		

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

K. Sachs

*Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges*

OMC-PROSECUTION

*Organization of the Person Who Caused
Accused to Be Notified of Charges*

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1215 hours, on 22 October 2008 at Arlington, VA

Location

For the Convening Authority: Donna L. Wilkins

Typed Name of Officer

GS-15

Grade



Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

_____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

MC Form 458 21 October 2008 – Continuation Sheet for Charges in United States v. FOUAD MAHMOUD HASAN AL RABIA

CHARGE I: VIOLATION OF 10 U.S.C. SECTION §950v(b)(25), PROVIDING MATERIAL SUPPORT FOR TERRORISM

Specification: In that FOUAD MAHMOUD HASAN AL RABIA, a/k/a SALMAN FOUAD AL RABIA, a/k/a FOUAD AL KUWAITI, a/k/a ABU ABDULLAH AL KUWAITI, a person subject to trial by military commission as an alien unlawful enemy combatant, in or around Kuwait and Afghanistan, from in or about June 2001 to in or about December 2001, in the context of and associated with an armed conflict and with knowledge that al Qaeda has engaged in and engages in terrorism, did provide material support and resources that include, but are not limited to personnel, including himself, currency and monetary instruments to al Qaeda, an international terrorist organization engaged in hostilities against the United States, with the intent to provide such material support and resources to al Qaeda.

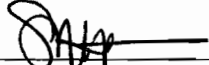

CHARGE II: VIOLATION OF 10 U.S.C. SECTION §950v(b)(28), CONSPIRACY

Specification: In that FOUAD MAHMOUD HASAN AL RABIA, a/k/a SALMAN FOUAD AL RABIA, a/k/a FOUAD AL KUWAITI, a/k/a ABU ABDULLAH AL KUWAITI, a person subject to trial by military commission as an alien unlawful enemy combatant, in Kuwait and Afghanistan, from in or about June 2001 to in or about December 2001, did conspire and agree with Usama bin Laden and other persons, including members of al Qaeda known and unknown, to commit one or more substantive offenses subject to trial by military commission, to wit: attacking civilians in violation of 10 U.S.C. §950v(b)(2); attacking civilian objects in violation of 10 U.S.C. §950v(b)(3); and terrorism in violation of 10 U.S.C. §950v(b)(24), and that FOUAD MAHMOUD HASAN AL RABIA knew the unlawful purpose of the agreement and willfully entered into the agreement with the intent to further that unlawful purpose and, in order to accomplish some objective and purpose of the agreement, FOUAD MAHMOUD HASAN AL RABIA knowingly committed at least one of the following overt acts:

1. Between in or about June 2001 and in or about December 2001, on divers occasions, FOUAD MAHMOUD HASAN AL RABIA traveled between Kuwait and Afghanistan for the purpose of meeting with Usama bin Laden, the leader of al Qaeda;
2. Between in or about June 2001 and in or about December 2001, during a dinner banquet in Afghanistan, FOUAD MAHMOUD HASAN AL RABIA provided currency/funds to Usama bin Laden, the leader of al Qaeda;
3. Between in or about June 2001 and in or about December 2001, FOUAD MAHMOUD HASAN AL RABIA solicited funds and currency from individuals in Kuwait for the purpose of giving money to al Qaeda;

4. Between in or about June 2001 and in or about December 2001, FOUAD MAHMOUD HASAN AL RABIA was in charge of an al Qaeda supply depot at Tora Bora, Afghanistan, during U.S. military operations in that area; and
5. Between in or about June 2001 and in or about December 2001, FOUAD MAHMOUD HASAN AL RABIA distributed supplies to al Qaeda fighters in Tora Bora, Afghanistan.

Exhibit W

CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: MOHAMMED HASHIM		
2. ALIASES OF ACCUSED: None reported		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0850		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C. SPECIFICATION: See Attached Charges and Specifications.		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) MAHER, S.	5b. GRADE O-6	5c. ORGANIZATION OF ACCUSER OMC-PROSECUTION
5d. SIGNATURE OF ACCUSER 		5e. DATE (YYYYMMDD) 2008 05 31
<p>AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>30th</u> day of <u>MAY</u>, <u>2008</u>, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.</p>		
_____ JOSEPH V. TREANOR <i>Typed Name of Officer</i>	_____ OMC-PROSECUTION <i>Organization of Officer</i>	
_____ COLONEL/O-6, United States Air Force <i>Grade</i>	_____ Judge Advocate - Article 136(a)(1) <i>Official Capacity to Administer Oath</i> (See R.M.C. 307(b) must be commissioned officer)	
_____  <i>Signature</i>		

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

COLONEL JOSEPH V. TREANOR
*Typed Name and Grade of Person Who Caused
 Accused to Be Notified of Charges*

OMC-PROSECUTION
*Organization of the Person Who Caused
 Accused to Be Notified of Charges*

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at _____ hours, on _____, at _____

Location

For the Convening Authority: _____
Typed Name of Officer

Grade

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY	8b. PLACE	8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

_____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, 2008 I (caused to be) served a copy these charges on the above named accused.

JOSEPH V. TREANOR
Typed Name of Trial Counsel

COLONEL/O-6, United States Air Force
Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

CHARGE SHEET
U.S. v. Hashim

CHARGE I: VIOLATION OF 10 U.S.C. § 950v(b)(25), PROVIDING MATERIAL SUPPORT FOR TERRORISM

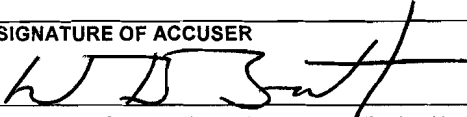

Specification 1: In that Mohammed Hashim, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at or near Kandahar Air Base, Afghanistan, and at or near Forward Operating Base Gecko, Afghanistan, between on or about 22 December 2001 and on or about 28 October 2002, intentionally provide material support and resources to Al Qaeda, an international terrorist organization engaged in hostilities against the United States, by making himself available to carry out acts of terrorism (having previously been schooled at terrorist training camps in the use of weapons, explosives, suicide bombings/attacks, assassination methods, and poisoning of water supplies), by conducting reconnaissance missions against U.S. and coalition forces, and by participating in a rocket attack venture on at least one occasion against U.S. forces for Al Qaeda, knowing that such organization has engaged or engages in terrorism, including targeting civilians, attacking civilians, and murdering civilians, said conduct taking place in the context of, and associated with, an armed conflict.

Specification 2: In that Mohammed Hashim, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at or near Kandahar Air Base, Afghanistan, between on or about 22 December 2001 and on or about 28 October 2002, intentionally provide material support and resources, to wit: himself, to be used in preparation for, or in carrying out, an act of terrorism, namely, a rocket attack on at least one occasion against U.S. forces that evinced a wanton disregard for human life; the accused did so in a manner calculated to influence or affect the conduct of government or civilian population by intimidation or coercion, or to retaliate against government conduct; the accused knew or intended that he was to be used for those purposes; and the conduct took place in the context of, and was associated with, an armed conflict.

CHARGE II: VIOLATION OF 10 U.S.C. § 950v(b)(27), SPYING

Specification: In that Mohammed Hashim, an alien unlawful enemy combatant subject to trial by military commission did, on or about 28 October 2002, at or near Forward Operating Base Gecko, Afghanistan, in the context of and associated with an armed conflict, knowingly, intentionally, and wrongfully collect or attempt to collect information by clandestine means or while acting under false pretenses, for the purpose of conveying such information to an enemy of the United States, or to one of the co-belligerents of the enemy, while intending or having reason to believe the information collected would be used to injure the United States or to provide an advantage to a foreign power.

Exhibit X

CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: Mohammed Kamin		
2. ALIASES OF ACCUSED: Mohammed Kamen, Mohammad Kamin, Mohammed Younis, Mohmmmed Unis		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 1045		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.		
SPECIFICATION: See Attached Charge and Specifications		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) BRITT, WILLIAM B.	5b. GRADE O-5	5c. ORGANIZATION OF ACCUSER OMC-PROSECUTION
5d. SIGNATURE OF ACCUSER 		5e. DATE (YYYYMMDD) 20080311
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>11th</u> day of <u>MARCH</u> , <u>2008</u> , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.		
_____ RACHEL E. TREST <i>Typed Name of Officer</i>	_____ Office of the Chief Prosecutor, OMC <i>Organization of Officer</i>	
_____ LT, U.S. NAVY <i>Grade</i>	_____ Judge Advocate <i>Official Capacity to Administer Oath</i> (See R.M.C. 307(b) must be commissioned officer)	
_____  <i>Signature</i>		

07



IV. NOTICE TO THE ACCUSED

6. On 28 March, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

RACHEL E. TREST, LT, U.S. Navy
 Typed Name and Grade of Person Who Caused
 Accused to Be Notified of Charges

Office of the Chief Prosecutor, OMC
 Organization of the Person Who Caused
 Accused to Be Notified of Charges

Rachel Trest
 Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1029 hours, on 12 March 2008, at Arlington, Virginia

Location

For the Convening Authority: Mark J. Morganti
 Typed Name of Officer

CW4
 Grade

Mark J. Morganti
 Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY Convening Authority 10 USC §948h Appointed on 6 Feb 2007	8b. PLACE Arlington, VA	8c. DATE (YYYYMMDD) 20080404
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Referred for trial to the (non)capital military commission convened by military commission convening order 07-06 dated 13 November 2007.

subject to the following instructions¹: this case is referred
non-capital

~~XX~~ XX
 Command, Order, or Direction

Susan J Crawford Convening Authority 10 USC §948h
 Typed Name and Grade of Officer Official Capacity of Officer Signing
Susan J. Crawford
 Signature

VII. SERVICE OF CHARGES

9. On 8 April, 2008 I (caused to be) served a copy these charges on the above named accused.

RACHEL E. TREST
 Typed Name of Trial Counsel

LT, U.S. Navy
 Grade of Trial Counsel

Rachel Trest
 Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

UNITED STATES OF AMERICA)

v.)

