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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH
FAHAD AL ODAH, *et al*

Petitioner,

v.

UNITED STATES OF AMERICA,
et al.,

Respondents.

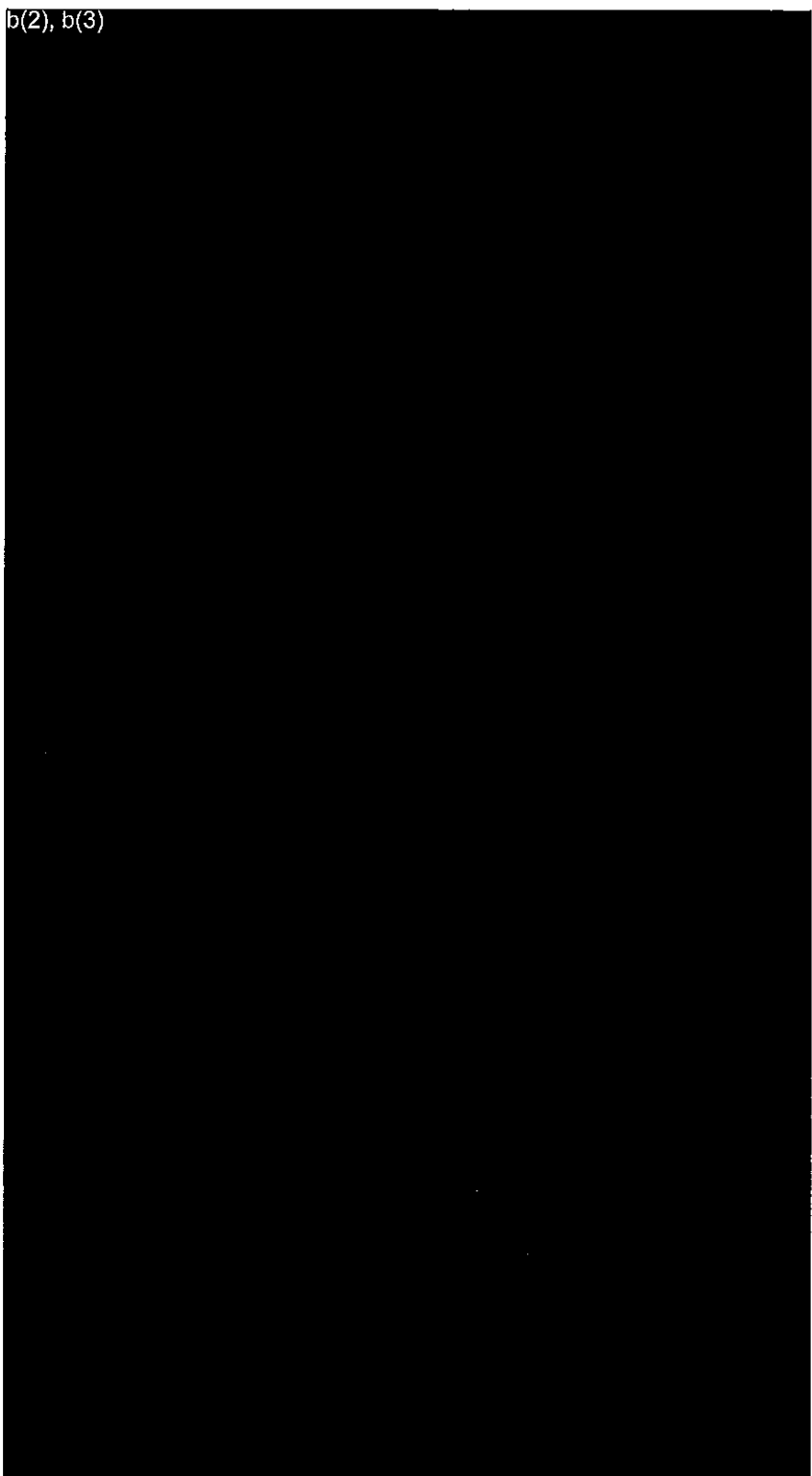
Civil Action No. 02-CV-0828 (CKK)

