

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ALLAL AB ALJALLIL )  
ABD AL RAHMAN ABD, *et al.*, )  
Petitioners, )  
v. ) Civil Action No. 04-CV-1254 (HKK)  
GEORGE W. BUSH, )  
President of the United States, *et al.*, )  
Respondents. )  
\_\_\_\_\_ )

**DECLARATION OF JAMES R. CRISFIELD JR.**

Pursuant to 28 U.S.C. § 1746, I, Commander James R. Crisfield Jr., Judge Advocate General's Corps, United States Navy, hereby state that to the best of my knowledge, information and belief, the following is true, accurate and correct:


1. I am the Legal Advisor to the Combatant Status Review Tribunals. In that capacity I am the principal legal advisor to the Director, Combatant Status Review Tribunals, and provide advice to Tribunals on legal, evidentiary, procedural, and other matters. I also review the record of proceedings in each Tribunal for legal sufficiency in accordance with standards prescribed in the Combatant Status Review Tribunal establishment order and implementing directive.

2. I hereby certify that the documents attached hereto constitute a true and accurate copy of the portions of the record of proceedings before the Combatant Status Review Tribunal related to petitioner Allal Ab Aljallil Abd Al Rahman Abd that are suitable for public release. The portions of the record that are classified or considered law enforcement sensitive are not

attached hereto. I have redacted information that would personally identify certain U.S. Government personnel in order to protect the personal security of those individuals. I have also redacted internee serial numbers because certain combinations of internee serial numbers with other information become classified under applicable classification guidance.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 18 Oct 04

  
\_\_\_\_\_  
James R. Crisfield Jr.  
CDR, JAGC, USN



**Department of Defense  
Director, Combatant Status Review Tribunals**

OARDEC/Ser: 0218  
17 October 2004

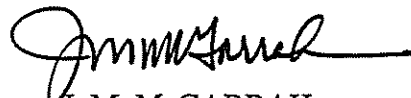
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From: Director, Combatant Status Review Tribunal

Subj: **REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL FOR  
DETAINEE ISN # [REDACTED]**

Ref: (a) Deputy Secretary of Defense Order of 7 July 2004  
(b) Secretary of the Navy Order of 29 July 2004

1. I concur in the decision of the Combatant Status Review Tribunal that Detainee ISN # [REDACTED] meets the criteria for designation as an Enemy Combatant, in accordance with references (a) and (b).
2. This case is now considered final, and the detainee will be scheduled for an Administrative Review Board.

  
J. M. McGARRAH  
RADM, CEC, USN

Distribution:  
NSC (Mr. John Bellinger)  
DoS (Ambassador Prosper)  
DASD-DA  
JCS (J5)  
SOUTHCOM (CoS)  
COMJTFGTMO  
OARDEC (Fwd)  
CITF Ft Belvoir

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16 Oct 04

## MEMORANDUM

From: Legal Advisor

To: Director, Combatant Status Review Tribunal

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL  
FOR DETAINEE ISN # [REDACTED]Ref: (a) Deputy Secretary of Defense Order of 7 July 2004  
(b) Secretary of the Navy Implementation Directive of 29 July 2004Encl: (1) Appointing Order for Tribunal #9 of 27 September 2004  
(2) Record of Tribunal Proceedings

1. Legal sufficiency review has been completed on the subject Combatant Status Review Tribunal in accordance with references (a) and (b). After reviewing the record of the Tribunal, I find that:

- a. The detainee was properly notified of the Tribunal process, elected to participate, and made an unsworn statement at the Tribunal.
- b. The Tribunal was properly convened and constituted by enclosure (1).
- c. The Tribunal substantially complied with all provisions of references (a) and (b). Note that some information in exhibits R-3 through R-6 was redacted. The FBI properly certified in exhibit R-2 that the redacted information would not support a determination that the detainee is not an enemy combatant. Additionally, one of the exhibits considered by the Tribunal was classified as Sensitive Compartmented Information (SCI). The Tribunal did not attach this document to the Record of Proceedings in order to maintain its overall classification as Secret. This is the document you and I have previously reviewed inside the Office of the Under Secretary of the Navy for Special Programs and Intelligence's sensitive compartmented information facility (SCIF). The OUSN SCIF will maintain this document inside their safe until the Tribunal proceedings are considered final. I have designated this document as exhibit R-17 and inserted a placeholder for it in the Record of Proceedings. In my opinion the document was appropriately considered by the Tribunal and supports their determination that the detainee is properly classified as an Enemy Combatant as defined in references (a) and (b). There is no information in the document that would support a conclusion that the detainee is not an Enemy Combatant.
- d. The detainee made no requests for witnesses. During the hearing, the detainee requested that the Tribunal President obtain medical records from a hospital in Jordan.