MOHAMMED KAMIN)
 a/k/a Mohammed Kamen)
 a/k/a Mohammad Kamin)
 a/k/a Mohammed Younis)
 a/k/a Mohammed Unis)

CHARGE:

**I. PROVIDING MATERIAL
 SUPPORT FOR
 TERRORISM**

CHARGE: VIOLATION OF 10 U.S.C. § 950v(b)(25),
 PROVIDING MATERIAL SUPPORT FOR TERRORISM

Specification 1: In that Mohammed Kamin, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and Pakistan from on or about January 1, 2003 to on or about May 14, 2003, in the context of or associated with an armed conflict, provide material support and resources to wit: personnel, himself, to be used in preparation for or carrying out an act of terrorism, and that the said Mohammed Kamin knew the said material support or resources were to be used for an act of terrorism, by joining the terrorist organization known as al Qaeda and performing at least one of the following:

a. Receiving military training at an al Qaeda terrorist training camp, which included at least one of the following: the use of small arms, how to make remote detonators for improvised explosives devices, and how to modify military ammunition to be used in attacks against American and Coalition forces.

SWC
 4-4-08

~~b. Delivering at least one of the following weapons or weapons systems or other supplies and equipment to be used by Taliban or al Qaeda members and associates in attacks against American or Coalition forces; to wit: global positioning satellite systems, missile remote controls, rockets, handheld radios, and anti-tank mines.~~

~~b.~~ Conducting surveillance on United States and Coalition military bases and activities.

~~c.~~ Placing two mines under a bridge along the route to Zaina Khail Village.

~~d.~~ Placing missiles near the Khowst Customs House to launch into a United States or Coalition base.

~~e.~~ Placing missiles near Khowst, AF and launching them towards the city which was then occupied by United States and Coalition armed forces.

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Specification 2: In that Mohammed Kamin, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and Pakistan, from on or about January 1, 2003 to on or about May 14, 2003, in context of or associated with an armed conflict and with knowledge that al Qaeda, an international terrorist organization engaged in hostilities against the United States, had engaged in or engages in terrorism, provide material support or resources, to wit: personnel, himself, to al Qaeda, an international terrorist organization engaged in hostilities against the United States, with the intent to provide such material support and resources to al Qaeda, by becoming a member of the organization and performing at least one of the following:

a. Receiving military training at an al Qaeda terrorist training camp, which included at least one of the following: the use of small arms, how to make remote detonators for improvised explosives devices, and how to modify existing military ammunition to be used in attacks against American and Coalition forces.

~~b. Delivering at least one of the following weapons or weapons systems or other supplies and equipment to be used by Taliban or al Qaeda members and associates in attacks against American or Coalition forces; to wit: global positioning satellite systems, missile remote controls, rockets, handheld radios, and anti-tank mines.~~

b. Conducting surveillance on United States and Coalition military bases and activities.

c. Placing two mines under a bridge along the route to Zaina Khail Village.

d. Placing missiles near the Khowst Customs House to launch into a United States or Coalition base.

e. Placing missiles near Khowst, AF and launching them towards the city which was then occupied by United States and Coalition armed forces.

Specification 3: In that Mohammed Kamin, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and Pakistan from on or about January 1, 2003 to on or about May 14, 2003, in the context of or associated with an armed conflict, provide material support and resources to wit: a facility (his residence) to al Qaeda for use in receiving and storing weapons and equipment to be used in preparation for or carrying out an act of terrorism and attacks against American and Coalition forces, and that the said Mohammed Kamin knew the said material support or resources were to be used for this purpose.

Specification 4: In that Mohammed Kamin, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and Pakistan from on or about January 1, 2003 until on or about May 14, 2003, in the context of or associated with an armed conflict and with knowledge that al Qaeda, an international terrorist organization engaged in hostilities against the United States, had engaged in or engages in terrorism, provide material support or resources, to wit, a facility (his residence) to al Qaeda, an international terrorist organization

engaged in hostilities against the United States, with the intent to provide such material support and resources to al Qaeda, by knowingly providing his residence to receive and store weapons for members of al Qaeda, Taliban or others directly associated with said organizations.

Specification 5: In that Mohammed Kamin, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and Pakistan from on or about January 1, 2003 to on or about May 14, 2003, in the context of or associated with an armed conflict, provide material support and resources to wit: transportation by transporting and delivering weapons and equipment to various locations and people in Afghanistan to be used in preparation for or carrying out an act of terrorism and attacks against American and Coalition forces, and that the said Mohammed Kamin knew the said material support or resources were to be used for this purpose.

Specification 6: In that Mohammed Kamin, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and Pakistan, from on or about January 1, 2003 to on or about May 14, 2003, in the context of or associated with an armed conflict and with knowledge that al Qaeda, an international terrorist organization engaged in hostilities against the United States, had engaged in or engages in terrorism, provide material support or resources to al Qaeda, to wit: transportation by transporting and delivering weapons and equipment to various locations and people in Afghanistan with the intent to provide such material support and resources to al Qaeda.

27

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Exhibit Y



DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF PROSECUTOR
OFFICE OF MILITARY COMMISSIONS
1610 DEFENSE PENTAGON
WASHINGTON, DC 20301-1610

20 12 2007
(day) (month) (year)

MEMORANDUM FOR Detainee Ahmed Mohammed Ahmed Haza al Darbi 0768, Guantanamo Bay, Cuba

SUBJECT: Notification of the Swearing of Charges

1. You are hereby notified that criminal charges were sworn against you on the 20th day of December, 2007, pursuant to the Military Commissions Act of 2006 (MCA) and the Manual for Military Commissions (MMC). A copy of this notice is being provided to you and to your detailed defense counsel.

2. Specifically, you are charged with the following offenses:

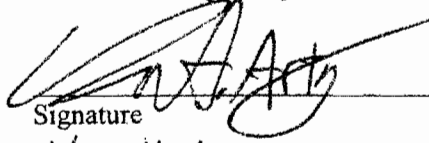
CONSPIRACY

PROVIDING MATERIAL SUPPORT FOR TERRORISM

(Read the charges and specifications to the accused. If necessary, an interpreter may read the charges in a language, other than English, that the accused understands.)

AFFIDAVIT OF SERVICE

I hereby certify that a copy of this document was provided to the named detainee this 20th day of December, 2007.



Signature

Kenneth A. Aziz Capt

Typed or Printed Name and Grade

JTF-GTMO/SJA

Organization

APO AE 09360

Address of Organization

IV. NOTICE TO THE ACCUSED

6. On DECEMBER 20, 2007 the accused was notified of the charges against him/her (See R.M.C. 308).

CPT FRANK G. RANGOUSSIS
*Typed Name and Grade of Person Who Caused
 Accused to Be Notified of Charges*

Office of Military Commissions/Prosecution
*Organization of the Person Who Caused
 Accused to Be Notified of Charges*



Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at _____ hours, on _____, at _____

Location

For the Convening Authority: _____
Typed Name of Officer

Grade

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY	8b. PLACE	8c. DATE (YYYYMMDD)
---	------------------	----------------------------

Referred for trial to the (non)capital military commission convened by military commission convening order _____

 _____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer _____
Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

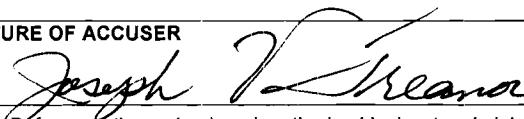
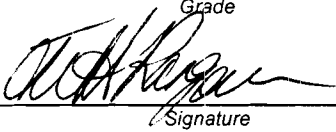
FRANK G. RANGOUSSIS
Typed Name of Trial Counsel

CPT/O-3 United States Army
Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: Ahmed Mohammed Ahmed Haza AL DARBI		
2. ALIASES OF ACCUSED: Ahmed Mohammed AL DARBI; Ahmed Mohd Ahmed AL DARBI; Ahmad Muhammad Haza AL DARBI; Abed AL AZIZ; Abdel Aziz AL MAKKI; Abdel Rahim Abu Hudaifa AL MAKKI; Abdel Rahim AL JANOUBI; Abed Rahim AL JANOUBI; Mohammed HAZAA; Abd Al Aziz AL JANOUBI; Ahmad Muhammed Ahmad HAZA'; AbdalAziz ALDARBI		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0768		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C. 10 U.S.C. § 950v(b)(28), Conspiracy SPECIFICATION: (See Continuation)		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) TREANOR, Joseph V.	5b. GRADE Lt Col/O-5	5c. ORGANIZATION OF ACCUSER Department of Defense, OMC
5d. SIGNATURE OF ACCUSER 		5e. DATE (YYYYMMDD) 20071220
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>20</u> day of <u>December</u> , <u>2007</u> , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.		
FRANK G. RANGOUSSIS <i>Typed Name of Officer</i>	Department of Defense, OMC <i>Organization of Officer</i>	
CPT/O-3 United States Army <i>Grade</i>	Judge Advocate - Article 136(a)(1) <i>Official Capacity to Administer Oath</i> (See R.M.C. 307(b) must be commissioned officer)	
 <i>Signature</i>		