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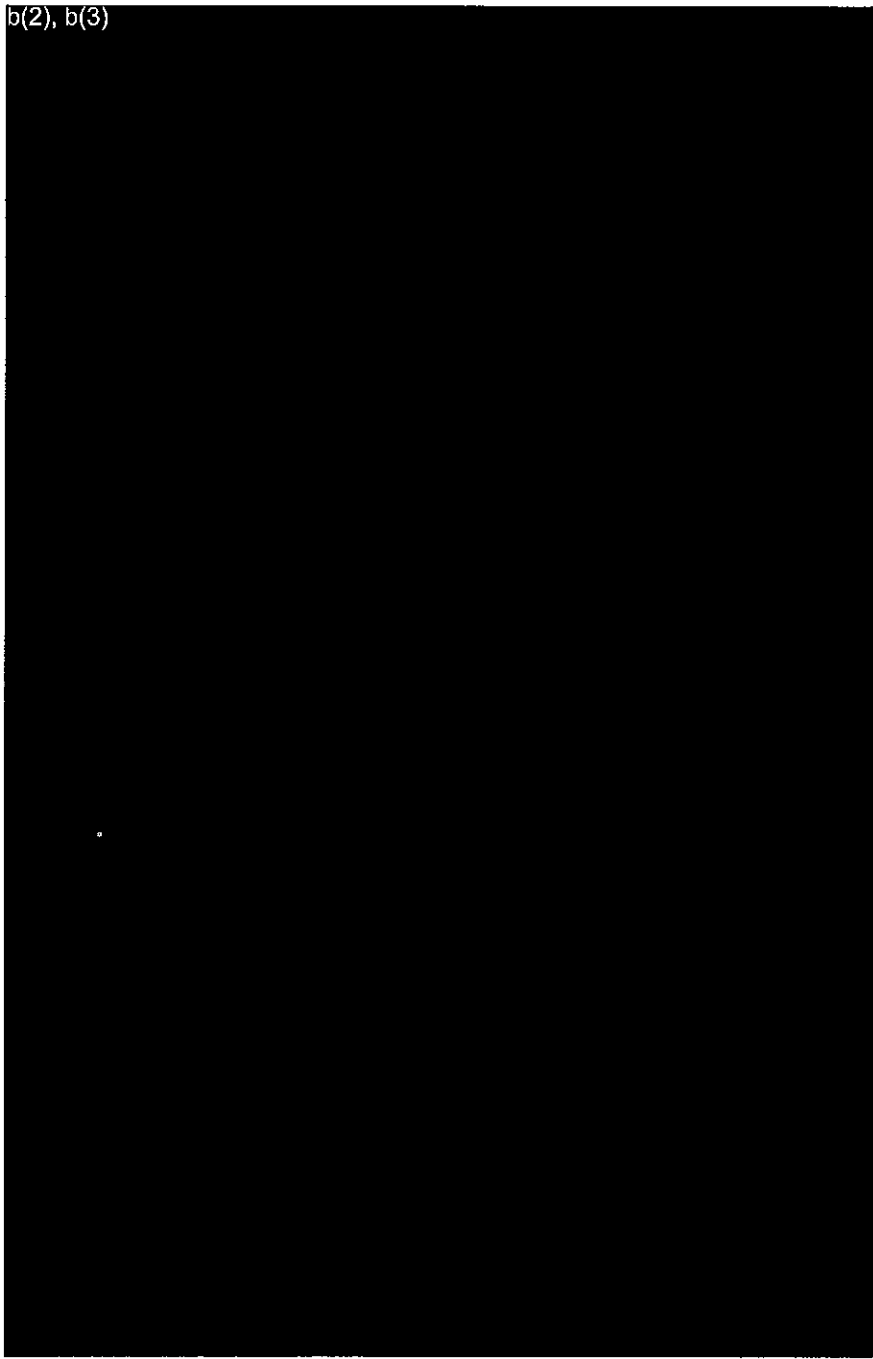


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SUBJ: b(2) b(1)
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SERIAL: b(2)

PAGE 05: b(2)
COUNTRY: b(2) AFGHANISTAN (AF); JORDAN (JO); PAKISTAN (PK); YEMEN (YM).

IPSP: b(2)

SUBJ: b(2) b(1)
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WARNING: b(2) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE b(2)
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DEPARTMENT OF DEFENSE

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SOURCE: b(2) b(1), b(2)

PAGE 06: b(2)
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FAWZEE AL KUWAIT (GTMO)
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Civil Action No. 02-CV-0828 (CKK)

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SUBJ/KNICKER KNOWLEDGEABILITY BRIEF b(2)

SUMMARY: b(2) b(1) b(1) b(1) b(1) b(1), b(5) b(1)

TEXT: b(2)

- 1. b(2) PERSONAL DATA:
 - 1A. NAME: FAWZI KHALID (AL-AWADA ODAH).
 - 1B. SRCNO: b(2)
 - 1C. SRCNOL: b(2) 00232b(2)
 - 1D. SRCNO2: b(2)
 - 1E. SRCNO3: b(2)
 - 1F. CITIZEN: b(1)
 - 1G. BIRTCITY: b(1), b(6)
 - 1H. BIRTCTRY: b(1), b(6)
 - 1I. BIRTDY: b(1), b(6)
 - 1J. PCO: b(2)
 - 1K. LEFTDT: b(2)
 - 1L. INITCTDT: b(2)
 - 1M. LASTCTDT:
 - 1N. LASTCTRY:
 - 1O. LANGCOMP:
- 2. b(2) EDUCATION--
 - 2A. b(1), b(6)
 - 2B. b(1), b(6)
- 3. b(2) EMPLOYMENT--