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL  
FOR DETAINEE ISN # [REDACTED]

He alleged the records would support his story that he went to Afghanistan for medical treatment.

The Tribunal President denied the request. He determined that, since the detainee failed to provide specific information about the documents when he previously met with his Personal Representative, the request was untimely and the evidence was not reasonably available. After reviewing the evidence in the course of the Tribunal, the Tribunal President further determined that even if the medical records did exist and contained the information described by the detainee, the information was not relevant to the issue of whether the detainee is properly classified as an enemy combatant.

Since the detainee had failed to provide adequate information about these documents during his earlier meetings with his Personal Representative, Tribunal President was well within his discretion in ruling that the evidence was not reasonably available. I disagree with the Tribunal President's additional finding that the records would have been irrelevant, however. The detainee's claim was that he went to Afghanistan to receive medical treatment. He denied ever being part of or supporting al Qaeda. It is quite possible that the detainee's medical records could have been relevant to the Tribunal's decision. That is, depending on what was in them, they might have tended to make it less probable that the detainee was part of or supported al Qaeda while in Afghanistan. If they indicated, for example, that a doctor recommended the detainee go to a clinic in Afghanistan to receive a certain type of treatment, then that fact would have some tendency, however slight, to make it more probable that he received that treatment in Afghanistan and did not join al Qaeda.

In any event, the request was untimely and the President's decision regarding the reasonable availability of the records was not an abuse of his discretion. No corrective action is required.

e. The Tribunal's decision that detainee # [REDACTED] is properly classified as an enemy combatant was unanimous.

f. The detainee's Personal Representative was given the opportunity to review the record of proceedings and declined to submit comments to the Tribunal.

2. The proceedings and decision of the Tribunal are legally sufficient and no corrective action is required.

3. I recommend that the decision of the Tribunal be approved and the case be considered final.

  
JAMES R. CRISFIELD JR.  
CDR, JAGC, USN



Department of Defense  
Director, Combatant Status Review Tribunals

27 Sep 04

From: Director, Combatant Status Review Tribunals

Subj: APPOINTMENT OF COMBATANT STATUS REVIEW TRIBUNAL #9

Ref: (a) Convening Authority Appointment Letter of 9 July 2004

By the authority given to me in reference (a), a Combatant Status Review Tribunal established by "Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba" dated 29 July 2004 is hereby convened. It shall hear such cases as shall be brought before it without further action of referral or otherwise.

The following commissioned officers shall serve as members of the Tribunal:

MEMBERS:

[REDACTED], Colonel, U.S. Air Force; President

[REDACTED] Commander, JAGC, U.S. Navy; Member (JAG)

[REDACTED] Lieutenant Colonel, U.S. Air Force; Member  
(JAG)

J. M. McGARRAH  
Rear Admiral  
Civil Engineer Corps  
United States Navy



HEADQUARTERS, OARDEC FORWARD  
GUANTANAMO BAY, CUBA  
APO AE 09360

MEMORANDUM FOR DIRECTOR, CSRT

02 October 2004

FROM: OARDEC FORWARD Commander

SUBJECT: CSRT Record of Proceedings ICO ISN [REDACTED]

1. Pursuant to Enclosure (1), paragraph (I)(5) of the *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba* dated 29 July 2004, I am forwarding the Combatant Status Review Tribunal Decision Report for the above mentioned ISN for review and action.

2. If there are any questions regarding this package, point of contact on this matter is the undersigned at DSN 660-3088.

