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PO: This hearing should come to order.

AMO: This administrative review board is being commenced at 0856 on 20 October 2006, on board United States Naval Base Guantanamo, Cuba. The following personnel are present:

(b)(3):10 USC §130b,(b)(6) United States Navy, Presiding Officer;

(b)(3):10 USC §130b,(b)(6) United States Air Force member;

(b)(3):10 USC §130b,(b)(6) United States Air Force member;

(b)(3):10 USC §130b,(b)(6) United States Air Force, Assisting Military Officer;

(b)(3):10 USC §130b,(b)(6) United States Marine Corps, Board Reporter;

(b)(3):10 USC §130b,(b)(6) United States Air Force, Designated Military Officer;

(b)(3):10 USC §130b,(b)(6) United States Air Force,

is the member of the administrative review board with experience in the field of Intelligence.

PO: This administrative review board is convened by the order of the Director, Office of Administrative Review of the Detention of Enemy Combatants, under the provisions of his order dated 18 October 2006. These proceedings are to determine whether Mohamedou Ould Slahi

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also known as ISN 760 should continue to be detained, transferred, or released from custody of the United States. The Designated Military Officer will now be sworn, all rise. Do you swear or affirm that you will faithfully perform the duties of Designated Military Officer assigned in this administrative review board, now and herein, so help you God?

DMO: I do.

PO: The Board Reporter, the Assisting Military Officer, and members of this administrative review board shall now be sworn. The Designated Military Office will administer the oath.

DMO: Do you swear or affirm that you will faithfully perform your duties in support of this administrative review board, now and herein, so help you God?

All Members: **[Positive response by all members.]**

PO: Please be seated. Assisting Military Officer, please provide the administrative review board with the notification of the decision of an administrative review board form.

AMO: I am handing the administrative review board the notification of the decision of an administration review board previously marked as exhibit ECA.

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PO: The document is received and entered into the record. Assisting Military Officer, please provide the administrative review board with the enemy combatant election form.

AMO: I am handing the administrative review board the enemy combatant election form previously marked as exhibit ECB.

PO: The document is received and entered into the record. A note from the enemy combatant election form that the detainee chose not to be present at this hearing. Assisting Military Officer, did you meet with the detainee and informed him of his rights in regard to this proceedings?

AMO: Yes, Sir.

PO: Did the detainee appear to understand the process?

AMO: Yes, Sir.

PO: Was the unclassified summary of the information read to the detainee?

AMO: No, Sir. He read it himself.

PO: Was a translator used during your interview?

AMO: Yes, Sir.

PO: Did you confirm that translator spoke the same language as the detainee?

AMO: Yes, Sir.

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PO: Designated Military Officer, please provide the Administrative Review Board with the unclassified summary of evidence.

DMO: I am handing the Administrative Review Board the unclassified summary of primary factors that favor this detainee's continued detention and those primary factors favoring his release or transfer. This document has previously been marked as exhibit DMO 1. The translated copy of this exhibit was provided to the Assisting Military Officer in advance of this hearing for presentation to the detainee. In addition, I am handing to the Administrative Review Board the following unclassified exhibits marked as DMO 2 through DMO 4. Copies of these exhibits have previously been provided to the Assisting Military Officer.

[Board conferring.]

PO: Exhibits DMO 1 through 4 are received and entered into the record. Designated Military Officer, please summarize this information.