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3A. b(1), b(6)

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4. b(2) MIL SERVICE b(2)

5. SPECIFIC KNOWLEDGEABILITY:

5A. b(2) b(1), b(5), b(6)
b(1), b(5), b(6)

DOI: b(2)

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6. b(2) COLLECTOR'S COMMENTS:

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MEMORANDUM FOR RECORD

SUBJECT: b(2)b(2) 00232b(2) FOUZI KHALID ((AL AWDA)) b(1)
b(1)

1. b(2) SUMMARY INTERROGATION REPORT, b(1), b(5)
b(1), b(5) b(3)

2. b(2) NEW INFORMATION OBTAINED.
A. b(2)b(1), b(2)
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L. b(2), b(1)
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V. b(2), b(1), b(6)
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Y. b(2), b(1)
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ADDITIONAL AREAS OF KNOWLEDGABILITY.

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5. b(2) b(2) b(1), b(5)
b(1), b(5)

6. b(2) POC THIS MEMORANDUM IS UNDERSIGNED AT b(2), b(3)

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MEMORANDUM FOR RECORD

SUBJECT: b(2) b(2) b(1), b(6)
b(1), b(6)
b(1), b(6) b(1), b(5)

1. b(2) SUMMARY: b(1), b(2), b(6)
b(1), b(2), b(6)

A. b(2) APPROACH USED: b(1)

B. b(2) EFFECTIVENESS OF APPROACH/LEVEL OF COOPERATION:
b(1), b(5)

C. b(2) RECOMMENDED APPROACH FOR NEXT MEETING: b(1), b(5)
b(1), b(5)

D. b(2) SPECIAL ACTION REQUIRED: b(2)

E. INTELLIGENCE CONTINGENCY FUNDS: b(2)

F. b(2) LONG TERM COLLECTION PLAN: b(1), b(5)
b(1), b(5)

b(1), b(2), b(5)

2. b(2) SUMMARY OF NEW INFORMATION OBTAINED:

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A. b(2) b(1), b(2), b(6) 232. b(1), b(2), b(6)
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F. b(2) b(1), b(2), b(6)
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3. b(2) ADDITIONAL COLLECTOR COMMENTS:

A. b(2) b(1), b(5)
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4. b(2) POC THIS MEMORANDUM IS UNDERSIGNED JTF GTMO.

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UNITED STATES DISTRICT COURT
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Summarized Detainee Statement from CSRT

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DECLAS BY: LC - 11/13/2008

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Summarized Detainee Statement

Tribunal President: Fouzi Al Awda, you may now present any evidence you have to the Tribunal. You have the assistance of your personal representative in doing so. Do you want to present any information to this Tribunal?

Detainee: Yes, I would like to defend myself.

Tribunal President: Would you like for your statement to be under oath or not under oath?

Detainee: If you wish for me to swear, I will swear.

Tribunal President: It is strictly your choice. We have both a Muslim and non-Muslim oath. At this time I will ask the Personal Representative if, prior to this, did the Detainee indicate he wanted to be sworn or unsworn?

Personal Representative: The Detainee wishes to be sworn using the Muslim oath.

Tribunal President: Is that still the case?

Detainee: Yes.

Tribunal President: Okay then. Recorder, please administer the Muslim oath.

The Detainee was sworn by the Recorder. The Personal Representative hands a copy of the unclassified summary, translated in Arabic language, to the Detainee for reference during his testimony.

Detainee: I would like to start by telling you a little about my background first, then I will address the evidence.

Tribunal President: That is fine.

Detainee: I was raised in an educated family. Several members of my family, like my father and my uncles, have studied in the United States. I visited the United States when I was younger. I also visited the United States about a year before the September 11th attacks. My family has never had a problem with the United States, nor do I have anything against Americans. I have lived among Americans in my home country for about twelve years. I do not hold anything against U.S. troops. If I had any bad intentions against United States soldiers, I would have had a chance to do something in my home country because they were there. I graduated from college, Al Shari, after four years of study.

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[REDACTED]

Detainee: I worked after that for six months in a Government-ran charity house. I would visit people in need and write down what they needed. After that, I worked as a teacher in an Islamic school. The purpose of my telling you my background is to justify my reasons for going to Afghanistan. I went to Afghanistan to teach and to help other people. That is what I was doing before. The other thing is if I had any bad intention towards the United States, I have a visa to the United States that is good for ten years that I could have used if I had wanted to. The last thing: I traveled to Afghanistan before the events of September 11th. It was my bad luck and bad timing that these events happened while I was in Afghanistan. Shall I address each statement one by one as it is written in the unclassified summary?

Tribunal President: That is strictly your choice.