  
DAVID L. TAYLOR  
Colonel, USAF

**UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL  
DECISION**

(Enclosure (1) to Combatant Status Review Tribunal Decision Report)

TRIBUNAL PANEL: \_\_\_\_\_ #9  
ISN #: \_\_\_\_\_

**1. Introduction**

As the Combatant Status Review Tribunal (CSRT) Decision Report indicates, the Tribunal has determined that this detainee is properly classified as an enemy combatant and is a member of or affiliated with al Qaida. In reaching its conclusions, the Tribunal considered both classified and unclassified information. The following is an account of the unclassified evidence considered by the Tribunal and other pertinent information. Classified evidence considered by the Tribunal is discussed in Enclosure (2) to the CSRT Decision Report.

**2. Synopsis of Proceedings**

The unclassified summary of the evidence presented to the Tribunal by the Recorder indicated that the detainee is an al Qaida fighter, having received training at the al-Farouq training camp in 2000. He then returned to Afghanistan to fight in 2001 and went to the front lines near Kabul. The detainee chose to participate in the Tribunal process. He called no witnesses. During the hearing, the detainee requested that the Tribunal President obtain his medical records from a hospital in Jordan. He requested no other unclassified or classified documents be produced. He made an unsworn verbal statement. The Tribunal President denied the detainee's request for the document to be produced. The detainee, in his verbal statement, denied being an al Qaida member or associate. The Tribunal President's evidentiary rulings are explained below.

**3. Evidence Considered by the Tribunal**

The Tribunal considered the following evidence in reaching its conclusions:

- a. Exhibits: D-a and R-1 through R-16.
- b. Unsworn statement of the detainee.



**4. Rulings by the Tribunal on Detainee Requests for Evidence or Witnesses**

The Detainee requested the following additional evidence be produced:

<u>Evidence</u>	<u>President's Decision</u>	<u>Produced?</u>
Medical Records	not reasonably available/not relevant	no*

\* During the hearing, the detainee requested that the Tribunal President obtain the detainee's medical records from a hospital in Jordan. He claimed that these medical records would support his story. The Tribunal President denied the request, ruling that since the request was untimely (the detainee did not mention this during a prior meeting with his Personal Representative), the evidence was not reasonably available. The President further ruled, however, that he would reconsider the request after viewing all the evidence presented in the case. After viewing all the evidence, the Tribunal President felt that even if the medical records existed and contained the information described by the detainee, that information was not relevant to the issue of whether the detainee is properly classified as an enemy combatant.

**5. Discussion of Unclassified Evidence**

The Tribunal considered the following unclassified evidence in making its determinations:

a. The recorder offered Exhibits R-1 and R-2 into evidence during the unclassified portion of the proceeding. Exhibit R-1 is the Unclassified Summary of Evidence. While this summary is helpful in that it provides a broad outline of what the Tribunal can expect to see, it is not persuasive in that it provides conclusory statements without supporting unclassified evidence. Exhibit R-2 provided no usable evidence. Accordingly, the Tribunal had to look to classified exhibits for support of the Unclassified Summary of Evidence.

b. Essentially the only unclassified evidence the Tribunal had to consider was the detainee's unsworn testimony and the Personal Representative's notes of his interviews with the detainee. A summarized transcript of the detainee's unsworn testimony is attached as CSRT Decision Report Enclosure (3). The Personal Representative's notes of his interviews with the detainee were relayed verbally to the Tribunal during the detainee's unsworn statement, at the detainee's request. In sum, the detainee testified that he believes his case is one of mistaken identity. He claimed that he was only in Afghanistan to seek medical treatment and has nothing to do with al Qaida.

The Tribunal also relied on certain classified evidence in reaching its decision. A discussion of the classified evidence is found in Enclosure (2) to the Combatant Status Review Tribunal Decision Report.

**6. Consultations with the CSRT Legal Advisor**

No issues arose during the course of this hearing that required consultation with the CSRT legal advisor.

