

DEPARTMENT OF DEFENSE JOINT TASK FORCE GUANTANAMO GUANTANAMO BAY, CUBA APO AE 09360



JTF-GTMO-CC

21 July 2006

MEMORANDUM FOR Commander, United States Southern Command, 3511 NW 91st Avenue, Miami, FL 33172.

SUBJECT: Recommendation for Continued Detention Under DoD Control (CD) for Guantanamo Detainee, ISN: US9SA-000114DP (S)

JTF-GTMO Detainee Assessment

1. (S//NF) Personal Information:

- JDIMS/NDRC Reference Name: <u>Yusef M Modaray</u>
- Aliases and Current/True Name: <u>Yusif Muhammad</u> <u>Mubarak al-Shihri, Abu al-Harith, Abdul Aziz, Abu Hakim</u> <u>al-Shihri, Yusef Mohammed Aziz Saad Modaray</u>
- Place of Birth: <u>Riyadh, Saudi Arabia (SA)</u>
- Date of Birth: <u>8 September 1985</u>
- Citizenship: Saudi Arabia
- Internment Serial Number (ISN): <u>US9SA-000114DP</u>



- 2. (FOUO) Health: Detainee is in good health.
- 3. (S//NF) JTF-GTMO Assessment:

a. (S) Recommendation: JTF-GTMO recommends this detainee for Continued Detention Under DoD Control (CD). If a satisfactory agreement can be reached that ensures continued detention and allows access to detainee and/or to exploited intelligence, detainee can be Transferred Out of DoD Control (TRO). JTF-GTMO previously assessed detainee as Retain in DoD Control (DoD) on 10 June 2005.

b. (S//NF) Executive Summary: Detainee is assessed to be a member of al-Qaida. Detainee was a member of Usama Bin Laden's (UBL) former 55th Arab Brigade who participated in armed hostilities against US and coalition forces. Detainee admits traveling to

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Afghanistan (AF) to fight jihad and residing in two al-Qaida affiliated guesthouses. Detainee's brother was a major al-Qaida spokesman who facilitated the movement of jihadists to Afghanistan via Iran. Given the opportunity to martyr himself, detainee would do so without hesitation, probably involving the killing of US personnel and/or allied forces. [ADDITIONAL INFORMATION ABOUT THIS DETAINEE IS AVAILABLE IN AN SCI SUPPLEMENT.] JTF-GTMO determined this detainee to be:

- A HIGH risk, as he is likely to pose a threat to the US, its interests and allies.
- A **MODERATE** threat from a detention perspective.
- Of **MEDIUM** intelligence value.

4. (S//NF) Detainee's Account of Events:

The following section is based, unless otherwise indicated, on detainee's own account. These statements are included without consideration of veracity, accuracy, or reliability.

a. (S//NF) **Prior History:** Sometime in 2000,¹ detainee left school after he completed a portion of the 10^{th} year at an educational institute focusing on religious studies. Detainee then sold fruit, vegetables and honey from a cart on the side of the road for approximately two months in Riyadh, Jeddah and Mecca, SA.²

b. (S//NF) Recruitment and Travel: Muhammad al-Qosi (NFI) convinced detainee to go to Pakistan (PK).³ Detainee left Medina, SA, and traveled via Damascus, Syria (SY), and Tehran and Mashad, Iran (IR), to Pakistan. Abdul Aziz, a Saudi (NFI), met detainee at the Pakistani border and accompanied him to Karachi, PK.⁴ (Analyst Note: There is no additional information on how these two met or whether this was set up in advance.)

c. (S//NF) Training and Activities: Detainee and Aziz spent two and a-half months in Karachi at the Makki mosque. One day Aziz informed detainee they were done in Karachi and it was their duty to participate in jihad with the Taliban in Afghanistan. In April 2001, Aziz and the detainee traveled to Kabul, AF, where they spoke with the Taliban and stated

¹ 000114 KB 02-04-2002

² 000114 302 04Apr02, IIR 6 034 0012 03

³ IIR 6 034 0012 03, Analyst Note: al-Qosi variants: Kousi and Kosi.

⁴ TD-314/27545-02, IIR 6 034 0345 02, IIR 6 034 0012 03, Analyst Note: In TD-314/27545-02, Saudi Ministry of Interior, General Directorate of Investigations (Mabahith) reported that detainee departed Saudi Arabia for Jordan on 25 September 2000, which contradicts his claim in 000114 SIR 30-Mar-2002 that he left Saudi Arabia in April 2001. In IIR 6 034 0012 03, detainee also later contradicted himself by saying that he left Pakistan and crossed into Afghanistan in April 2001.