FBI



IV. NOTICE TO THE ACCUSED

6. On _____, _____ the accused was notified of the charges against him/her (See R.M.C. 308).

CPT FRANK G. RANGOUSSIS
*Typed Name and Grade of Person Who Caused
 Accused to Be Notified of Charges*

Office of Military Commissions/Prosecution
*Organization of the Person Who Caused
 Accused to Be Notified of Charges*

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at _____ hours, on _____, at _____

 Location

For the Convening Authority: _____
Typed Name of Officer

 Grade

 Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

_____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

 Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

FRANK G. RANGOUSSIS
Typed Name of Trial Counsel

CPT/O-3 United States Army
Grade of Trial Counsel

 Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

MC Form 458 JAN 2007 - Continuation Sheet for Charges in United States v. AHMED MOHAMMED AHMED HAZA AL DARBI:

Specification: In that Ahmed Mohammed Ahmed Haza al Darbi (hereinafter "al Darbi"), a person subject to trial by military commission as an alien unlawful enemy combatant, in Saudi Arabia, Afghanistan, Yemen, Pakistan, the United Arab Emirates (hereinafter "UAE"), Qatar, Somalia, and elsewhere, from in or about 1996 to on or about June 4, 2002, did conspire and agree with Usama bin Laden, Ayman al Zawahari, Muhammad Atef (a/k/a Abu Hafs al Masri), Khalid Ibn Muhammad al Juhani (a/k/a Muawiya al Madani, a/k/a Saif al Shahrani, a/k/a Saif Shahrani Juhani (hereinafter "Muawiya al Madani")), Basam Waji (a/k/a Fawiz al Wajih), Fayiz Hus Ayn Ali Najjar (a/k/a Abu Al Shahid, a/k/a Abu Al Shahid Al Yemeni, a/k/a Hamud, a/k/a Abu Al-Shahid Al Arhabi, a/k/a Faiz al Najar), Munir al Sharabi (a/ka Bashir Nu'Man Sa'id Al Safari, a/k/a Muneer Ali Saeed Al Sharabi, a/k/a Abu Salman, a/k/a Salman al Taiz, a/k/a Nashir al Safari al Muqtari), Walid al Shiba (a/k/a Waleed Sheyba, a/k/a Muhammed Abd al Khaliq Saeed al Gabiri, a/k/a Abd Al Raziq Muhammed Nasir al Uthmali, a/k/a Abd Al Rahman Hadi Hamoud al Rudaai (hereinafter "Walid al Shiba")), Muhammad Sa'id ali Husayn (a/k/a Gharib al Taiz, a/k/a Usama, a/k/a Abdullah Gharib, a/k/a Gharib), Minwar al Khaladi (a/k/a Khalid Ali Bin Ali Al Hajj, a/k/a Abu Hazim, a/k/a Abu Hazim al Sha'ir, a/k/a, Khalid Ali Ali-Haj) and others, known and unknown to commit one or more substantive offenses triable by military commission, and did willfully join an enterprise of persons known as al Qaeda, and said al Qaeda engaged, and continues to engage, in hostilities against the United States, including the 1998 attack against the American embassies in Kenya and Tanzania, the 2000 attack against the USS Cole, the 11 September 2001 attack against the United States and other attacks, and the members and associates of al Qaeda shared, and continue to share, a common criminal purpose that involved the commission or intended commission of one or more substantive offenses subject to trial by military commission, including, but not limited to, Attacking Civilians; Attacking Civilian Objects; Murder in Violation of the Law of War; Destruction of Property in Violation of the Law of War; Hazarding a Vessel and Terrorism, and the said al Darbi knew the unlawful purpose of the agreement and the common criminal purpose of the enterprise and joined willfully, with the intent to further said unlawful purpose, and in order to accomplish some objective and purpose of the agreement and enterprise, al Darbi knowingly committed at least one of the following overt acts:

1. Between in or about 1996 and in or about 1997, al Darbi traveled to Jalalabad, Afghanistan and met with Usama Bin Liden.
2. Between in or about 1996 and in or about 1997, al Darbi trained at al Qaeda's Jihad Wahl Training Camp, where he received weapons training.
3. Between in or about late 1998 and in or about early 1999, al Darbi worked at al Qaeda's al Farooq training camp as a weapons instructor.
4. In or about the summer of 1999, al Darbi worked at al Qaeda's al Farooq training camp by supplying goods purchased at local markets.

MC Form 458 JAN 2007 - Continuation Sheet for Charges in United States v. AHMED MOHAMMED AHMED HAZA AL DARBI:

5. Between in or about the latter part of 2000 and in or about early 2001, and in preparation for participating in an al Qaeda terrorist operation, al Darbi traveled to Karachi, Pakistan.
6. Between in or about the latter part of 2000 and in or about early 2001, al Darbi traveled to Doha, Qatar to purchase global positioning system (GPS) equipment and a boat. Al Darbi knew the boat was to be used in a future terrorist operation. Later, al Darbi learned that the larger boat he was to purchase was to lower smaller boats loaded with explosives into the water to attack a vessel in the Strait of Hormuz or off the coast of Yemen.
7. Between in or about the latter part of 2000 and in or about early 2001, al Darbi made telephone calls in connection with the pricing of boats and GPS equipment.
8. Between in or about the latter part of 2000 and in or about early 2001, al Darbi purchased two GPS units and obtained prices for boats.
9. Between in or about the latter part of 2000 and in or about early 2001, al Darbi returned to Karachi, Pakistan with the two GPS systems purchased in Qatar.
10. In or about early 2001, al Darbi traveled to UAE to price boats.
11. In or about early 2001, al Darbi obtained catalogs and prices for boats.
12. In or about early 2001, al Darbi returned to Karachi, Pakistan with catalogs of boats.
13. Between in or about April 2001 and in or about June 2001, al Darbi and Muawiya al Madani traveled to Qatar and the UAE to search for a boat.
14. From in or about April 2001 through in or about June 2001, al Darbi and Muawiya al Madani searched for a boat to purchase and obtained prices for boats in Qatar and the UAE.
15. Between in or about June 2001 and in or about August 2001, al Darbi traveled from Karachi, Pakistan to the UAE and continued searching for a boat.
16. Between in or about June 2001 and in or about August 2001, al Darbi purchased an automobile that would assist him in traveling in the UAE in search of a boat.
17. In or about August 2001, al Darbi and Muawiya al Madani eventually returned to Karachi, Pakistan without buying a boat.

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MC Form 458 JAN 2007 - Continuation Sheet for Charges in United States v. AHMED MOHAMMED AHMED HAZA AL DARBI:

18. In or about August 2001, al Darbi traveled to the UAE and resumed the search for a boat.
19. From in or about August 2001 through in or about the latter part of 2001, al Darbi continued to search for a boat.
20. In or about the latter part of 2001, al Darbi purchased a boat named the "Adnan."
21. Between in or about the latter part of 2001 and in or about early 2002, al Darbi also had the vessel "Adnan" registered in the UAE under the name "al Shamsi."
22. Between in or about October 2001 and in or about May 2002, al Darbi traveled to Ash Shariqah, UAE and purchased a hydraulic crane for the boat.
23. From in or about October 2001 through in or about April 2002, al Darbi searched for a crew to operate the boat.
24. In or about April 2002, al Darbi hired a crew to operate the boat.
25. Between in or about 2001 and in or about February 2002, al Darbi requested visas for four Yemeni crew members. The Yemenis were part of the plot to attack a vessel in the Strait of Hormuz or off the coast of Yemen.
26. In or about April 2002, al Darbi purchased an additional boat to instruct the Yemenis how to swim and operate a boat.
27. Between in or about April 2002 and in or about May 2002, al Darbi cancelled the UAE registration of the "al Shamsi" and registered the boat in his name as the "al Rahal" under the São Tomé flag.
28. In or about May 2002, al Darbi departed the UAE on board the boat, the "al Rahal," destined for Yemen.
29. In or about May 2002, al Darbi diverted the boat to Bosasso, Somalia because al Darbi had a concern about traveling to Yemen because of a problem with his passport.
30. In or about May 2002, en route to Bosasso, Somalia al Darbi discussed travel plans via satellite phone with Walid al Shiba.

MC Form 458 JAN 2007 - Continuation Sheet for Charges in United States v. AHMED MOHAMMED AHMED HAZA AL DARBI:

31. From in or about 2001 through in or about 2002, al Darbi deposited money from al Qaeda into banks located in the UAE for expenses related to a plot to attack a vessel in the Strait of Hormuz or off the coast of Yemen.

CHARGE II: VIOLATION OF 10 U.S.C. SECTION 950v(b)(25), PROVIDING MATERIAL SUPPORT FOR TERRORISM

Specification 1: In that al Darbi, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in or around Pakistan, the UAE, Qatar, Somalia, and elsewhere, from in or about 2000 to on or about June 4, 2002, in the context of or associated with an armed conflict, provide material support or resources, including, but not limited to, property, services, financial services, lodging, training, personnel, including, but not limited to, himself, to be used in preparation for, or carrying out, an act of terrorism, and that the said al Darbi knew or intended that the material support or resources were to be used for those purposes.