DMO: The following primary factors favored continued detention:
A. Commitment: (1) In 1992, the detainee traveled to Afghanistan to fight and was assigned to clean mortar batteries. (2) The detainee actively recruited for Jihad from 1992 to 1997 while in Germany. The detainee felt spreading propaganda for jihad was

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an important function. The detainee will often speak of jihad while he preached at Mosque in Germany. (3) A source stated that the detainee employed an individual to travel to Afghanistan for weapons training and to join the armed Taliban forces. The detainee facilitated this individual to meet with Osama Bin Laden where the individual swore allegiance to Al Qaeda. (4) The detainee stated that he attended a mosque in Germany where the director was the leader of the Egyptian Islamic Jihad in the area. (5) An Al Qaeda operative identified the detainee as an Al Qaeda facilitator who played a part in recruiting jihadist to fight in Afghanistan, in Chechnya, and to become suicide hijackers in the West. The detainee convinced the Al Qaeda operative in brief future World Trade Center suicide hijackers to undergo Al Qaeda basic military training in Afghanistan. (6) The detainee stated that while he was in Germany, he worked with a friend to recruit people to go fight jihad in Afghanistan. (7) In December 1999, the detainee became an Imam at a Mosque in Montreal. The detainee thought that the Algerian Armed Islamic group in (inaudible) might have...might have a presence in that Mosque. (8) An Al Qaeda operative stated that the detainee facilitated his initial travel to Afghanistan and his initial introduction to Osama Bin Laden.

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(9) An Islamic extremist stated that he attended meetings in the detainee's house on occasions with a future suicide bomber and an Al Qaeda operative.

B. Training. (1) The detainee stated he was trained in the use of weapons and terrorist tactics in Osama Bin Laden's training camps in Afghanistan. (2) In January of 1991, the detainee trained for six weeks at camp Alqaro located near Khost Afghanistan. A training consisting of physical exercises and weapons training on a Kalashnikov rifle, Uzi, M16, Macro...Macrobond pistol, and rocket propelled grenades.

C. Connections and Associations. (1) The detainee admitted he swore loyalty to Osama Bin Laden in 1990. (2) The detainee was tasked by an individual to setup a video broadcasting station in Sudan to assist in counterfeiting money, especially United States currency in Kandahar Afghanistan and help establish greater internet connectivity between Sudan and Kandahar. The detainee denied taking part in any of these taskings. (3) The detainee admits being involved in money laundering activities. The detainee wired United States currency three times to one of Osama Bin Laden's operatives.

D. Intent. The detainee stated his goal while in Afghanistan was to become a martyr by dying for Islam.

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(4) The following primary factors favor release or transfer:

A. The detainee denied ever helping anyone travel to Chechnya or Afghanistan.

B. The detainee denied having any knowledge of the attacks in...in the United States prior to their execution on 11 September 2001. As well as denying knowledge of any rumors of plans of future attacks on the United States or United States interest.

Sir, this concludes the unclassified summary.

PO: Do either of the board members desire more time to review the unclassified summary.

All Members: **[Negative response by all members.]**

PO: Does the Designated Military Officer have any additional unclassified information?

DMO: Mr. Presiding Officer, I have no further unclassified information for this Administrative Review Board but request a closed session at an appropriate time to present relevant information...to present classified information relevant to the disposition of this detainee.

PO: Designated Military Officer, your request for a closed session is granted and will be taken in due course. Assisting Military Officer, did the detainee request that you present any

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information to this Administrative Review Board, including written statements or correspondence submitted on his behalf?

AMO: Yes, Sir. The detainee requested that I provide a letter on his behalf. I am handing to the Administrative Review Board the following unclassified exhibits. Exhibit marked...exhibit EC-C, copies...a copy of this exhibit has been previously provided to the Designated Military Officer.

PO: Exhibit EC-C is received and entered into the record. Assisting Military Officer, you may begin reading the detainee statement.

AMO: This is to Annual Review Board, Guantanamo Bay, Cuba, to the board. The attached letter is to place on the record my attorney's objections on my behalf to this proceeding. I agree with their objections and ask the letter be made part of the record here, and is signed by Mohamedou Ould Slahi on 18 October 06. To the Annual Review Board:

Dear Sir or Madam Chairman, Mr. Slahi's records should clearly reflect that we represent him in two cases in US District Court for the District of Columbia. Both cases we relate to his incarceration here at Guantanamo Bay. As his attorneys, we object to the following: 1. That Mr. Slahi continues to be incarcerated and interrogated in Guantanamo Bay despite a paucity of evidence against