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they wanted to fight. They were given directions to a Taliban guesthouse in Kabul.⁵ At the Taliban guesthouse, the two were separated. Three days later the detainee accompanied three Arabs named Abu Mosaab, Khaled and Salmon, and approximately 30 Afghans to Mullah Thacker's command compound in Konduz, AF.⁶ One and a half days later, the detainee and seven Afghans were sent to an Arab unit on the front lines at Khwaja Ghar,⁷ AF commanded by Abdul Salam⁸. Detainee spent approximately four or five months at a support center close to the front. Abu Muath, detainee's commander (NFI), gave the detainee one day of training on grenades and the Kalashnikov. Detainee transported food and bullets to the front line and helped bury the dead. Some time after the 11 September 2001 (9/11) attacks, the fighting on the front lines became intense. Detainee and his group were instructed by Gharib, Salam's replacement, to withdraw from the front lines so they headed towards Konduz.⁹

5. (S//NF) Capture Information:

a. (S//NF) After two weeks in Konduz, Gharib informed detainee that Mullah Thacker had ordered a withdrawal to Kandahar, AF. Detainee and others traveled in cars and trucks to Mazar-E-Sharif, AF, where Northern Alliance commander Dostam's men stopped the trucks and ordered the fighters to surrender their weapons. They were then escorted to the Qala-I-Jangi prison. Detainee was at the Qala-I-Jangi prison during the uprising.¹⁰ When US and coalition forces regained control of the prison, detainee was escorted to Sherberghan prison. Detainee was a prisoner there for a month and a half. Detainee was subsequently handed over to US forces at the Kandahar detention facility.¹¹

⁵ IIR 6 034 0012 03, IIR 6 034 1329 04, Analyst Note: Assessed to be the Dar al-Amn guesthouse in Kabul, which acted as the main staging area for fighters moving to Taliban front lines.

⁶ IIR 6 034 0012 03, Analyst Note: Mullah Thacker was a Taliban sub-commander under al-Qaida commander Abd al-Hadi al-Iraqi.

⁷ Analyst Note: Khwaja Ghar variant: Khawajaghal

⁸ IIR 6 034 0012 03, Analyst Note: Abdul Salam, aka (Abd al-Salaam al-Hadrami) aka (Muamar Said Abud Dayan) an al-Qaida facilitator and sub-commander under Mullah Thacker, was killed while fighting on the front lines. See also 000078 302 15-SEP-2002, IIR 2 340 6362 02, IIR 6 034 1474 03, IIR 6 034 0265 02.

⁹ IIR 6 034 0012 03, Analyst Note: Gharib is Gharib al-San'ani (variant Gareeb), who detainee reported took Abdul Salam's place when he was killed and who was also in charge of the headquarters at the Omar Saif Center and responsible for distributing ammunition to the front line commanders. See also IIR 6 034 0207 06, IIR 6 034 0077 03, IIR 6 034 0673 02, IIR 6 034 0692 02.

¹⁰ 000114 SIR 24-Feb-2003, IIR 6 034 0345 02 and IIR 6 034 0012 03, Analyst Note: In FBI-302 ISN 128 27Jun02, Ghaleb Nasser, ISN US9YM-000128DP (YM-128), reported that he saw the detainee at the Qala-I-Jangi prison along with one of his brothers.

¹¹ IIR 6 034 0012 03, 00114 DA4137, Analyst Note: In IIR 2 340 6716 02 c, detainee is listed as either missing or killed at the Qala-I-Jangi Fortress in Mazar-E-Sharif, corroborating his presence there.

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b. (S) Property Held:

- International Committee of the Red Cross (ICRC) Card #083936, name of Yusuf Mhd¹²
- c. (S) Transferred to JTF-GTMO: 16 January 2002

d. (S//NF) Reasons for Transfer to JTF-GTMO: To provide information on the following:

• Personalities and replacement operations of the Arab element that supported the Northern Taliban forces (assessed to be referring to UBL's 55th Arab Brigade)

6. (S//NF) Evaluation Of Detainee's Account: Detainee is historically uncooperative during debriefings, and his truthfulness is often in doubt. He has failed to provide any explanation for the period between September 2000 and February 2001 and has contradicted himself (e.g., left Saudi Arabia in April 2001, spent two and a half months in Pakistan, yet arrived at the Afghan border in April 2001.) Detainee's travel and timeline afforded him the opportunity to attend training at al-Faruq, which he probably completed prior to supporting the Taliban and al-Qaida on the front lines. Many of detainee's aliases are very common, and without more identifying information no associated activities can be connected specifically with the detainee.