The Detainee proceeded to address each point on the Unclassified Summary of Evidence in order. To put his comments into context, the points from the Unclassified Summary of Evidence are provided below in italics. The detainee's comments follow each point (summarized).

3.a. Detainee is associated with Al Qaida and the Taliban.

1. In August or early September 2001, Detainee admits traveling through Afghanistan with Taliban members.

Regarding the first statement, traveling through Afghanistan with a member of the Taliban was necessary because that was the Government in Afghanistan at that time. I always had to have a Government liaison when I was traveling. With the help of the Taliban representative, I traveled through Afghanistan to meet the people I was trying to help, the people in need. That does not mean at all that I am affiliated with the Taliban or that I am an active member of the Taliban. For example, the ICRC could not move around in Afghanistan without a Government liaison with them at all times. That does not mean that the ICRC is a member of the Taliban.

2. Detainee admits firing an AK-47 at a training camp near Kandahar.

In regard to the second statement, it was not a training camp. It was just a place for learning for people age twelve to fourteen years old. It was being looked after or supervised by the Taliban. The reason I was there was to teach some lessons. I was only there from the morning until sunset. The only thing that was taught there was shooting or aiming at targets. That was the training that they had. In Afghanistan, shooting a Kalashnikov is just like throwing stones. It is very common. When I went through the training with the Kalashnikov, it was just out of my wanting to learn how to shoot a Kalashnikov. That cannot be called military training. For example, in the United States, there are many places you can go to learn how to shoot. That is not considered military training.

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3. *Detainee admitted staying at a guesthouse with fighters armed with AK-47 rifles.*

Detainee: I was surprised to hear from the Captain that the guesthouse was run by Al Qaida. It does not say that here in my translated version. It does not mention Al Qaida.

Tribunal President: Can you read word for word what it says there in the version given to you?

Detainee: The Detainee admits staying at a guesthouse with individuals who were armed with weapons like the AK-47.

Tribunal President: Very similar to ours. Ours also does not say Taliban guesthouse.

Detainee: Maybe I heard wrong.

Tribunal President: That is okay. The important point is ours reads the same as yours.

Detainee: I did not stay in a guesthouse. I stayed in a house with a man, his wife, and kids. That was for a few days - maybe a week or less. After that, I went through the mountains to Pakistan. During my stay in that house, there were two other individuals that would visit occasionally. These individuals would come and go, but they were not staying there. Regarding the fact they were armed, every Afghan and every Arab was armed. It was neither a big deal nor anything out of the ordinary. Even in Yemen, it is the same way. When the conflict started, the owner of the house gave me a weapon to defend myself because the Afghans were going after the Arabs. They were robbing them. I had the weapon to defend myself against them. I was obligated to have the weapon. I did not have a choice. It was either be killed or defend myself. In summary, I did not carry the weapon to kill anyone; it was only to defend myself.

3.b. *Detainee engaged in hostilities against the US or its coalition partners.*

1. *Detainee admits to carrying an AK-47 through the Tora Bora mountains for ten to eleven days during the US air campaign in that region.*

I already said that in regard to the weapon, I had it to defend myself. About my being in the Tora Bora region, that was the only way to get from Jalalabad to Pakistan. I had to cross through that mountain area. I was not the only person in this area. There were many people there, families and others all headed to Pakistan. I am surprised to learn that carrying a weapon in that region was considered a hostile act. What can an AK-47 do against an American plane?

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2. Detainee was captured with five other men by Pakistani border guards.

I was not captured by Pakistani forces. I surrendered. I turned myself in. I asked to be handed over to the Kuwaiti Embassy. If this case is about my being an enemy combatant, I had the weapon. I could have killed if I wanted to. But I did not. I turned myself in so I could be taken to the Kuwaiti embassy.

I would like to make two more statements to summarize or conclude what I have said. My first point is I do not know what is the nature of the classified evidence. There are some things I am accused of that I do not see in this summary. All I can say is, when a person is under arrest or in handcuffs, he can be under mental stress. He can say things he does not mean. Sometimes the only way when you are in a situation like this, you are forced or compelled to say something against others during the interrogation. Sometimes a person can talk about someone else or accuse a person of doing something they did not do just so they can get out of their situation. You will know, as people who work in the court system or people who deal with the law - I also studied the law - there are certain conditions when someone is a witness. Just because someone says that someone did something, that does not mean that it is true.

My last point is if you can go back and look at my records from my home country, or even my family's records, you will find that I have never even been in a police station before. I have not ever committed any crime or I have never done anything wrong. How would I go into the biggest terrorist act that has happened so far if I have never committed any crimes before? If I were committing terrorist acts, I would have done so when I was in the United States for that one month. Thank you.

Excuse me. There is one more point I would like to make. During my entire life, even back in my home country, I never had any kind of military training. So how is it that two weeks before the events, I could suddenly become a combatant or a fighter? I went to Afghanistan for two weeks on a leave or holiday from my work. Like a vacation. It was an official break from my work.