**7. Conclusions of the Tribunal**

Upon careful review of all the evidence presented in this matter, the Tribunal makes the following determinations:

- a. The detainee was mentally and physically capable of participating in the proceeding. No medical or mental health evaluation was deemed necessary.
- b. The detainee understood the Tribunal proceedings. He asked questions regarding his rights and hearing procedures and actively participated in the hearing, verbally sparring with the Tribunal President at every opportunity and giving every impression that he is an intelligent individual with a clear understanding of his situation.
- c. The detainee is properly classified as an enemy combatant and is a member of or affiliated with al Qaida.

**8. Dissenting Tribunal Member's report**

None. The Tribunal reached a unanimous decision.

Respectfully submitted,



\_\_\_\_\_, Col, USAF  
Tribunal President

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Summarized Sworn Detainee Statement

When asked by the Tribunal President the detainee stated he understood the CSRT process and he did not have any questions.

When the Tribunal President asked if the Detainee had any questions concerning the Tribunal process, the Detainee said "yes."

Tribunal President: What is your question?

Detainee: First, I don't understand the Oath. I didn't give permission for my Personal Representative to take an Oath. Why did he take an Oath when he doesn't know me?

Tribunal President: The Personal Representative gave an Oath that he would do his duty. It had nothing to do with what you were going to do.

Detainee: How can he not have anything to do with it, if he is my Personal Representative?

Tribunal President: His Oath had nothing to do with what you are going to say. His Oath deals with his responsibilities in this Tribunal.

Detainee: His work is a Personal Representative. What other work?

Tribunal President: The only work that matters in this Tribunal is his work as a Personal Representative.

Detainee: Is he doing other work rather than representing me?

Tribunal President: The only thing he is doing in this Tribunal is representing you.

Detainee: I want to know why he took an Oath. Why am I not the one taking the Oath?

Tribunal President: You will have an opportunity to take an Oath at the appropriate time. The oath is to assure...

[Detainee interrupted]: I do not know you. Who are the other people, who are you?

Tribunal President: I am the Tribunal President. The person to my left and my right are Tribunal members. We are here to determine if you have been appropriately classified as an enemy combatant. That is all you need to know about us at this time. Do you have any other questions concerning the process?

Detainee: Yesterday, my Personal Representative told me after I was taken from my room, I would get food and water. I did not receive any food or water. How can I trust or believe my Personal Representative? You can asked the soldier that was

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outside.

Tribunal President: The Personal Representative had no control over what the guards do and don't do. What the Personal Representative said was to you was in good faith.

Detainee: The translator was there when the Personal Representative promised I would get food and water.

Tribunal President: We are sorry you did not get food and water. But I cannot change that. Your Personal Representative is here to assist you in this process. Do you have any other questions concerning this process?

Detainee: How long will this take?

Tribunal President: That depends on you.

Detainee: How long will it take before you decide the results of this Tribunal?

Tribunal President: We should have a decision today. It can take quite a while before it is reviewed by the Convening Authority in Washington, D.C. I have no control over the timeline of the process. You will be told the results of the process once it is approved by the Convening Authority in Washington, D.C.

[When the Recorder handed the Tribunal President the Unclassified Summary, the Detainee stated he didn't know what it was. The Recorder explained to the Detainee the Unclassified Summary.]

[When asked by the Tribunal President if the Detainee wanted to make a statement to the Tribunal, the Detainee stated:]

I want to ask my Personal Representative what he did with the information I gave him Yesterday?

Personal Representative: I have the notes with me on what we talked about yesterday.

Detainee: I want to know what you did with them?

Personal Representative: It is here on this paper.

Detainee: I want to hear what he did and what the judge has to say about it. The information that we talked about yesterday was incorrect. If the information from yesterday wasn't corrected, why are we doing this?

Tribunal President: The Personal Representative did not provide this Tribunal panel with any information yesterday. Today is the first time we are going to hear the information. The procedure is done this way so you have the opportunity to hear the information that

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is presented to us. Would you like for the Personal Representative to present the information you gave him yesterday, to us now? Or would you like to present it to us yourself?

[Detainee asked the Personal Representative if he corrected the information he gave him yesterday.]

Personal Representative: I don't know what you mean by corrected. I took notes.

Detainee: Yesterday, you provided me information and I corrected it. I told you I wasn't the person they were referring to. I never went to the places that you said I did. I am not the person this case is based on.

