

**CHARGE SHEET**

**I. PERSONAL DATA**

**1. NAME OF ACCUSED:**

SALIM AHMED HAMDAN (hereafter "Hamdan")

**2. ALIASES OF ACCUSED:**

Salim Ahmad Hamdan, Salem Ahmed Salem Hamdan, Saqr al Jadawy, Saqr al Jaddawi, Khalid bin Abdalla, Khalid w'd Abdallah

**3. ISN NUMBER OF ACCUSED (LAST FOUR):**

0149

**II. CHARGES AND SPECIFICATIONS**

**4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.**

SPECIFICATION: (See Attached Charge Sheet)

**III. SWEARING OF CHARGES**

**5a. NAME OF ACCUSER (LAST, FIRST, MI)**

TUBBS II, MARVIN, W

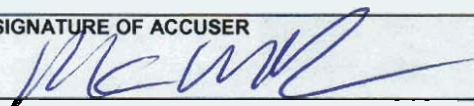
**5b. GRADE**

O-4

**5c. ORGANIZATION OF ACCUSER**

OMC-PROSECUTION

**5d. SIGNATURE OF ACCUSER**



**5e. DATE (YYYYMMDD)**

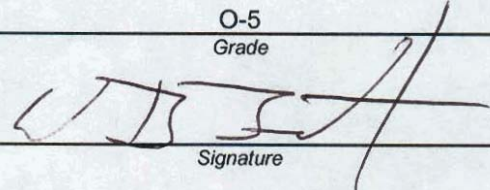
20070405

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 5th day of April, 2007, 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.

WILLIAM B. BRITT  
Typed Name of Officer

OMC-PROSECUTION  
Organization of Officer

O-5  
Grade



Signature

10 U.S.C. 1044(b)  
Official Capacity to Administer Oath  
(See R.M.C. 307(b) must be commissioned officer)

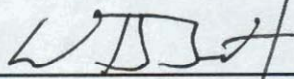


**IV. NOTICE TO THE ACCUSED**

6. On 5th April, 2007 the accused was notified of the charges against him/her (See R.M.C. 308).

LTC WILLIAM B. BRITT  
*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*

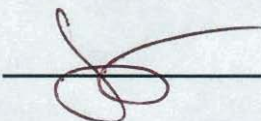
**V. RECEIPT OF CHARGES BY CONVENING AUTHORITY**

7. The sworn charges were received at 1411 hours, on 6 April 2007, at Arlington, Virginia

*Location*

For the Convening Authority: Jennifer D. Young  
*Typed Name of Officer*

CW3  
*Grade*

  
 \_\_\_\_\_  
*Signature*

**VI. REFERRAL**

8a. DESIGNATION OF CONVENING AUTHORITY  
 Convening Authority 10USC §948h  
 Appointed on 6 Feb 2007

8b. PLACE  
Arlington, Virginia

8c. DATE (YYYYMMDD)  
20070510

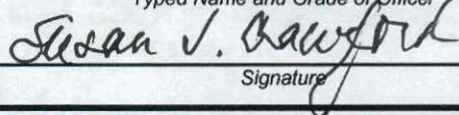
Referred for trial to the (non)capital military commission convened by military commission convening order 07-04  
dated 1 May 2007

\_\_\_\_\_ subject to the following instructions<sup>1</sup>: this case is referred  
non-capital

\_\_\_\_\_  
*Command, Order, or Direction*

Susan J. Crawford  
*Typed Name and Grade of Officer*

Convening Authority 10USC §948h  
*Official Capacity of Officer Signing*

  
 \_\_\_\_\_  
*Signature*

**VII. SERVICE OF CHARGES**

9. On \_\_\_\_\_, 2007 I (caused to be) served a copy these charges on the above named accused.

WILLIAM B. BRITT  
*Typed Name of Trial Counsel*

O-5  
*Grade of Trial Counsel*

\_\_\_\_\_  
*Signature of Trial Counsel*

**FOOTNOTES**

<sup>1</sup>See R.M.C. 601 concerning instructions. If none, so state.