Tribunal President: Okay. Due to the length of your statement, we are going to take a brief recess to allow the Tribunal members to go over their notes.

The hearing recessed at 0911 hours. The hearing re-opened at 0915 hours. All parties present prior to the recess were again present.

Tribunal President: Fouzi Al Awda, does that conclude your statement?

Detainee: Yes.

Tribunal President: Will you answer questions?

Detainee: Yes.

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Tribunal President: Personal Representative, do you have any questions for the Detainee?

Personal Representative: Yes, Sir, I do. Why was shooting taught at the camp?

Detainee: It was not necessarily training. It is known that, for that age group, young people like to try these things. That is why it was taught. It was just for the kids who wanted to try it. They were brought to that camp, so they could be taught.

Personal Representative: Did you ever fire your AK-47?

Detainee: No. They have AK-47s that are easily available in Kuwait, but I have never fired any shots.

Personal Representative: While you were in the Tora Bora region, did you ever fire any shots?

Detainee: No.

Personal Representative: The money for your trip -- where did it come from?

Detainee: I work. My monthly salary is \$2,000.00 dollars.

Personal Representative: No other questions.

Tribunal President: Recorder, do you have any questions for the Detainee?

Recorder: Yes, Sir, I do. When you went through the Tora Bora mountains, did you discuss or think about what you would have done if you encountered US or coalition forces?

Detainee: No, but if I would have seen any American troops, I would have turned myself in to them.

Recorder: Did anyone in the group you were with discuss what they would have done if you encountered US or coalition forces?

Detainee: I was not traveling with any group. There were just people together, but I was not traveling with anyone.

Recorder: That is all I have, Sir.

Tribunal President: Do any Tribunal Members have any questions for the Detainee?



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Tribunal Member: Just clarify for me, were you ever a part of Al Qaida or the Taliban? Did you ever support Al Qaida or the Taliban?

Detainee: No. Never.

Tribunal Member: In the camp with the twelve to fourteen year olds, I believe you said you were teaching some lessons. What were you teaching?

Detainee: Teachings of the Koran. That is what I specialize in. That is my area of expertise. I even teach the Koran in here.

Tribunal Member: When you were at the house with the family, where did you stay?

Detainee: They had me in a separate room of the house.

Tribunal Member: Did you know those people?

Detainee: I knew the guy's name, [REDACTED] from Tunis. I did not know anything more about him.

Tribunal Member: So you did not know if he was a Taliban or a Taliban supporter?

Detainee: No, because a lot of Arabs were living in Afghanistan. They were not a part of any particular group.

Tribunal Member: In that same house, the two other folks who would come and go - were you aware of any affiliation with Al Qaida or Taliban?

Detainee: No.

Tribunal Member: The owner of the house was from Tunis, so he was an Arab?

Detainee: Yes. In case you are surprised or wondering why, I do not know if any of those people were a part of the Taliban. It is because no one at that time would mention or talk about if they were a part of the Taliban. If they did talk about it, the Afghans would come and attack them. So no one would mention any affiliation, if they had any.

Tribunal Member: I am just trying to get the facts in my mind straight. The last bullet in the unclassified statement said you were with five other men. You did not travel with anyone and you did not know who they were?

Detainee: There may have been more than five people. I did not know them. I was not traveling with them. People were all around me. There could have been more or less, but I was not with them.



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Tribunal Member: You had no knowledge of who this group of people were or were not supporting?

Detainee: No. I did not know and I did not care who they were with. I just wanted to leave. If you are wondering why I did not know if any of these people were Taliban or Al Qaida, it was because we were traveling through the snow. People were dying from the snow or from being hit by fire. There was no time to ask anyone where they were from or who they supported or what they were a part of.

Tribunal Member: I am not surprised. I am just trying to find out the factual evidence. Thank you.

Tribunal Member: What country are you from?

Detainee: Kuwait.

Tribunal Member: Was your trip to Afghanistan of an official nature relating to your job or was it a vacation?

Detainee: During my official summer break, I left for Afghanistan for two weeks. My grandmother was sick with cancer at the time. She gave me money she wanted me to give to people who were in need. It was an act of good will. She was very sick and she wanted to give her money to the poor. She thought it would help her. That is why she gave me the money and wanted me to distribute it.

Tribunal Member: So, you were not visiting as a part of your official responsibilities?

Detainee: No. It was a personal trip.

Tribunal Member: Can you give me a little more information regarding the reasons why you needed a Taliban official escorting you if this were a personal trip?

Detainee: I was going to visit some schools during my trip. Schools are a part of the Government. That is why I needed the escort. Also, I did not know the country. I would not have known where to find the poor or needy people if the escort did not show me.

Tribunal Member: So, did you arrange the trip with the Taliban Government prior to going?