Personal Representative [to Detainee:] I can read the notes to you, if you would like?

Detainee: Clarify the notes, so I know what you did.

Tribunal President [to Detainee]: The Personal Representative didn't do anything with the information you gave him yesterday except record it for his own use. The idea of the Tribunal is to allow you to present the information to us. Then we can do something with it, if we feel it is appropriate.

Detainee: What is the point of having a Personal Representative and having him write things down? I don't need a Personal Representative, you can ask me directly.

Tribunal President: The Personal Representative is here to help you make sure everything you want to say, gets said.

Detainee: The first question, I am not the person they are talking about. The information in the unclassified summary is not about me. How can say someone is me, when it isn't? Yesterday, I gave my Personal Representative the information so he could review and prevent this from happening. He wrote everything down.

Tribunal President: Personal Representative tell us what the Detainee told you yesterday.

[Personal Representative began referring to the Unclassified Summary of the Evidence]

Personal Representative: Item 3.a. (The Detainee is an al Qaida fighter): He said he did not live in al Qaida. This is a case of mistaken identity.

Item 3.a.1 (In the year 2000, the Detainee reportedly traveled from Yemen to Afghanistan.)

Detainee: That is not correct. First, that is not my name. My name is Agnahn Purhan Abjallil. I am from Orday City in Yemen, not a city in al Qaida. My city is very far from the city of al Qaida. That is not my name and I am not from that city.

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Personal Representative: Item 3.a.1. (In the year 2000, the Detainee reportedly traveled from Yemen to Afghanistan.)

Detainee: I told you, I am not the person. Why do you keep referring me to that person? That is not my name.

Tribunal President: It is the name that has been provided during your interrogations and it is the name you have provided to us in the past.

Detainee: That is why I told my Personal Representative in the interview it was a mistake and he needed to review the information. If that is not my name and not the city I am from.

Tribunal President: al Qaida is not a city. It is the name of an organization.

Detainee: Whether it is a city or an organization, I am not from al Qaida. I am from Orday City.

Tribunal President: Are you from Yemen?

Detainee: Yes, I am from Orday.

Tribunal President: Did you travel from Yemen to Afghanistan?

Detainee: I went from Yemen to Afghanistan.

Tribunal President: Did you do that in the year 2000?

Detainee: I don't know the time.

Tribunal President: Was it the year 1421?

Detainee: I am from a village, I cannot tell time.

Tribunal President: Very good. Did you train at the al-Farouq training camp in Afghanistan?

Detainee: That is incorrect information. You have the wrong person.

Tribunal President: Did you receive training in Afghanistan?

Detainee: No, that is incorrect. I have medical paperwork that will state I went there for treatment. Why didn't my Personal Representative present the information in my medical records?

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Tribunal President: Now is the time for information to be presented to the Tribunal, not before.

Detainee: My medical records can verify this information. I gave this information three years ago. The information you are presenting is based on another person. You haven't come up with the right information about me.

Tribunal President: Now is the time for you to tell us what you believe is the correct information about yourself.

Detainee: All the information is in my files.

Tribunal President: We will read it when we read the files later. We are giving you the opportunity to tell us your story now, if you wish.

Detainee: That is what I am doing. I gave you the information. The name is not correct. I told you I went there for medical treatment and there is official paperwork that will verify that. (Inaudible) How can this be possible? I am suppose to review the information, so I can tell you correctly.

Tribunal President: Now is the time for you to tell us why you were in Afghanistan. You told us it was for medical treatment.

Detainee: Yes, medical treatment. That is why I told my Personal Representative the process would be much easier if he would contact the Ministry of Health and get the records regarding my treatment. You would then have all the information you needed. The Tribunal has all the equipment needed to get in contact with the people that can provide you with my information. You can fax Jordan or the hospital and they can send you the information that will show you the truth.

Tribunal President: Your files are in Jordan?

Detainee: Yes, (inaudible) I was supposed to return to that hospital. You can memorize the process. You have my name and address.

[The President asked the translator to have the Detainee refrain from talking while she is talking, because the Tribunal cannot understand him.]