7. (S//NF) Detainee Threat:

a. (S) Assessment: It is assessed the detainee poses a HIGH risk, as he is likely to pose a threat to the US, its interests and allies.

b. (S//NF) Reasons for Continued Detention: Detainee is assessed to be a member of Al-Qaida. Detainee was an armed combatant in UBL's former 55th Arab Brigade who admittedly traveled to Afghanistan to participate in jihad. He spent several months on the front lines of Afghanistan fighting against the Northern Alliance and probably participated in hostilities against US and coalition forces. Detainee's brother was an al-Qaida facilitator in Iran. Detainee has expressed a desire for martyrdom. Detainee occupied al-Qaida guesthouses while traveling to the front lines.

¹² Analyst Note: Mhd is short for Muhammad.

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• (S/NF) Detainee served as an armed combatant in UBL's 55th Arab Brigade while fighting on the northern front lines of Afghanistan during 2001.¹³

 \circ (S//NF) Detainee spent approximately four to five months in support of Mullah Thacker during the fall of 2001 prior to surrendering his weapon to Dostam's men.

• (S//NF) Mullah Thacker commanded the Taliban units at Konduz that served alongside the 55th Arab Brigade units under Abdul Hadi al-Iraqi, one of UBL's closest commanders.¹⁴

• (S//NF) Assessed Saudi al-Qaida operative Salman S Mohammed, ISN US9SA-000121DP (SA-121), reported that the Arab chain of command in Konduz was as follows: Mullah Thacker was the commander of Konduz, al-Hadrami and Gharib were subordinate commanders in charge of Arab Forces, and Muad was subordinate to al-Hadrami.¹⁵

 $\circ~$ Other detainees at JTF-GTMO confirm detainee's placement in the 55th Arab Brigade.

• (S//NF) Assessed al-Qaida member and former 55th Arab Brigade member Said Ibrahim Ramzi al-Zahrani, ISN US9SA-000204DP (SA-204), claimed the detainee was on the backup lines (rear defense).¹⁶

• (S//NF) Former 55th Arab Brigade member Ali A Motaieb, ISN US9IZ-000111DP (IZ-111), reported that the detainee traveled from al-Faruq to the northern front lines with an Arab group.¹⁷ (Analyst Note: Detainee's timeline gives him ample opportunity to attend and complete training at al-Faruq prior to traveling to Kabul. See high SCI supplement for further information.)

• (S//NF) Detainee has familial ties to a significant Al-Qaida member.

(S//NF) Detainee confirmed his older brother Saad Muhammad Mubarak al-Shihri aka (Abdul Rahman al-Najdi) aka (Abu Uthman al-Shahri), was an official spokesman for al-Qaida¹⁸ and on Saudi Arabia's most wanted list in November 2005.¹⁹ Further Mabahith reporting stated that Saad facilitated the emigration of individuals by way of Iran. (Analyst note: This is assessed to mean he facilitated the movement of jihadists to Afghanistan via Iran. Abdul Rahman al-Najdi, assessed to

¹³ 000050 55th Arab Brigade2 25-Jan-2002, Analyst Note: UBL's former 55th Arab Brigade was known to be UBL's primary formation supporting Taliban military objectives. It was almost exclusively comprised of Arabs, many of whom had affiliations with other international terrorist groups. Al-Qaida leaders commanded the brigade, and UBL was thought to have participated closely in its command and control.

¹⁴ IIR 2 340 6093 02, IIR 6 034 1301 04, IIR 6 034 0913 03, IIR 6 034 0265 02, IIR 2 340 7121 02

¹⁵ IIR 6 034 0265 02, Analyst Note: Muad is possibly Abu Muath.

¹⁶ IIR 6 034 0386 02 and 02(b)

¹⁷ 000111 302 06-22-2002, 000111 23Jun03 MFR 00001

¹⁸ IIR 6 034 0087 03, ATOIC AT FP MSG 2030327, TD-314/73597-05, Analyst Note: Saad variant Sa'd.