Specification 2: In that al Darbi, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in or around Saudi Arabia, Afghanistan, Yemen, Pakistan, the UAE, Qatar, Somalia, and elsewhere, from in or about 1996 to on or about June 4, 2002, in the context of and associated with armed conflict and with knowledge that al Qaeda has engaged in or engages in terrorism, provide material support or resources, including, but not limited to, property, services, financial services, lodging, training, personnel, including, but not limited to, himself, to al Qaeda, an international terrorist organization engaged in hostilities against the United States, with the intent to provide such material support or resources to al Qaeda.

عريضة إتهام		
أولاً: بيانات شخصية		
1. إسم المتهم: احمد محمد احمد حازا الدربي		
2. ألقاب المتهم: احمد محمد الدربي؛ احمد محد احمد الدربي؛ احمد محمد حازا الدربي؛ عبد العزيز؛ عبد العزيز المكي؛ عبد الرحيم أبو حديفا المكي؛ عبد الرحيم الجنوبي؛ عبد رحيم الجنوبي؛ محمد حازا؛ عبد العزيز الجنوبي؛ احمد محمد احمد حازا؛ عبد العزيز الدربي		
3. رقم تسلسل المعتقل (الأرقام الأربعة الأخيرة) 0768		
ثانياً: الاتهامات والمواصفات		
4. التهمة: (واحدا) إنتهاك بند وعنوان الجرم في القسم (رابعا) من دليل اللجان العسكرية عنوان 10 من مدونة الولايات المتحدة بند (28)(b)950v. مؤامرة المواصفة: (راجع التكملة)		
ثالثاً: إقرار التهم		
5. اسم المدعي (اللقب، الإسم، الحرف الأول للاسم الوسطي) ترينور، جوزيف الخامس	5.ب. الرتبة عقيد / ضابط رتبة 6	5.ج. منظمة المدعي وزارة الدفاع، مكتب اللجان العسكرية
5. توقيع المدعي	5.هـ. تاريخ (السنة الشهر اليوم)	
شهادة مشفوعة بالقسم: حضر أمامي، أنا الموقع أدناه والمخول قانونيا بتحليف اليمين فيما يختص بتلك المسائل، شخصيا المدعي المبين أعلاه في اليوم ___ من شهر _____ من سنة _____ ووقع على التهم والمواصفات المذكورة أنفا بعد أن أدى اليمين على أنه / أنها شخص يخضع للمدونة المنتظمة الخاصة بالعدالة العسكرية وبأنه يملك معرفة خاصة بالأمور المنصوص عليها هاهنا أو قد تفحصها وبأنها صحيحة حسب معرفته واعتقاده.		
فرانك جي رانغوسيس اسم الضابط بالحروف المطبوعة	وزارة الدفاع، مكتب اللجان العسكرية منظمة الضابط	
نقيب / ضابط رتبة 3 في الجيش الأمريكي رتبة	قاضي مشاور – بيد 136(أ)(1) الصفة الرسمية لتحليف اليمين (انظر لائحة اللجان العسكرية 307(ب) يجب أن يكون ضابط)	
توقيع		

استمارة رقم 458 الخاصة باللجان العسكرية يناير كانون الثاني 2007

رابعاً: اشعار إلى المتهم		
6. بتاريخ _____ بلغ المتهم بالتهمة الموجهة ضده (انظر لائحة اللجان العسكرية 308).		
<u>النقيب فرانك جي رانغوسيس</u> الاسم بالحروف المطبوعة ورتبة الشخص الذي تسبب بإبلاغ التهمة إلى المتهم	<u>مكتب اللجان العسكرية – الادعاء</u> المؤسسة الخاصة بالشخص الذي تسبب بإبلاغ التهمة إلى المتهم	
_____ التوقيع		
خامساً: إستلام التهمة من سلطة عقد اللجان		
7. تم استلام التهمة المشفوعة باليمين عند الساعة _____ بتاريخ _____ في _____		
المقر		
عن سلطة عقد اللجان:		
_____ اسم الضابط بالحروف المطبوعة		
_____ الرتبة		
_____ التوقيع		
سادساً: إحالة		
8أ. تعيين سلطة عقد اللجان	8ب. المكان	8ج. تاريخ (سنة، شهر، يوم)
محال للمحاكمة إلى اللجنة العسكرية (الغير معنية) المعنية بعقوبة الإعدام المدعية للحضور بموجب أمر الداعي للحضور الخاص باللجان العسكرية		
_____ وفق التوجيهات ¹ التالية:		
_____ من قبل _____		
إشراف أو أمر أو توجيه		

الاسم بالحروف المطبوعة ورتبة الضابط		

الصفة الرسمية للضابط الموقع		
_____ توقيع		
سابعاً: تبليغ التهمة		
9. في تاريخ _____ قمت (تسببت) بتسليم نسخة عن هذه التهمة للمتهم أعلاه.		
<u>فرانك جي رانغوسيس</u> اسم المستشار القانوني الخاص بالمحاكمة بالحروف المطبوعة		
<u>نقيب/ ضابط رتبة 3 في الجيش الأمريكي</u> رتبة المستشار القانوني الخاص بالمحاكمة		
توقيع المستشار القانوني الخاص بالمحاكمة		
حاشيات		
¹ انظر قواعد اللجنة العسكرية 601 بالنسبة للتوجيهات. في حالة عدمها يرجى الإدلاء بذلك.		
استمارة رقم 458 الخاصة باللجان العسكرية يناير كانون الثاني 2007		

استمارة اللجان العسكرية رقم 458 يناير كانون الثاني 2007 – تكلمة عريضة الاتهام الخاصة بالولايات المتحدة ضد أحمد محمد أحمد حازا الدربي:

المواصفة: على أن أحمد محمد أحمد حازا الدربي (فيما بعد "الدربي")، وهو شخص يخضع لمحاكمة اللجان العسكرية كعدو غير مشروع أجنبي، قد شرع في المملكة العربية السعودية وأفغانستان واليمن وباكستان والإمارات العربية المتحدة (فيما بعد "الإمارات") وقطر والصومال وفي مناطق أخرى من أو من حوالي سنة 1996 إلى أو إلى حوالي 4 يونيو حزيران 2002 في التواطؤ مع أسامة بن لادن، أيمن الزواهري، محمد عاطف (الملقب أيضا أبو حفص المصري)، خالد ابن محمد الجحاني (الملقب أيضا معاوية المدني والملقب أيضا سيف الشهراني والملقب أيضا سيف شهراني جهاني (فيما بعد "معاوية المدني")، بسام واجي (الملقب أيضا فاووز الوجيه)، فايز حص عين علي نجار (الملقب أيضا أبو الشهيد والملقب أيضا أبو الشهيد اليمني والملقب أيضا حمود والملقب أيضا أبو الشهيد الارهابي والملقب أيضا فايز النجار)، منير الشربي (الملقب أيضا بشير نعمان سعيد السفري والملقب أيضا منير علي سعيد الشربي والملقب أيضا أبو سلمان والملقب أيضا سلمان التيز والملقب أيضا ناشر السفري المقتاري)، وليد الشبا (الملقب أيضا وليد شاييا والملقب أيضا محمد عبد الخالق سعيد الغابري والملقب أيضا عبد الرزاق محمد ناصر العثمالي والملقب أيضا عبد الرحمان هادي حمود الرضاعي (فيما بعد "وليد الشبا"))، محمد سعيد علي حسين (الملقب أيضا غريب التيز والملقب أيضا أسامة والملقب أيضا عبد الله غريب والملقب أيضا غريب)، منوار الخلدني (الملقب أيضا خالد علي بن علي الحاج والملقب أيضا أبو حازم والملقب أيضا أبو حازم الشعير والملقب أيضا خالد علي علي حاج) وغيرهم من أعضاء ومشاركي تنظيم القاعدة، المعروفين والمجهولين منهم، لارتكاب إحدى الجرائم الجوهرية أو أكثر والتي تخضع لمحاكمة اللجان العسكرية، وقام عن عمد بالالتحاق بمشروع مكون من أشخاص عرفوا بالقاعدة، وقامت تلك القاعدة ولا تزال متورطة في عداءات ضد الولايات المتحدة، بما في ذلك الهجوم سنة 1998 ضد السفارات الأمريكية في كنيا وتنزانيا والهجوم سنة 2000 ضد سفينة كول والهجوم في 11 سبتمبر أيلول 2001 ضد الولايات المتحدة وغيرها من الهجمات، وكان أعضاء ومناصري القاعدة قد شاركوا ولا يزالون يشاركون في هدف إجرامي مشترك انطوى على ارتكاب أو نية ارتكاب إحدى الجرائم الجوهرية التي تخضع للمحاكمة أمام اللجنة العسكرية بما في ذلك، دون الحصر، الهجوم على المدنيين؛ الهجوم على أهداف مدنية؛ القتل العمدي انتهاكا لقانون الحرب؛ تدمير أملاك انتهاكا لقانون الحرب؛ تعريض سفينة للخطر ومن ثم الإرهاب، وقد علم الدربي المذكور سالفًا بالهدف الغير قانوني للاتفاقية والمخطط الإجرامي المشترك الخاص بالمشروع والتحق به عن عمد ومع نية تعزيز ذلك الهدف الغير قانوني، ومن أجل إنجاز هدف أو مخطط ما بالنسبة للاتفاقية والمشروع ارتكب الدربي عن عمد على الأقل إحدى تلك الأعمال السافرة التالية:

1. في أو من حوالي سنة 1996 إلى أو إلى حوالي سنة 1997 سافر الدربي إلى جلال لباد في أفغانستان والتقى بأسامة بن لادن.
2. في أو من حوالي سنة 1996 إلى أو إلى حوالي سنة 1997 تدرّب الدربي في معسكر جهاد وهل التابع للقاعدة حيث حصل على تدريب في استخدام الأسلحة.
3. في أو من حوالي أواخر سنة 1998 إلى أو إلى حوالي أوائل سنة 1999 عمل الدربي في معسكر الفاروق التابع للقاعدة كمدرّب لاستخدام الأسلحة.
4. في أو حوالي صيف 1999 عمل الدربي في معسكر الفاروق التابع للقاعدة بتزويد اللوازم المشتراة من الأسواق المحلية.