Tribunal President: You went to a hospital in Jordan. What was the name of the hospital in Jordan?

Detainee: It was not a hospital.

Tribunal President: What was its name?

Detainee: The Islam Jordanian Hospital.

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Tribunal President: In what city?

Detainee: Oman.

Tribunal President: From there you went to Afghanistan?

Detainee: Why is my Personal Representative not helping me, I already gave him that Information? He was provided the information in Arabic and English.

[Personal Representative to Tribunal]: The Detainee claims he went for medical treatment in Pakistan, and is not a fighter.

Detainee: Because I am poor and can't afford treatment, I went for humanitarian aid.

Personal Representative: The Detainee was diagnosed in Jordan but the cost was too Expensive. He decided to go to Pakistan where the treatment was cheaper.

Detainee: Yes

Personal Representative: He started out in Yemen. He was diagnosed in Jordan. He went back for a short time to Yemen before going to Pakistan.

Detainee: Yes, correct.

Personal Representative: The doctor that was treating him in Pakistan moved several times; one of those times to Afghanistan.

Detainee: It was too expensive for me to get treatment. The person that could treat me for a reasonable price was in Afghanistan.

[Tribunal President to Personal Representative:] What else did the Detainee tell you?

Personal Representative: The clinic in Yemen, where he got treatment, was Al Jamuri in the town of Sanah from 1995 to 1996.

Detainee: Yes

Personal Representative: Item 3.a.2 (The Detainee reportedly received training at the al-Farouq training camp):

Detainee: I was going to a hospital for treatment. How could I be going for training?

Personal Representative: Item 3.a.2 the Detainee did not directly answer.

Item 3.b.1. (In April 2001, the detainee reportedly returned to Afghanistan): The

ISN # [REDACTED]  
Enclosure (3)  
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Detainee answered he did not live in al Qaida.

Detainee: I told you I lived in Orday. I am not from al Qaida.

Tribunal President: We understand.

Personal Representative: Item 3.b.2 (The Detainee reportedly went to the front lines in Kabul): The Detainee stated it was a case of mistaken identity.

Tribunal President to Personal Representative: Was there anything else?

Personal Representative: No, Sir.

Detainee: Is it clear now?

Tribunal President: Yes, your story is clear to us.

Detainee: People told me before my story was clear, but they never went and got my files. The problem could have ended quite easily.

[When asked by the Tribunal President if the Personal Representative had any questions for the Detainee, the Personal Representative stated no.]

Detainee: Why have I been here for three years? Why have I been away from my home and family for three years?

Tribunal President: That is what we are trying to determine today.

Detainee: Why did you come after three years? Why wasn't it done much sooner after my arrest?

Tribunal President: I cannot answer to what has happened in the past. I was asked to come here now, and I came.

Detainee: Why am I not allowed freedom here?

Tribunal President: Because you have been classified as an enemy combatant.

Detainee: How can they classify me an enemy combatant? You don't have the right documents.

Tribunal President: That is what we are here to determine.

Detainee: For three years I haven't been treated very well because of wrong information. Would you let that happen to you? What will be your position if you find out what happened to me was based on wrong information and I am innocent?

Tribunal President: Your current conduct is unacceptable. If you keep interrupting the proceedings, you will be removed and the hearing will continue without you.

**Summarized Answers in Response to Questions by the Recorder:**

Q. What is your full name?

A. I told you it is Agnahn Purhan Abjallil.

Q. When you were in Afghanistan and going to the hospital, where did you live?

A. Abdul Okmahn Station.

Q. I don't understand what you mean by station.

A. It is a school.

Q. Did you work in Afghanistan?

A. Going back to the first question, I went there for treatment. How do you think I was going to work?

Q. Did you ever go to al-Farouq, even for good reasons?

A. I was at the school receiving shots for my treatment. I left and then came back to the school. When I was in Yemen, I was given no hope. I was told I could receive treatment in Pakistan. I went with the person who was going to treat me, but he had other business in Pakistan. I was told to wait at the school until he was finished his business, then he would return and finish my treatment.

**Summarized Answers in Response to Questions by the Tribunal Members:**

Q. What were you being treated for?

A. I had a stroke. I lost my vision and hearing in one ear. My doctor's name and the treatment I received is all in my files.