¹⁹ IIR 1 663 0222 06, Paragrah R; Analyst Note: listed as Sa'd Muhammed Mubarak al-Jubayri al-Shahri.

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be detainee's brother, was removed from USCENTCOM's High Value Individual (HVI) list by March 2006 due to al-Najdi's capture.)²⁰

- (S//NF) Saad was reportedly al-Qaida's ambassador to Hizb-E-Islami²¹ and possibly received financial and military support from Shaykh Ibrahim, a senior Waziristan-based al-Qaida leader, in 2006.²²
- (S) In December 2001, detainee's brother Saad operated safe houses on the Iranian side of the Afghanistan border that harbored several hundred al-Qaida operatives, trainees and their families.²³

• (U) According to open source information, Saad was a spokesman for al-Qaida in 2003, and on Islamic websites he urged, "... kill all Sunni ulemas (religious scholars) that ally themselves with the Americans . . . and kill all satanic ayatollahs (religious leaders) among the Shiites..."²⁴

• (S//NF) Detainee has shown his willingness to martyr himself while at JTF-GTMO. Should he be released, he would probably seek the opportunity to do so.

 $\circ~(S//NF)$ Detainee sent a letter to his family telling them of his wish to be a martyr. 25

 \circ (S//NF) On May 18, 2006 at 0644L, security personnel observed detainee in a non-responsive state and called a medical alert. It was determined by the medical team that the detainee committed self-harm by attempting to overdose on prescribed medication.²⁶

• (S//NF) Admitted al-Qaida member Abd al-Rahim Abdul Raza Janko, ISN US9SY-000489DP (SY-489), reported that the detainee intended to commit suicide at JTF-GTMO.²⁷

(S//NF) Detainee occupied al-Qaida facilities in Afghanistan and Pakistan.
 (S//NF) Detainee's name was found in a document listing 324 Arabic names, aliases and nationalities recovered from raids on suspected al-Qaida safe houses in Karachi, PK. This document also provided another alias for the detainee.²⁸
 (S//NF) Assessed member of UBL's former 55th Arab Brigade Ali A Motaieb, ISN US9IZ-000111DP (IZ-111), reported that detainee was at the Dar al-Amn

²⁰ TD-314/73597-05, TD-314/30811-02, USCENTCOM High Value Individuals (HVI) - 22-MAR-2006

²¹ Analyst Note: Hizb-E-Islami is a Tier 1 Counterterrorism target, defined as terrorist groups, especially those with state support, that have demonstrated the intention and the capability to attack US persons or interests.

²² TD-314/00195-06, Analyst Note: For more information on detainee's brother's activities see TD-314/58128-04.

²³ IIR 6 034 0087 03, IIR 6 034 1124 03

²⁴ 000114 open sourcing concerning detainees brother 12-Oct-2003

²⁵ GUAN-2005-T04155-HT

²⁶ ISN 000114 INTREP, 18 May 2006.

²⁷ 000489 SIR 16-Jun-2006

²⁸ TD-314/40693-02, AFGP-2002-905527(b), Analyst Note: pages 32 and 33: withdrawals, #11, Yusuf Muhammad al-Shahri, #308, Yusuf Muhammad Al Shahri aka Hakim al-Ansari, Trust #342.

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Guesthouse in Kabul.²⁹ The Dar al-Amn Guesthouse was used by the Taliban to process and lodge Arabs traveling to Afghanistan to participate in jihad³⁰ and belonged to the Pakistani Islamic Jihad Group (NFI). (Analyst Note: This is probably the safe house detainee was referring to as a Taliban guesthouse in Kabul.)³¹ • (S//NF) Senior al-Qaida operative Abu Zubaydah reported that he possibly saw detainee at the al-Zubair guesthouse.³² (Analyst Note: Assessed to be the al-Zubair al-Ha'ili Guesthouse in Kandahar.) The al-Zubair al-Ha'ili guesthouse was the first receiving point before recruits headed to training camps, the combat lines in Kabul or northern Afghanistan, or to Tora Bora in Nangarhar Province.³³ • (S//NF) Detainee stayed at the Makki Mosque in Karachi, PK.³⁴ (Analyst Note: The Makki Mosque was the central Jama'at Tablighi (JT) mosque in Karachi. Affiliation with the JT has been identified as an al-Qaida cover story.³⁵)