استمارة اللجان العسكرية رقم 458 يناير كانون الثاني 2007 – تكملة عريضة الاتهام الخاصة بالولايات المتحدة ضد احمد محمد احمد حازا الدربي:

5. في أو من حوالي أواخر سنة 2000 إلى أو إلى حوالي أوائل سنة 2001، واستعدادا للمشاركة بعملية إرهابية للقاعدة، سافر الدربي إلى كراشي في باكستان.

6. في أو من حوالي أواخر سنة 2000 إلى أو إلى حوالي أوائل سنة 2001 سافر الدربي إلى دحا في القطر لشراء جهاز "جي بي اس" لتحديد المواقع وزورق. وعلم الدربي أنه سيتم استخدام الزورق في عملية إرهابية في وقت لاحق. وبعدها عرف الدربي بان زورق أكبر كان عليه أن يشتريه قد يستعمل لإنزال زوارق صغيرة محملة بالمتفجرات إلى الماء لضرب باخرة في مضيق هرمز أو بالقرب من ساحل اليمن.

7. في أو من حوالي أواخر سنة 2000 إلى أو إلى حوالي أوائل سنة 2001 باشر الدربي بعدد من المكالمات الهاتفية ذات صلة بتسعيرة الزوارق وجهاز ال"جي بي اس".

8. في أو من حوالي أواخر سنة 2000 إلى أو إلى حوالي أوائل سنة 2001 قام الدربي بشراء جهازين "جي بي اس" وحصل على عدة أسعار بشأن الزوارق.

9. في أو من حوالي أواخر سنة 2000 إلى أو إلى حوالي أوائل سنة 2001 رجع الدربي إلى كراشي في باكستان مع جهازين "جي بي اس" مشتراه في قطر.

10. في أو حوالي أوائل سنة 2001، رحل الدربي إلى الإمارات لتسعير الزوارق.

11. في أو حوالي أوائل سنة 2001 حصل الدربي على قوائم وأسعار خاصة بالزوارق.

12. في أو حوالي أوائل سنة 2001 رجع الدربي إلى كراشي في باكستان ومعه القوائم الخاصة بالزوارق.

13. في أو من حوالي أبريل نيسان 2001 إلى أو إلى حوالي يونيو حزيران 2001 سافر كل من الدربي ومعاوية المدني إلى قطر والإمارات للبحث عن زورق.

14. في أو من حوالي أبريل نيسان 2001 إلى أو إلى حوالي يونيو حزيران 2001، قام الدربي ومعاوية المدني بالبحث عن زورق من أجل شرائه وحصلوا على أسعار بالنسبة للزوارق في قطر والإمارات.

15. في أو من حوالي يونيو حزيران 2001 إلى أو إلى حوالي أغسطس آب 2001 سافر الدربي من كراشي في باكستان إلى الإمارات وواصل البحث عن زورق.

16. في أو من حوالي يونيو حزيران 2001 إلى أو إلى حوالي أغسطس آب 2001 اشترى الدربي سيارة لكي يستخدمها في تنقلاته في الإمارات بحثا عن زورق.

17. في أو حوالي سنة 2001 رجع الدربي ومعاوية المدني في آخر الأمر إلى كراشي في باكستان دون شراء الزورق.

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18. في أو حوالي أغسطس آب 2001 سافر الدربي إلى الإمارات واستأنف البحث عن زورق.
19. في أو من حوالي أغسطس آب 2001 إلى أو إلى حوالي أواخر سنة 2001 مضى الدربي في البحث عن زورق.
20. في أو في حوالي أواخر سنة 2001 قام الدربي بشراء زورق مسمى "عدنان".
21. في أو من حوالي أواخر سنة 2001 إلى أو إلى حوالي أوائل سنة 2002 عمل الدربي على تسجيل المركب "عدنان" في الإمارات باسم "الشمسي".
22. في أو من حوالي أكتوبر تشرين الأول سنة 2001 إلى أو إلى حوالي مايو أيار سنة 2002 تحرك الدربي إلى الشارقة في الإمارات واشترى مرفاع هايدرولي للزورق.
23. في أو من حوالي أكتوبر تشرين الأول سنة 2001 إلى أو إلى حوالي أبريل نيسان 2002 بحث الدربي عن طاقم لتشغيل الزورق.
24. في أو حوالي أبريل 2002 باشر الدربي بتوظيف طاقم لتشغيل الزورق.
25. في أو من حوالي سنة 2001 إلى أو إلى حوالي فبراير شباط 2002 طلب الدربي الحصول على تأشيرات بشأن أربعة أعضاء طاقم يماني. وكان اليمانيون ضالعون في المكيدة للهجوم على سفينة في مضيق هرمز أو بالقرب من الساحل اليمني.
26. في أو حوالي أبريل نيسان 2002 قام الدربي بشراء زورق إضافي لكي يدرّب اليمانيين على السباحة وكيفية تشغيل الزورق.
27. في أو من حوالي أبريل نيسان 2002 إلى أو إلى حوالي مايو أيار 2002 قام الدربي بإلغاء التسجيل الإماراتي لـ "الشمسي" وشرع بتسجيل الزورق باسمه كـ "الرحال" تحت راية ساو تومي.
28. في أو حوالي مايو أيار 2002، غادر الدربي الإمارات على متن الزورق، "الرحال"، باتجاه اليمن.
29. في أو حوالي مايو أيار 2002، حول الدربي الزورق نحو بوساسو في الصومال لأن كان الدربي قلقاً بشأن السفر إلى اليمن لأنه كانت هناك معضلة بخصوص جواز سفره.
30. في أو حوالي مايو أيار 2002 وهو متجه نحو بوساسو في الصومال تحدث الدربي عن بعض مشاريع سفر عبر الهاتف الفضائي مع وليد الشبا.

استمارة اللجان العسكرية رقم 458 يناير كانون الثاني 2007 – تكملة عريضة الاتهام الخاصة بالولايات المتحدة ضد احمد محمد احمد حازا ألدربي:

31. في أو من حوالي سنة 2001 إلى أو إلى حوالي سنة 2002 قام الدربي بإيداع أموال من القاعدة في حسابات مصرفية موجودة في الإمارات من أجل مصاريف خاصة بالموامرة للهجوم على باخرة في مضيق هرمز أو بالقرب من الساحل اليمني.

**التهمة الثانية: انتهاك عنوان رقم 10 من مدونة الولايات المتحدة، بند (25)(b)950v،
بخصوص تزويد الدعم المادي للإرهاب**

المواصفة رقم 1: على أن الدربي، وهو شخص يخضع لمحاكمة اللجان العسكرية كعدو غير مشروع أجنبي، قد شرع في أو بالقرب من باكستان والإمارات وقطر والصومال وفي مناطق أخرى في أو من حوالي سنة 2000 إلى أو إلى حوالي 4 يونيو حزيران 2002، وفي سياق أو في مشاركة صراع مسلح، في تزويد الدعم المادي أو الإمكانيات، بما في ذلك، دون الحصر، الممتلكات والخدمات والخدمات المالية والإسكان والتدريب والأفراد، بما في ذلك، دون الحصر، هو بحد ذاته، للاستعمال من أجل التجهيز لعمل إرهابي أو القيام به، وقد علم الدربي المذكور أو كان ينوي أن تكون تلك المساعدة المادية والإمكانيات تستعمل لتلك الأهداف.

مواصفة رقم 2: على أن الدربي، وهو شخص يخضع لمحاكمة اللجان العسكرية كعدو غير مشروع أجنبي، قد شرع في أو بالقرب من المملكة العربية السعودية وأفغانستان واليمن وباكستان والإمارات وقطر والصومال ومناطق أخرى من أو من حوالي 1996 إلى أو إلى حوالي 4 يونيو حزيران 2002، وفي سياق ومشاركة صراع مسلح، ومع العلم بأن القاعدة كانت متورطة أو ما زالت متورطة في الإرهاب، في تزويد الدعم المادي أو الإمكانيات، بما في ذلك، دون الحصر، الممتلكات والخدمات والخدمات المالية والإسكان والتدريب والأفراد، بما في ذلك، دون الحصر، هو بحد ذاته، من أجل القاعدة، وهي منظمة عالمية إرهابية ضالعة في عداوات ضد الولايات المتحدة، مع نية توفير ذلك الدعم المادي وتلك الإمكانيات إلى القاعدة.



DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF PROSECUTOR
OFFICE OF MILITARY COMMISSIONS
1610 DEFENSE PENTAGON
WASHINGTON, DC 20301-1610

(day) (month) (year)

MEMORANDUM FOR Detainee Ahmed Mohammed Ahmed Haza al Darbi 0768, Guantanamo Bay, Cuba

SUBJECT: Notification of the Swearing of Charges

1. You are hereby notified that criminal charges were sworn against you on the 20th day of December, 2007, pursuant to the Military Commissions Act of 2006 (MCA) and the Manual for Military Commissions (MMC). A copy of this notice is being provided to you and to your detailed defense counsel.

2. Specifically, you are charged with the following offenses:

CONSPIRACY

PROVIDING MATERIAL SUPPORT FOR TERRORISM

(Read the charges and specifications to the accused. If necessary, an interpreter may read the charges in a language, other than English, that the accused understands.)

AFFIDAVIT OF SERVICE

I hereby certify that a copy of this document was provided to the named detainee this ____ day of _____, 2007.

Signature

Organization

Typed or Printed Name and Grade

Address of Organization

وزارة الدفاع
مكتب رئيس هيئة الادعاء
مكتب اللجان العسكرية
1610 الدفاع البننتاغون
واشنطن في مقاطعة كولومبيا 20301-1610

(اليوم) (الشهر) (السنة)

مذكر موجهة للمعتقل أحمد محمد أحمد حازا الدربي 0768، خليج غوانتانامو، كوبا.

الموضوع: إبلاغ بإقرار التهم

1. يتم بهذا إبلاغك بأن اتهامات قد أقرت تجاهك في يوم ____ من _____، 2007، استنادا إلى قانون اللجان العسكرية (MAC) لسنة 2007 وعملا بدليل اللجان العسكرية (MMC). وسوف يتم توفيرك وتوفير المستشار القانوني المعين لك بنسخة من هذا الإخطار.

2. إنك على وجه التحديد متهم بالجرائم التالية:

مؤامرة

إمداد الدعم المادي للإرهاب

(قم بقراءة الاتهامات والمواصفات الخاصة بالمتهم. إذا ما لزم الأمر، يجوز أن يقوم مترجما شفويا بقراءة التهم في لغة غير الإنكليزية التي يفهمها المتهم).

إقرار بالتبليغ

بهذا أشهد بأن نسخة من هذه الوثيقة قد وفرت للمعتقل المسمى في يوم _____ من _____ 2007.

المؤسسة

الإمضاء

عنوان المؤسسة

الاسم والرتبة بالحروف المطبعية أو مطبوعة

Exhibit Z

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:

Ali Hamza Ahmad Suliman al Bahlul

2. ALIASES OF ACCUSED:

Abu Anas al Makki; Ali Hamza Ismael; Abu Anas al Yemeni; Muhammad Anis Abdullah Khalidi

3. ISN NUMBER OF ACCUSED (LAST FOUR):



II. CHARGES AND SPECIFICATIONS

4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.
10 U.S.C. § 950v(b)(28), Conspiracy

SPECIFICATION:

In that Ali Hamza Ahmad Suliman al Bahlul, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in the context of and associated with an armed conflict, at various locations in Afghanistan and elsewhere, from in or about February 1999 through in or about December 2001, join al Qaeda, an enterprise of persons who shared a common criminal purpose, that involved, at least in part, the commission or intended commission of one or more substantive offenses triable by military commission, and did conspire and agree with Usama bin Laden, Saif al 'Adl, and other members and associates of al Qaeda, known and unknown, to commit one or more substantive offenses triable by military commission, to wit: Murder of Protected Persons; Attacking Civilians; Attacking Civilian Objects, Murder in Violation of the Law of War, Destruction of Property in Violation of the Law of War, Terrorism, and Providing Material Support for Terrorism, and with knowledge of the common criminal purpose of the al Qaeda enterprise and of the unlawful purposes of the agreement,

(See Continuation)

III. SWEARING OF CHARGES

5a. NAME OF ACCUSER (LAST, FIRST, MI)
Treanor, J. V.

5b. GRADE
06

5c. ORGANIZATION OF ACCUSER
OMC-P

5d. SIGNATURE OF ACCUSER

58. DATE (VYYYYMMDD)

2008/02/08

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 8 day of February 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

S. Maher
Typed Name of Officer

OMC-P
Organization of Officer

05
Grade

Trial Counsel
Official Capacity to Administer Oath
(See R. M. C. 307(b) must be commissioned officer)

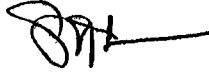
Signature

IV. NOTICE TO THE ACCUSED

6. On 8 FEBRUARY, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

Lt Col S. Maher
*Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges*

OMC-P
*Organization of the Person Who Caused
Accused to Be Notified of Charges*



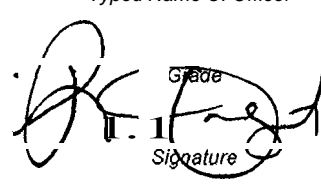
Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1650 hours, on 8 February 2008 at Arlington, Virginia

Location

For the Convening Authority: Tami R. Knight
Typed Name of Officer

MSA
V 
Grade
Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8e. DATE (YYYYMMDD)

Convening Authority 10 USC §948h
Appointed on 6 Feb 2007

Arlington, VA

20080226

Referred for trial to the (non)capital military commission convened by military commission convening order 07-01 dated 1 March 2007, as amended by MCCO 07-05 dated 29 May 2007

subject to the following instructions; this case is referred

non-capital

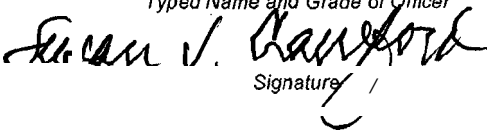
~~XX~~ XX
Command, Order, or Direction

Susan J. Crawford

Convening Authority 10 USC §948h

Typed Name and Grade of Officer

Official Capacity of Officer Signing



Signature

VII. SERVICE OF CHARGES

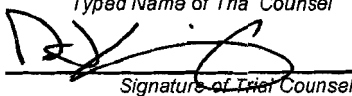
9. On 26 February, 2008 I (caused to be) served a copy these charges on the above named accused.

DANIEL COWHIG.

Major

Typed Name of Trial Counsel

Grade of Trial Counsel



Signature of Trial Counsel

FOOTNOTES

*See R.M.C. 601 concerning instructions. If none, so state.

Me FORM 458 JAN 2007

Continuation to Military Commissions Form 458

Ali Harnza Ahmad Suliman al Bahlul
Internment Serial **Number**__



the said al Bahlul willfully joined the al Qaeda enterprise and willfully entered into the agreement with the intent to further those unlawful purposes, and knowingly committed the following overt acts in order to accomplish some objective or purpose of the enterprise and the agreement:

- a. traveled to Afghanistan with the purpose and intent of joining al Qaeda;
- b. met with Saif al 'Adl, the head of the al Qaeda Security Committee, as a step toward joining the al Qaeda organization;
- c. underwent military-type training at an al Qaeda sponsored training camp then located in Afghanistan near Mes Aynak;
- d. pledged fealty, or "bayat," to the leader of al Qaeda, Usama bin Laden, joined al Qaeda, and provided personal services in support of al Qaeda;
- e. prepared and assisted in the preparation of various propaganda products, including the video "The Destruction of the American Destroyer *U.S.S. Cole*," to solicit material support for al Qaeda, to recruit and indoctrinate personnel to the organization and objectives of al Qaeda, and to solicit, incite and advise persons to commit Terrorism;
- f. acted as personal secretary and media secretary of Usama bin Laden in support of al Qaeda;
- g. arranged for Muhammed Atta, also known as Abu Abdul Rahman al Masri, and Ziad al Jarrah, also known as Abu al Qa'qa al Lubnani, to pledge fealty, or "bayat," to Usama bin Laden;
- h. prepared the propaganda declarations styled as martyr wills of Muhammed Atta and Ziad al Jarrah in preparation for the acts of terrorism perpetrated by the said Muhammed Atta, Ziad al Jarrah and others at various locations in the United States on September 11, 2001;

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Ali Hamza Ahmad Suliman al Bahlul
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- i. at the direction of Usama bin Laden, researched the economic effect of the September 11, 2001 attacks on the United States, and provided the result of that research to Usama bin Laden;
- j. operated and maintained data processing equipment and media communications equipment for the benefit of Usama bin Laden and other members of the al Qaeda leadership, and;
- k. armed himself with an explosive belt, rifle, and grenades to protect and prevent the capture of Usama bin Laden.