Detainee: No. It was after I arrived there. I was praying in one of the Mosques. I asked around for a representative from the Taliban Government.

Tribunal Member: Where was the house you were staying with the family located? What city was that?

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Detainee: In Jalalabad.

Tribunal Member: Why were you staying in that house with the family? What made you pick that place to stay?

Detainee: I went to Jalalabad because it was the closest area to the Pakistani border. I was praying in one of the Mosques when I was approached by this Arab man. He invited me to stay at his home. When the owner of the house found out I was planning to leave, he said come stay with me for a few days until you figure out what you want to do. It was just an act of kindness on his part.

Tribunal Member: When the owner gave you the AK-47, did the owner have a bunch of weapons available? Or did he have an extra weapon? Where did the weapon come from?

Detainee: I did not see all of the house. The owner of the house came into my room and explained there was a lot of conflict and commotion going on. He told me to take the weapon to defend myself.

Tribunal Member: When did you go on your vacation to Afghanistan? Can you give as close of a date as possible?

Detainee to Personal Representative in English: Do you have the date? Can you tell them?

Personal Representative: He traveled to Afghanistan between the 29th of August and the 1st of September.

Detainee: Approximately, I can not remember exactly.

Tribunal Member: Were you at this man's house when the events of September 11th took place in the United States?

Detainee: No. It was two or three months after the attacks of September 11th.

Tribunal Member: If you went for two weeks at the end of August or the beginning of September, why didn't you go back at the end of the two weeks? Why did you stay?

Detainee: I was in Afghanistan when the attacks happened. Then the United States accused Al Qaida of planning the attacks. I was there at that time. They also accused the Taliban. I thought, how could I leave from a place that was under such scrutiny? I thought I would just wait until things calmed down some. Then I would try to leave. But unfortunately things just got more complicated instead of calming down. So I decided I



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just had to leave, even if things were still complicated. It got to the point when I decided I had to leave.

Tribunal Member: To follow up on that. You initially went only for two weeks at the end of August. The September 11th attacks took place at the end of those two weeks. There were no US attacks or coalition attacks right after September 11th. Why would you have not left at the normal time?

Detainee: I had a visa for Pakistan. If I would have tried to go back, they would have questioned me as to why I was in Afghanistan. It would have been difficult for me. It would have been complicated. I was afraid of being accused of anything I might not have done.

Tribunal Member: When you did leave and tried to get into Pakistan, did you have your passport with you?

Detainee: No.

Tribunal Member: What happened to your passport?

Detainee: I was in a place called Lowgar for about a month. I was hiding there with an Afghan. I gave him my passport, my money, and other documents for safekeeping. I took this man's address so when I got to Pakistan, I could write to him and get my things back that I left with him.

Tribunal Member: Why did you leave these things with him?

Detainee: If the Afghans saw I had a passport indicating I was an Arab, and they saw the money and the camera I had, I would have been killed. I do not know what happened to my things. I do not know if this guy still has them, if he sold them, or what he has done with them.

Tribunal Member: Couldn't they tell you were Arab by your language?

Detainee: I was not talking. Just like I was a mute. I would just walk and not say anything at all.

Tribunal President: In the youth camp where the training was conducted, did that camp have a name?

Detainee: I did not read any name.

Tribunal President: You mentioned when you were staying at the house that word came in Afghans were robbing Arabs. Who were the Afghans? Were they the Taliban?

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Detainee: I do not know. I do know after the Government collapsed - the Taliban - there were people who were like highway robbers, people who were opposed to the Government from the very beginning. It was just kind of a commotion that was going on.

Tribunal President: So, prior to the collapse of the Government, when you said Afghans, you said the Taliban was the Afghan Government?

Detainee: When did I say that?

Tribunal President: You said when you first got there to Afghanistan, you were escorted by the Afghan Government, and that was the Taliban. You said if you wanted to be escorted by any Afghani, you had to be escorted by Taliban because they were the Government.

Detainee: The Taliban was controlling Afghanistan, but that does not necessarily mean that every Afghan was Taliban. That was just the Government in Afghanistan.

Tribunal President: That is what I am trying to clarify now. When you said that the Afghans were robbing the Arabs, who were the Afghans?

Detainee: I do not know. Some of them could have been Taliban; some of them could have not been Taliban; some of them could have just been robbers. I do not know exactly.

Tribunal President: In your summary statement you said people who are under arrest make many statements that may be false. If we read or were to see statements you made during interviews, will we see different versions of the truth?

Detainee: No. Not my words.

Tribunal President: You mentioned at one point, while staying at that house during that time period, if you mentioned Taliban affiliation the Afghans would come and hurt you.

Detainee: I said no one at that time would mention who they were affiliated with or what group they were a part of.

Tribunal President: Okay, is that in general? Because earlier it was if anybody mentioned Taliban affiliation, then the Afghans would hurt them.

