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**UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL  
DECISION**

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

TRIBUNAL PANEL: #13  
ISN #: [REDACTED]

**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 evidence presented to the Tribunal by the Recorder indicated that the Detainee attended al Qaida's al Farouq camp in Afghanistan in 2000. The Detainee appeared in an al Qaida movie about the USS Cole bombing and attended a passport-forging class paid for by al Qaida. The Detainee received weapons training at al Qaida's al Ghuraba camp and attended counterintelligence training in Kabul, Afghanistan. The Detainee was captured with a Makhab al-Khidmat-inscribed Quran. Makhab al-Khidmat is a terrorist organization. The Detainee chose to participate in the Tribunal process. He did not request any witnesses or any documentary evidence. The Detainee made a sworn statement with the help of his Personal Representative and responded to the Tribunal's questions. The Detainee, in his verbal statement, denied all of the allegations and denied being associated with al Qaida or the Makhab al-Khidmat.

**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-24.
- b. Testimony of the following persons: N/A
- c. Sworn statement of the detainee.

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

The Detainee requested that no witnesses be produced for the hearing. The Detainee requested no additional evidence be produced. As such the Tribunal President did not need to make any determinations as to relevance and reasonable availability.

**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 sworn statement and his responses to the Tribunal's questions. A summarized transcript of the Detainee's sworn testimony is attached as CSRT Decision Report Enclosure (3) and the written statement of the Detainee as Exhibit D-B. In sum, the Detainee testified that the unclassified summary allegations were not true. He never attended training at al Farouq camp, did not appear in an al Qaida movie, and did not attend a passport-forging class. The Detainee indicated that Abu Zabaydah made all of these allegations. The Detainee claimed that he did not know Abu Zabaydah and that all his allegations were obtained under torture. Additionally, the Detainee claimed that he never received weapons training at the al Farouq or al Ghuraba camp. He stated that al Ghuraba belonged to another group. As to the allegation of receiving counterintelligence training, the Detainee claimed that this was a lie and that his friend, [REDACTED] who was captured with him in Pakistan was tortured and that he made this statement about the Detainee under duress and therefore it was not accurate. The Detainee denied being affiliated with Makhab al-Khidmat. As to the copy of the Quran that he had, he claimed that he was kidnapped and that it was given to him while he was being held for ransom. He further stated that this was a humanitarian organization and that it dissolved about 15 years ago. The Detainee further added that he had traveled to Afghanistan to visit his brother. He lived with his brother for approximately 1 1/2 years, studying the Quran and Shari (Islamic Law).

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.

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**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 no questions regarding his rights and actively participated in the hearing.
- 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,



Colonel, U.S. Army  
Tribunal President

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