Charge II: 10 U.S.C. § 950u, Solicitation to commit Murder of Protected Persons, in violation of 10 U.S.C. § 950v(b)(1), to Attack Civilians, in violation of 10 U.S.C. § 950v(b)(2), to Attack Civilian Objects, in violation of 10 U.S.C. § 950v(b)(3), to commit Murder in Violation of the Law of War, in violation of 10 U.S.C. § 950v(b)(15), to Destroy Property in Violation of the Law of War, in violation of 10 U.S.C. § 950v(b)(16), to commit acts of Terrorism, in violation of 10 U.S.C. § 950v(b)(24), and to Provide Material Support for Terrorism, in violation of 10 U.S.C. § 950v(b)(25)

Specification: In that Ali Hamza Ahmad Suliman al Bahlul, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in the context of and associated with an armed conflict, from in or about February 1999 through in or about December 2001, at various locations in Afghanistan, Pakistan and elsewhere, wrongfully solicit, order, induce and advise Jaralla Saleh Mohammad Kahla al Marri, _____, _____, Faysal Hussein Galab, Shafal Mosed, _____, and other persons, known and unknown, to commit substantive offenses triable by military commission to wit: Murder of Protected Persons; Attack on Civilians; Attack on Civilian Objects; Murder in Violation of the Law of War, Destruction of Property in Violation of the Law of War; Terrorism, and Providing Material Support for Terrorism, by preparing and assisting in the preparation of various propaganda products, including but not limited to the video "The Destruction of the American Destroyer *Us.s. Cole*," said propaganda products being intentionally designed, made, distributed and shown in order to recruit and indoctrinate personnel to the organization and objectives of al Qaeda, an international terrorist organization, and to solicit, order, induce and advise said persons to commit Murder of Protected Persons, to Attack Civilians, to Attack Civilian

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Ali Hamza Ahmad Suliman al Bahlul
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Objects, to commit Murder in Violation of the Law of War, to Destroy Property in Violation of the Law of War, to commit acts of Terrorism, and to Provide Material Support for Terrorism, with the intent that said offenses actually be committed.

Charge III: 10 U.S.C. § 950v(b)(25), Providing Material Support for Terrorism

Specification: In that Ali Hamza Ahmad Suliman al Bahlul, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in the context of and associated with an armed conflict, from in or about February 1999 through in or about December 2001, at various locations in Afghanistan and elsewhere, intentionally provide material support and resources to al Qaeda, an international terrorist organization then engaged in hostilities against the United States, including violent attacks on the United States' embassies at or near Nairobi, Kenya and Dar es Salaam, Tanzania on or about August 7, 1998; on the U.S.S. COLE at or near Aden, Yemen, on or about October 12, 2000, and; at various locations in the United States on or about September 11, 2001, knowing that al Qaeda has engaged or engages in terrorism, by:

- a. traveling to Afghanistan with the purpose and intent of joining al Qaeda;
- b. meeting with Saif al 'Adl, the head of the al Qaeda Security Committee, as a step toward joining the al Qaeda organization;
- c. undergoing military-type training at an al Qaeda sponsored training camp then located in Afghanistan near Mes Aynak;
- d. pledging fealty, or "bayat," to the leader of al Qaeda, Usama bin Laden, joining al Qaeda, and providing personal services in support of al Qaeda;
- e. preparing and assisting in the preparation of various propaganda products, including the video "The Destruction of the American Destroyer *U.S.S. Cole*," to solicit material support for al Qaeda, to recruit and indoctrinate personnel to the organization and objectives of al Qaeda, and to solicit, incite and advise persons to commit terrorism;
- f. acting as personal secretary and media secretary of Usama bin Laden in support of al Qaeda;

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Ali Hamza Ahmad Suliman al Bahlul

Internment Serial **Number**__



- g. arranging for Muhammed Atta, also known as Abu Abdul Rahman al Masri, and Ziad al Jarrah, also known as Abu al Qa'qa al Lubnani, to pledge fealty, or "bayat," to Usama bin Laden;
- h. preparing the propaganda declarations styled as martyr wills of Muhammed Atta and Ziad al Jarrah in preparation for the acts of terrorism perpetrated by the said Muhammed Atta, Ziad al Jarrah and others at various locations in the United States on September 11, 2001;
- i. at the direction of Usama bin Laden, researching the economic effect of the September 11, 2001 attacks on the United States, and providing the result of that research to Usama bin Laden;
- j. operating and maintaining data processing equipment and media communications equipment for the benefit of Usama bin Laden and other members of the al Qaeda leadership, and;
- k. arming himself with an explosive belt, rifle, and grenades to protect and prevent the capture of Usama bin Laden.

عريضة الاتهامات

أولاً: بيانات شخصية

1. إسم المتهم:
علي حمزة أحمد سليمان البهلول
2. القاب المتهم:
أبو اسس المكي؛ علي حمزة إسماعيل؛ أبو نيس اليميني؛ محمد ابيس عبد الله خليدي
3. ر " تسلسل المعتقل (الأرقام الاربعة الأخيرة)

ثانياً: الاتهامات للمواصفات

4. التهمة: إنتهاك بند لعنوان الجرم في القسم (رابعاً) من دليل اللجان العسكرية عنوان 10 من مدونة الولايات المتحدة بند 950ت(ب)، مؤامرة المواصفة:

على أن علي حمزة أحمد سليمان البهلول، وهو شخص يخضع لمحاكمة اللجان العسكرية كعدو مقاتل أجنبي غير مشروع، قد شرع في سياق ومشاركة نزاع مسلح في مناطق متفرقة في أفغانستان وأماكن أخرى، من أو من حوالي فبراير شباط 1999 إلى أو إلى حوالي ديسمبر كانون الأول 2001، في الانضمام إلى القاعدة، وهي كناية عن مشروع أشخاص مشتركين في هدف إجرامي مشترك انطوى، جزئياً على الأقل، على ارتكاب ال نية ارتكاب إحدى أو أكثر من الجرائم المستقلة الخاضعة لمقاضاة اللجان العسكرية، وقد تأمر واتفق مع أسامة بن لادن وسيف العدل وأعضاء ومناصرين آخرين في القاعدة، المعروفين بالمجهولين منهم، لارتكاب إحدى أو أكثر من الجرائم المستقلة التي تخضع لمقاضاة اللجان العسكرية، أي: قتل أشخاص محميين عمداً، هجوم على مدنيين، هجوم على أعراض مدنية، القتل العمدي انتهاكاً لقانون الحرب، تدمير الممتلكات انتهاكاً لقانون الحرب، الإرهاب، وتوفير الدعم المادي للإرهاب، مع العلم بالهدف الإجرامي المشترك لمشروع القاعدة والأهداف الغير، مشروعة للاتفاق،

(راجع التكملة)

ثالثاً: إقرار الاتهامات

- IS. اسم المدعي (اللقب، الإسم، الحرف الأول للاسم) 5ب. الرتبة 5ب. الرتبة
الوسطى) ضابط رتبة 6
ترينور، ج. ف.
5د. توقيع المدعي
- 5هـ. تاريخ (السنة، الشهر، اليوم)

شهادة مشفوعة بالقسم: حضر أمامي، أنا الموقع أدناه المفوض قانوناً للتحليف في القضايا ذات الصفة هذه، وبصفة شخصية المدعي سابق الذكر في يوم _ من _ وقام بالتوقيع على الاتهامات والمواصفات السابقة بعد أن حلف اليمين بأنه شخص خاضع لقانون العدالة العسكرية الموحد وبأنه يتمتع بمعرفة شخصية ال قام بنفسه بالتحقيق في المسائل المنصوص عليها هنا، وأن هذه المسائل صحيحة وفقاً لأفضل ما لديه من معلومات واعتقاد.

مكتب اللجان العسكرية - الادعاء
منظمة الضابط

د. س. ماهر
اسم الضابط بالحروف المطبوعة

المستشار القانوني الخاص بالمحاكمة
الصفة الرسمية لتحليف اليمين

ضابط رتبة S
رتبة

(راجع لائحة اللجان العسكرية 307(ب) يجب أن يكون ضابط)

التوقيع

استمارة رقم 458 الخاصة باللجان العسكرية يناير كانون الثاني 2007

6 بتاريخ
(308).
رابعاً: الأشعار المقدم إلى المتهم
تم اشعار المتهم بالتهمة الموجهة ضده (انظر لائحة اللجان العسكرية

المقدم س. ماهر
الاسم ورتبة الشخص الذي تسبب
بإشعار المتهم بالاتهامات (بالحروف المطبوعة)
مكتب اللجان العسكرية - الادعاء
المؤسسة الخاصة بالشخص الذي
تسبب بإشعار المتهم بالاتهامات

التوقيع

خامساً: استلام سلطة عقد اللجان للاتهامات
7. تم استلام الاتهامات الموجهة عند الساعة _____ بتاريخ _____ في

المقر

بالنيابة عن سلطة عقد اللجان:

اسم الضابط بالحروف المطبوعة

الرتبة

التوقيع

سادساً: الاحالة

18. تعيين سلطة عقد اللجان | 8 ب. المكان | 8 ج. تاريخ (السنة، الشهر، اليوم)

تمت لإحالة للمحاكمة أمام اللجنة العسكرية المفوضة (غير المفوضة) لإصدار حكم بالإعدام المجتمعة بموجب أمر دعوة
اللجنة العسكرية للانعقاد
وفق التوجيهات التالية:

الخاص ب

من قبل

إشراف أو أمر أو توجيه

الصفة الرسمية للضابط الموقع

الاسم ورتبة الضابط بالحروف المطبوعة

التوقيع

9. في تاريخ
سابعاً: تبليغ الاتهامات
قمت (تسببت) بتسليم نسخة عن هذه التهم للمتهم أعلاه.