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him. 2. That an Annual Review Board has again being convened to consider Mr. Slahi's case without notifying his American counsel, who stand ready and willing to come to Guantanamo to assist him in this or any other proceeding. This is the second year that this has occurred. 3. That Mr. Slahi has not being given access to evidence which this, and previous boards, had considered in finding him an enemy combatant, who is to be subjected to further detention, thus depriving him of a meaningful opportunity to defend himself. 4. That the Department of Defense has not yet made the appropriate arrangements to permit Mr. Slahi's foreign attorney consultant lawyer, Emanuel Altid, to visit him and assist American counsel in defending him. 5. That Mr. Slahi has been questioned by Morris Davis, Chief Prosecutor for the Military Commissions, without waiving his rights to have his own lawyers present and without access to his own counsel. 6. That last year when the board...when this board sat to review Mr. Slahi's situation, the recording equipment malfunctioned when he began to speak of the torture he had endured in Guantanamo, thus depriving Mr. Slahi of the right to have a full and fair record of the proceeding. 7. That the US Government has failed to undertake a full investigation of the torture of Mr. Slahi by government personnel at Guantanamo and has failed hold any of the

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perpetrators accountable. Respectfully submitted by Freedman, Boyd, Danniels, Hollowder, and Goldberg PA, and a Silvia Roys, pro bono.

PO: Does the Assisting Military Officer have any further information to present?

AMO: No, Sir.

PO: Assisting Military Officer, please read the AMO comments and any additional comments on the enemy combatant election form.

AMO: Assisting Military Officer comments: The detainee's ARB interview was conducted on 18 October 2006, after reviewing the ARB's purpose and procedures, the detainee read the English version of the unclassified summary of evidence. When asked if he wanted to attend the ARB, present a written or oral statement or have the AMO speak on his behalf, the detainee stated he did not wish to attend the ARB nor have the AMO read comments on his behalf. The English and Arabic translated versions of the unclassified summary of evidence were provided to the detainee who accepted both.

Additional comments: The detainee appeared in a white uniform and was cooperative and attentive throughout the interview. When asked why he did not wish to appear in his ARB, the detainee stated that it seemed to be repetitive process and that he attended two previous boards.

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Detainee comments: In response to the unclassified summary of evidence, the detainee stated he understood the classified summary but did not wish to respond because he had responded to the unclassified summary of two previous boards. The detainee provided a three page letter that he desired to make part in the board's record.

PO: Do members of the Administrative Review Board have any questions for either the Designated Military Officer or the Assisting Military Officer regarding either the material presented or their comments concerning it?

BM: I have one question, slash, statement. The detainee comments say that detainee stated he understood the classified summary. I like to make sure that is on the record that what he was given was indeed the unclassified summary as stated in the...in the comments and that, the fact that this format, this time, says he said he understood the classified summary would indicate a misstatement on his part as to what he had received.

AMO: That's correct, it was a typo on my part.

PO: Thank you.

BM: I have no questions Sir.

PO: Thank you

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PO: All unclassified information having been provided to the Administrative Review Board, this concludes this unclassified Administrative Review Board session.

PO: Mohamedou Ould Slahi shall be notified of the status of his continued detention upon completion of the review of these proceedings by the designated civilian official in Washington DC. If the designated civilian official determines that he should no longer be detained by United States, he will be released or transferred to his home country as soon as arraignments can be made. If the designated civilian official determines that he should continue to be detained, he may be eligible for another Administrative Review Board in one year. The open session of this Administrative Review Board hearing is adjourned.

AMO: The time is 0911, the date 20 October 2006.

[Session closed at 0911, 20 October 2006.]

[END OF PAGE]

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ABBREVIATION AND ACRONYM KEY

AMO: ASSISTING MILITARY MEMBER
BM: BOARD MEMBER
DMO: DESIGNATED MILITARY OFFICER
PO: PRESIDING OFFICER

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