Q. Why was the treatment done at a school?

A. The person who treated me works for humanitarian aid. I could not afford to be treated at a hospital. The aid worker told me that after he was done working, he would give me my treatment. After my treatment, he said he would take me back home. He was doing me a favor. He treated me for five days.

Q. What kind of school was it?

A. They taught students the Koran.

Q. Personal Representative do you have any other evidence to present to this Tribunal?

A. No, Sir.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

  
\_\_\_\_\_  
, Col, USAF  
Tribunal President

DETAINEE ELECTION FORM

Date: 27 Sep 04

Start Time: 12:55

End Time: 14:20

ISN#: [REDACTED]

Personal Representative: LTCOL [REDACTED]  
(Name/Rank)

Translator Required? YES Language? ARABIC

CSRT Procedure Read to Detainee or Written Copy Read by Detainee? YES

**Detainee Election:**

- Wants to Participate in Tribunal
- Affirmatively Declines to Participate in Tribunal
- Uncooperative or Unresponsive

**Personal Representative Comments:**

No witnesses. Rambles for long periods and does not answer questions. He has clearly been trained to ramble as a resistance technique and considered the initial as an interrogation. This detainee is likely to be disruptive during the Tribunal. Wanted witnesses and documents but is evasive and failed to provide names, addresses or phone numbers.

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Personal Representative [REDACTED]

**Combatant Status Review Board**

22 September 2004

TO: Personal Representative

FROM: OIC, CSRT

Subject: Summary of Evidence for Combatant Status Review Tribunal – ALLAL, Ab-Aljallil

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicated that he was a fighter for al Qaida who engaged in hostilities against the United States or its coalition partners.
  - a. The detainee is an al Qaida fighter:
    1. In the year 2000 the detainee reportedly traveled from Yemen to Afghanistan.
    2. The detainee reportedly received training at the al-Farouq training camp.
  - b. The detainee engaged in hostilities:
    1. In April 2001 the detainee reportedly returned to Afghanistan.
    2. The detainee reportedly went to the front lines in Kabul.
4. The detainee has the opportunity to contest his determination as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

Memorandum



To : Department of Defense Date 09/22/2004  
Office of Administrative Review  
for Detained Enemy Combatants  
Col. David Taylor, OIC, CSRT

From : FBI GTMO  
Counterterrorism Division  
[REDACTED]

Subject REQUEST FOR REDACTION OF  
NATIONAL SECURITY INFORMATION  
[REDACTED]

Pursuant to the Secretary of the Navy Order of 29 July 2004, Implementation of Combatant Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba, Section D, paragraph 2, the FBI requests redaction of the information herein marked<sup>1</sup>. The FBI makes this request on the basis that said information relates to the national security of the United States<sup>2</sup>. Inappropriate dissemination of said information could damage the national security of the United States and compromise ongoing FBI investigations.

CERTIFICATION THAT REDACTED INFORMATION DOES NOT SUPPORT A DETERMINATION THAT THE DETAINEE IS NOT AN ENEMY COMBATANT

The FBI certifies the aforementioned redaction contains no information that would support a determination that the detainee is not an enemy combatant.

The following documents relative to ISN [REDACTED] have been redacted by the FBI and provided to the OARDEC:

FD-302 dated 10/04/2002  
FD-302 dated 05/18/2003  
FD-302 dated 05/29/2002  
FD-302 dated 04/26/2002

<sup>1</sup>Redactions are blackened out on the OARDEC provided FBI document.

<sup>2</sup>See Executive Order 12958


Memorandum from [REDACTED] to Col. David Taylor  
Re: REQUEST FOR REDACTION, 09/22/2004

If you need additional assistance, please contact

[REDACTED] or Intelligence Analyst [REDACTED]

[REDACTED]  
Intelligence Analyst [REDACTED]

**Personal Representative Review of the Record of Proceedings**

I acknowledge that on 01 OCT ~~September~~ 2004 I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN # 


I have no comments.

My comments are attached.

  
Name

01 OCT 04  
Date

  
Signature

ISN #   
Enclosure (5)