إسم المستشار القانوني الخاص بالمحاكمة بالحروف المطبوعة رتبة المستشار القانوني الخاص بالمحاكمة

توقيع المستشار القانوني الخاص بالمحاكمة

حاشيات

1 راجع لائحة اللجان العسكرية 601 بالنسبة للتوجيهات. في حالة عدمها يرجى الإدلاء بذلك.
استمارة رقم 458 الخاصة باللجان العسكرية ينادير كانون الثاني 2007

على حمزة أحمد البهلول

رقم تسلسل المعتقل

وقد انضم البهلول [REDACTED] أنفا إلى مشروع القاعدة عمدا وأقر بإرادته اتفاقا بنية تعزيز تلك الأغراض الغير قانونية، وارتكب عن علم الأفعال السافرة التالية من أجل إنجاز هدف أو غاية ما للمشروع وللاتفاق:

أ. رحل إلى أفغانستان بهدف ونية الالتحاق بالقاعدة؛

ب. التقى بسيف العدل، رئيس لجنة الأمن في القاعدة، كخطوة للانضمام بتنظيم القاعدة؛

ج. التحق بتدريب من النوع العسكري في معسكر تحت رعاية القاعدة كان يقع في حينه في أفغانستان بالقرب من (مس أينك)؛

د. بايع زعيم القاعدة، أسامة بن لادن، والتحق بالقاعدة ومن ثم شرع بتوفير خدمات شخصية دعما للقاعدة؛

هـ. قام بتجهيز وبمساعدة تجهيز منتجات ترويجية متعددة، بما في ذلك شريط الفيديو 'تدمير المدمرة الأمريكية يو اس اس كول"، من أجل حث الدعم المادي للقاعدة وتوظيف وتلقين الأفراد بخصوص تنظيم وأهداف القاعدة، ومن أجل حث وتحريض وإرشاد أشخاص لارتكاب الإرهاب؛

و. عمل كأمين شخصي وأمين الإعلام لأسامة بن لادن مساندة للقاعدة؛

ز. شرع في الترتيبات الخاصة بقيام كل من محمد عطا، المدعو أيضا أبو عبد الرحمان المصري، وزيايد الجراح، المدعو أيضا أبو القعقعة اللبناني، بمبايعة أسامة بن لادن؛

ح. رتب البيانات الترويجية المنظمة كوصايا خاصة بالشهادة لكل من محمد عطا وزيايد الجراح إعدادا للأعمال الإرهابية التي قام بها محمد عطا وزيايد الجراح وغيرهم في مناطق مختلفة من الولايات المتحدة في 11 سبتمبر أيلول 2001؛

ط. تبعا لتوجيهات من قبل أسامة بن لادن، قام بدراسة الأثر الاقتصادي الناجم عن هجمات 11 سبتمبر أيلول 2001 على الولايات المتحدة وشرع بتوفير نتيجة هذه الدراسة إلى أسامة بن لادن؛

على حمزة أحمد البهلول

رقم تسلسل المعتقل [REDACTED]

ي. قام بتشغيل و [REDACTED] بـهـيـزات معالجة البيانات وتجهيزات اتصالات الإعلام لمنفعة أسامة بن لادن وأعضاء آخرين من قيادة القاعدة؛ و

ك. تسليح بحزام متفجر وبنادقية وقنابل يدوية لحماية أسامة بن لادن ومنع إلقاء القبض عليه.

التهمة الثانية: العنوان رقم 10 من مدونة الولايات المتحدة بند 950ش، الحث لارتكاب القتل العمدي لأشخاص محميين، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(1)، للهجوم على مدنيين، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(2)، للهجوم على أغراض مدنية، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(3)، لارتكاب القتل العمدي مخالفة لقانون الحرب، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(15)، لتدمير الممتلكات مخالفة لقانون الحرب، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(16)، لارتكاب أعمال إرهابية، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(24)، ولتوفير الدعم المادي للإرهاب، انتهاكا لعنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(25).

[REDACTED]

التهمة الثالثة: عنوان رقم 10 من مدونة الولايات المتحدة بند 950ت(ب)(25)، لتوفير الدعم المادي للإرهاب.

على حمزة أحمد البهلول

رقم تسلسل المعتقل،

المواصفة: على [REDACTED] حمزة أحمد سليمان البهلول، وهو شخص يخضع لمحاكمة اللجان العسكرية كعدو مقاتل غير مشروع أجنبي، قد شرع في سياق ومشاركة نزاع مسلح، من أو من حوالي فبراير شباط 1999 إلى أو إلى حوالي ديسمبر كانون الأول 2001، في مناطق مختلفة في أفغانستان وأماكن أخرى، بتوفير عمدا الدعم المادي واللوازم للقاعدة، وهي منظمة إرهابية عالمية كانت في حينه متورطة في عداءات ضد الولايات المتحدة، بما في ذلك هجمات عنيفة على سفارات الولايات المتحدة في أو بالقرب من نيروبي، كينيا، ودار السلام، تنزانيا، في أو في حوالي 7 أغسطس آب 1998، وعلى اليو اس اس كول في أو بالقرب من عدن، اليمن، في أو في حوالي 12 أكتوبر تشرين الأول 2000، وفي مناطق مختلفة في الولايات المتحدة في أو حوالي 11 سبتمبر أيلول 2001، وهو على علم بأن القاعدة كانت أو لا تزال متورطة في الإرهاب، من خلال الآتي:

أ. رحل إلى أفغانستان بهدف ونية الالتحاق بالقاعدة؛

ب. التقى بسيف العدل، رئيس لجنة الأمن في القاعدة، كخطوة للانضمام بتنظيم القاعدة؛

ج. التحق بتدريب من النوع العسكري في معسكر تحت رعاية القاعدة كان يقع في حينه في أفغانستان بالقرب من (مس أينك)؛

د. بايع زعيم القاعدة، أسامة بن لادن، والتحق بالقاعدة ومن ثم شرع بتوفير خدمات شخصية دعما للقاعدة؛

هـ. قام بتجهيز وبمساعدة تجهيز منتجات ترويجية متعددة، بما في ذلك شريط الفيديو "تدمير المدمرة الأمريكية يو اس اس كول"، من أجل حث الدعم المادي للقاعدة وتوظيف وتلقين الأفراد بخصوص تنظيم وأهداف القاعدة، ومن أجل حث وتحريض وإرشاد أشخاص لارتكاب الإرهاب؛

و. عمل كأمين شخصي وأمين الإعلام لأسامة بن لادن مساندة للقاعدة؛

ز. شرع في الترتيبات الخاصة بقيام كل من محمد عطا، المدعو أيضا أبو عبد الرحمان المصري، وزيايد الجراح، المدعو أيضا أبو الفعقة اللبناني، بمبايعة أسامة بن لادن؛

ح. رتب البيانات الترويجية المنظمة كوصايا خاصة بالشهادة لكل من محمد عطا وزيايد الجراح إعدادا للأعمال الإرهابية التي قام بها محمد عطا وزيايد الجراح وغيرهم في مناطق مختلفة من الولايات المتحدة في 11 سبتمبر أيلول 2001؛

ط. تبعا لتوجيهات من قبل أسامة بن لادن، قام بدراسة الأثر الاقتصادي الناجم عن هجمات 11 سبتمبر أيلول 2001 على الولايات المتحدة وشرع بتوفير نتيجة هذه الدراسة إلى أسامة بن لادن؛

على حمزة أحمد البهلول
رقم تسلسل المعتقل [REDACTED]
ي. قام بتشغيل وصيانة تجهيزات معالجة البيانات وتجهيزات اتصالات الإعلام لمنفعة أسامة بن
لادن وأعضاء آخرين من قيادة القاعدة؛ و
ك. تسليح بحزام متفجر وبندقية وقنابل يدوية لحماية أسامة بن لادن ومنع إلقاء القبض عليه.

وزارة الدفاع
مكتب رئيس هيئة الادعاء
مكتب اللجان العسكرية
1610 الدفاع البنتاغون
واشنطن العاصمة في مقاطعة كولومبيا 1610-20301

(اليوم) (الشهر) (السنة)

مذكرة موجهة للمعتقل علي حمزة أحمد سليمان البهلول 0039، خليج غوانتانامو، كوبا.

الموضوع: إشعار بإقرار الاتهامات

1. يتم بهذا إبلاغك بأن اتهامات جنائية قد أقرت تجاهك في يوم _____ من _____ 2008، استنادا إلى قانون اللجان العسكرية (MCA) لسنة 2006 وعملا بدليل اللجان العسكرية (MMC). وسوف يتم توفيرك وتوفير المستشار القانوني المعين لك بنسخة من هذا الإخطار.

2. إنك على وجه التحديد متهم بالجرائم التالية:

الحث لارتكاب القتل العمدي تجاه أشخاص محمية

توفير الدعم المادي للإرهاب

(قم بقراءة الاتهامات والمواصفات الخاصة بالمتهم. إذا ما لزم الأمر، يجوز أن يقوم مترجما شفويا بقراءة التهم في لغة غير الإنكليزية التي يفهمها المتهم).

إقرار بالتبليغ

بهذا أشهد بأن نسخة من هذه الوثيقة قد وفرت للمعتقل المدعو في يوم _____ من _____ 2008.

المؤسسة

التوقيع

عنوان المؤسسة

الاسم والرتبة بالحروف المطبعية أو المطبوعة