c. (FOUO) Detainee's Conduct: The detainee is assessed as a MODERATE threat from a detention perspective. The detainee's overall behavior has been non-compliant and sometimes hostile with the guard force and staff. The detainee currently has 52 Reports of Disciplinary Infraction listed in DIMS, with the most recent occurring on 25 December 2005, when he refused to be weighed. Other incidents for which the detainee has been disciplined include failure to follow instructions, failure to follow camp rules, unauthorized communications, assault, possession of non-weapon type contraband, inciting a disturbance, and damage to property. The detainee has 4 Reports of Disciplinary Infraction for assault, with the most recent occurring on 10 December 2004, when he became violent during an interview session. He threw books at his interviewer, flipped a table, and attempted to head butt a guard. Other behavior notes show that on 18 August 2005, the detainee, while assigned to the detainee hospital, was denied a request to be unrestrained during prayer call. He and the other detainees became upset and began pulling out their IV's and brandishing

²⁹ FM40 20040618 - US9TZ-000111DP, Analyst Note: Dar al-Amn Guesthouse variants: Dar-Ul-Aman, Darul Amman, and Dar al-Aman.

³⁰ IIR 6 034 1357 03, Analyst Note: The JT is a proselytizing organization and a Counterterrorism Tier 2 TSE. A Tier 2 TSE is defined as having demonstrated the intent and willingness to support terrorist organizations willing to attack US persons or interests. Affiliation with the JT has been identified as an al-Qaida cover story. Al-Qaida used the JT to facilitate and fund the international travels of its members. For additional information see: IIR 2 227 0131 03, Jamaat Tabligh Provides Cover as of 20051228, JITFCT Special Analysis US Jamaat Tabligh. Most recently the JT has been linked to the 11 July 2006 terrorist attacks in Mumbai, India in which at least 207 people were killed and over 800 injured. See US Naval Criminal Investigative Service Special Analytic Report (SAR) 191429ZJUL06. ³¹ TD-314/38995-02, IIR 6 034 0012 03

³² TD-314/24151-02

³³ TD-314/14620-03

³⁴ IIR 6 034 0012 03, IIR 6 034 1329 04

³⁵ IIR 2 227 0131 03, Jamaat Tabligh Provides Cover as of 20051228, JITFCT Special Analysis US Jamaat Tabligh

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them as weapons, throwing thermometers, and grabbing med packs containing syringes and anything else that could be used as a weapon.

8. (S//NF) Detainee Intelligence Value Assessment:

a. (S) Assessment: JTF-GTMO determined this detainee is of MEDIUM intelligence value. Detainee's most recent interrogation session occurred on 13 July 2005.

b. (S//NF) Placement and Access: Detainee was in Pakistan and Afghanistan for a period of approximately 15 months. There is no solid time frame for when he actually arrived in Afghanistan to fight against the Northern Alliance for UBL's 55th Arab Brigade. Detainee's older brother Saad Mubarak al-Shihri was a spokesman for al-Qaida who facilitated the movement of jihadists to Afghanistan via Iran.

c. (S//NF) Intelligence Assessment: Although potentially possessing unique information about al-Qaida's facilitation network operations (through interactions with his brother), detainee has provided very little of intelligence value. The capture of detainee's brother has narrowed the scope of intelligence detainee may provide of tactical value. Detainee has withheld information concerning basic events including those who influenced his decision to travel to Pakistan and Afghanistan, and the details of his participation in violent jihad. The only substantial information detainee has provided concerns the events at Qala-I-Jangi fortress. Detainee probably possesses general institutional knowledge of al-Qaida's international terrorist network, as well as more in-depth, though known, knowledge relating to the military operations he was involved with in Afghanistan. His relatively young age indicates he probably does not possess high-level operational knowledge beyond that already noted, despite his familial ties.

d. (S//NF) Areas of Potential Exploitation:

- Al-Qaida
 - Facilitators and facilitation network (Abdul Rahman al-Najdi detainee's brother)
 UBL's 55th Arab Brigade to include leadership and personnel
- Pakistani militant and extremist support organizations (including the JT)
- Mujahideen routes of ingress to-Afghanistan via Syria and Iran

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9. (S) EC Status: Detainee's enemy combatant status was reassessed on 12 October 2004, and he remains an enemy combatant.

HARRY B. HARRIS, JR. Rear Admiral, USN Commanding