UNITED STATES OF AMERICA	)	<b><u>CHARGES</u></b>
	)	
v.	)	<b>Conspiracy</b>
	)	
SALIM AHMED HAMDAN	)	<b>Providing Material</b>
(hereafter "Hamdan")	)	<b>Support for Terrorism</b>
	)	

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

Specification 1: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, conspire and agree with Usama bin Laden, Saif al Adel, Ayman al Zawahari, Sheikh Sayeed al Masri, Muhammad Atef (a/k/a Abu Hafs al Masri), Saif al Adel and various members and associates, known and unknown, of the al Qaeda organization and join an enterprise of persons known as al Qaeda, and said 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 September 11, 2001 attack against the United States and other, separate attacks, continuing to date and the aforementioned members and associates of al Qaeda shared a common criminal purpose that involved the commission or intended commission of 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; hijacking or hazarding a vessel or aircraft; and terrorism and the said Hamdan 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 or purpose of the agreement or enterprise, Hamdan knowingly committed at least one of the following overt acts:

SJC  
5-10-07

SJC  
5-10-07

- a. Hamdan served as bodyguard for Usama Bin Laden;
- b. Hamdan served as Usama Bin Laden's personal driver;
- c. Hamdan transported and delivered weapons, ammunition or other supplies to al Qaeda members and associates;

d. Hamdan drove or accompanied Usama bin Laden to various al Qaeda-sponsored training camps, press conferences, or lectures.

e. Hamdan, on various occasions, received weapons training in Afghanistan.

Specification 2: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan, on or about November 24, 2001, willfully enter into an agreement with one or more known or unknown members of al Qaeda or Taliban to commit the offense of Murder in Violation of the Law of War, a substantive offense subject to trial by military commission, to wit; the murder of United States or Coalition service members serving as pilots, crew or passengers of United States or Coalition military aircraft, knowing the unlawful purpose of said agreement and joining into said agreement willingly with the intent to further said unlawful purpose, knowingly commit an overt act in order to accomplish some objective or purpose of said agreement, to wit, transporting one or more SA-7 surface to air missiles to be ultimately used to unlawfully and intentionally kill said United States or Coalition service members.

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

Specification 1: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, 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 Hamdan 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. Received training at an al Qaeda training camp;
- b. Served as a driver for Usama bin Laden transporting him to various locations in Afghanistan;
- c. Served as Usama bin Laden's armed bodyguard at various locations throughout Afghanistan;

United States v. Hamdan

d. Transported weapons or weapons systems or other supplies for the purpose of delivering or attempting to deliver said weapons or weapons systems to Taliban or al Qaeda members and associates.

Specification 2: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, in context of or associated with an armed conflict and with knowledge that al Qaeda has engaged in or engages in terrorism, did 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. Received training at an al Qaeda training camp;
- b. Served as a driver for Usama bin Laden transporting him to various locations in Afghanistan;
- c. Served as Usama bin Laden's armed bodyguard at various locations throughout Afghanistan;
- d. Transported weapons or weapons systems or other supplies for the purpose of delivering or attempting to deliver said weapons or weapons systems to Taliban or al Qaeda members and associates.

Specification 3: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan, on or about November 24, 2001, in the context of or associated with an armed conflict, provide material support and resources to wit: weapons and weapons systems, to wit; one or more SA-7 surface to air missiles, to be used in preparation for or carrying out an act of terrorism, and the said Hamdan knew these missiles were to be used for an act of terrorism, by joining the terrorist organization known as al Qaeda and knowingly providing one or more SA-7 surface to air missiles to members of al Qaeda, Taliban or others directly associated with said organizations.

Specification 4: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan, on or about November 24, 2001, in the context of or associated with an armed conflict and with knowledge that al Qaeda, has engaged in or engages in terrorism, did provide material support or resources, to wit,

weapons and weapons systems, to wit; one or more SA-7 surface to air missiles 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 one or more SA-7 surface to air missiles to members of al Qaeda, Taliban or others directly associated with said organizations.

Specification 5: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, in the context of or associated with an armed conflict, provide material support and resources to wit: service or transportation by serving as a driver for Usama bin Laden by transporting him to various locations in Afghanistan knowing that by providing said service or transportation he was directly facilitating communication and planning used for an act of terrorism.

Specification 6: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, 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, intentionally provide material support or resources to al Qaeda, to wit: service or transportation to Usama bin Laden by transporting him to various areas in Afghanistan knowing that by providing said service or transportation he was directly facilitating communication and planning used for acts of terrorism.

Specification 7: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, in the context of or associated with an armed conflict, provide material support and resources to wit: service as an armed body guard for Usama bin Laden, knowing that by providing said service as an armed bodyguard he was protecting the leader of al Qaeda and facilitating communication and planning used for acts of terrorism.

Specification 8: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, in the context of or associated with an armed conflict and with knowledge that al Qaeda, an international terrorist organization has engaged in hostilities against the United States, had engaged in or engages in terrorism, intentionally provide material support or resources, to al Qaeda, to wit: service as an armed



body guard for Usama bin Laden by knowing that by providing said service as an armed body guard for Usama bin Laden he was protecting the leader of al Qaeda and facilitating communication and planning used for acts of terrorism.