Detainee: Anyone. You would not say if you were a part of the Taliban, or if you were Arab or anything like that. The United States Government would give rewards or money to anyone who pointed out or got a member of the Taliban or Al Qaida. So, no one would say they were affiliated with any of these groups.

Tribunal President: So, at this time, the people who were robbing the Arabs are not Taliban, but opposed to the Taliban?

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Detainee: It's possible. I am not an Afghan. I did not know what was going on with the Afghans. Some of them were Afghans; some of them were Arabs.

Tribunal President: Okay. But it was a very bad thing to be affiliated with the Taliban in that region at that time?

Detainee: Correct.

Tribunal President: So I can track your movements, initially you started in the youth camp?

Detainee: Before that, I was touring the schools and visiting families - before the training.

Tribunal President: How long in to the two-week window did you make it to the youth camp?

Detainee: Maybe ten days.

Tribunal President: So, it was your intent to stay a couple of days at the youth camp?

Detainee: No. Just one day - from the morning until the evening.

Tribunal President: So, how long did you actually stay there?

Detainee: Six or seven hours - from the morning until late afternoon.

Tribunal President: You went from there to almost two or three months later to Tora Bora. What happened in the meantime?

Detainee: I stayed in Kandahar about a week to ten days after the September 11th attacks. The representative from the Taliban that was with me told me that was a dangerous place because it was the capital for the Taliban. The whole time this was happening, I was confused as to where I should go or when I should leave. I had all these questions I was thinking about. The representative advised me to go to a place that was a lot calmer than Kandahar. So I went to Lowgar and stayed there about a month.

Tribunal President: And where did you go from Lowgar?

Detainee: From there I went to Jalalabad.

Tribunal President: Okay.

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Tribunal Member: Did the Kuwaiti Government officially recognize the Taliban as the official Government of Afghanistan?

Detainee: I don't know. I don't think so.

Tribunal Member: You mentioned you heard accusations that you did not see in the unclassified summary. What are those accusations you've heard about against you?

Detainee: One of the interrogators told me that I was in an Al Qaida training camp. They also accused me of having ties with terrorist organizations during the time I was in the United States. That is all I can remember. Every time they have a different accusation, but this is all I can remember.

Tribunal Member: I take it you deny those allegations?

Detainee: Yes.

Tribunal Member: During that three month time period, you did not go to any camps someone might say are Al Qaida camps?

Detainee: No, never.

Tribunal Member: When you went for your two-week vacation and you stayed for all those extra months, weren't you concerned about keeping your job?

Detainee: The reason I stayed there for so long was because I was scared for my life. To me, my life is more important than keeping my job.

Tribunal Member: So, at the two-week portion, right at the very end of when you were originally scheduled to go back, it was too dangerous to leave the country at that point?

Detainee: If I would have gone back to my country at that time, it would have been great embarrassment, or people would have looked at me strangely. I was just coming from Afghanistan and the United States had just accused Afghanistan, so it would have looked bad. I was afraid of the Kuwaiti authorities who would have obviously questioned me.

The Tribunal had no further questions for the detainee.

Tribunal President: Fouzi Al Awada, I appreciate you're answering all these questions.

Detainee: You are welcome.

Tribunal President: Do you have any other evidence to present?

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Detainee: After a Government is liberated by another Government - my country was liberated by the United States, so it is impossible after that happening, and after my being surrounded by and living with Americans in my country, and visiting the United States, after all that, it is impossible for me to be an enemy combatant against the United States. In my whole life, I have never been an enemy against anyone. I wish for that to be taken into consideration. Maybe the United States Government knows my father's history during the time of the occupation of Kuwait. My father was in the military and helped the United States during that time of the occupation. That is all I have.

Tribunal President: Personal Representative, do you have any additional evidence to present?

Personal Representative: Yes, Sir. I have one additional unclassified exhibit. It's marked "D-B." It is a USA Today article that gives a background of the Detainee's family, travels of the family, and other things the Detainee mentioned earlier.

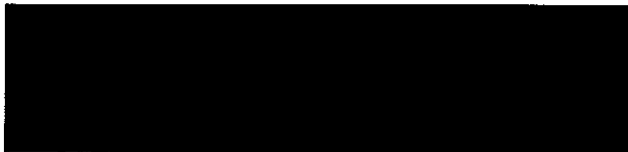
Tribunal President: Recorder, do you have any other unclassified evidence to present?

Recorder: No, Sir, I do not.

Tribunal President: Very well. All evidence having been provided to this Tribunal, this concludes this Tribunal session.

AUTHENTICATION

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



Tribunal President



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FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH
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Respondents.

Civil Action No. 02-CV-0828 (CKK)

USA Today Article (April 19, 2004)

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Interesting!

USA Today
April 19, 2004
Pg. 14

Prisoner's Father Hopes Courts Find, Fix 'Big Mistake'

But U.S. says son is held in Cuba for good reason

By Richard Willing, USA Today

In Kuwait City, Fawzi al Odah was reared on the Koran and on tales of his father's days as a pilot who trained, partied and hung out with U.S. Air Force personnel in Texas.

In February 1991, when U.S. soldiers freed Kuwait from Iraqi invaders, young Fawzi joined his father, Khalid al Odah, in cheering the marching liberators from a road overpass. Fawzi, then 13, jumped down to join the parade and grabbed and waved an American flag, the father recalls in a telephone interview.

So it was a "terrible shock," Khalid al Odah says, to learn in early 2002 that his son was one of 12 Kuwaiti men who had been captured by the U.S. military in Afghanistan and then transferred to a detention camp at Guantanamo Bay, Cuba. The men, who have not been charged, still are being held by the U.S. government as "enemy combatants" in the war on terrorism.

"I think this is a big mistake," says Khalid al Odah, 52, who believes his son was captured by bounty hunters while doing relief work and then sold to the U.S. military, which was offering rewards for al-Qaeda and Taliban fighters.

"That isn't Fawzi," he says. "He didn't hate Americans, and he never had any weird activities."

Al Odah will be watching from afar on Tuesday when a case involving his son and the other Kuwaiti detainees is argued before the Supreme Court. The case is the first challenge to the legal underpinnings of the Bush administration's legal war on terrorism, and it asks whether the Guantanamo Bay detainees can challenge their detentions in a U.S. court. The Bush administration says that because they are foreigners held in what is

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Exhibit D-d

technically foreign territory, the detainees should not have access to U.S. courts.

But beyond the significant legal issues raised by Fawzi al Odah's case, there are more personal questions that haunt his father: Was Fawzi an aid worker, as his father believes, or a volunteer for the Taliban or al-Qaeda? And if a man brought up in a pro-American home can fall under the spell of Osama bin Laden's jihad, what does that say about America's efforts to win the hearts and minds of moderate Muslims?

"It's all too much" to think about, Khalid al Odah says. "It is a big problem."

Fond memories of Texas

Khalid al Odah first visited the USA in 1975. Then 23, he was a pilot in the Kuwaiti air force who was assigned to learn to fly the F-5 Freedom Fighter jet in Wichita Falls, Texas. Today, his home in Kuwait City contains mementos of the months he spent practicing his flying and perfecting his English: a photo of al Odah drinking a Coke after a training exercise, addresses of American colleagues with whom he is still in touch. Al Odah went to San Antonio a year later for another training session.

"The openness of the people, to make friends with strangers, was remarkable to someone like me coming from a very different society," al Odah recalls. "And - I don't want my wife to hear this part - the discotheques (and) the dances, this was unforgettable to me."

Fawzi, the oldest of Khalid's five children, grew up quickly during the Iraqi occupation after his father went underground and joined the Kuwaiti resistance. "He was the man in the house," Khalid says. "I was very proud."

Fawzi al Odah, who turns 27 in May, majored in Koran studies at the University of Kuwait and taught Muslim principles and history after graduating in 2000. With other religious Kuwaitis, he spent his summer vacations in 2000 and 2001 in Pakistan, teaching and helping to distribute cash he had collected at home to people in villages near the Afghan border.

Just after the Sept. 11 attacks, Fawzi al Odah called his family to say he planned to spend a few weeks working with refugees who had begun to stream into Pakistan from Afghanistan. He was detained in Afghanistan sometime thereafter, and was transferred to U.S. custody and then to Guantanamo Bay in early 2002.

U.S. officials and many in Kuwait doubt that Fawzi al Odah's detention is a case of mistaken identity, as his father insists.

In papers filed in the Supreme Court case, the Justice Department notes that the U.S. military screened and released about 10,000 prisoners in Afghanistan. Only about 700 "with high potential intelligence value or (who) pose a particular threat" have been sent to Guantanamo, the government's papers say. Some have since been released.

Najeeb al Wagyan, a lawyer in Kuwait City, says that many Kuwaitis believe the detainees were up to something. "Everyone believes that there is more than (the men's duty to) religion involved," he says in a telephone interview.

All the more reason, Khalid al Odah says, to allow his son to plead his case in a U.S. court.

"I don't doubt that there are some bad people at Guantanamo, but there are innocent people, too. Look at the ones they release," he says, referring to 146 detainees who have been freed or cleared to be sent home. "To go to court and prove your case, that is how it is supposed to be done in America."

Family draws closer

In court papers, the U.S. government argues that it is necessary to continue to hold the men to prevent them from rejoining the fight against America.

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UNITED STATES DISTRICT COURT
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Respondents.

Civil Action No. 02-CV-0828 (CKK)

Polygraph Report of Examination

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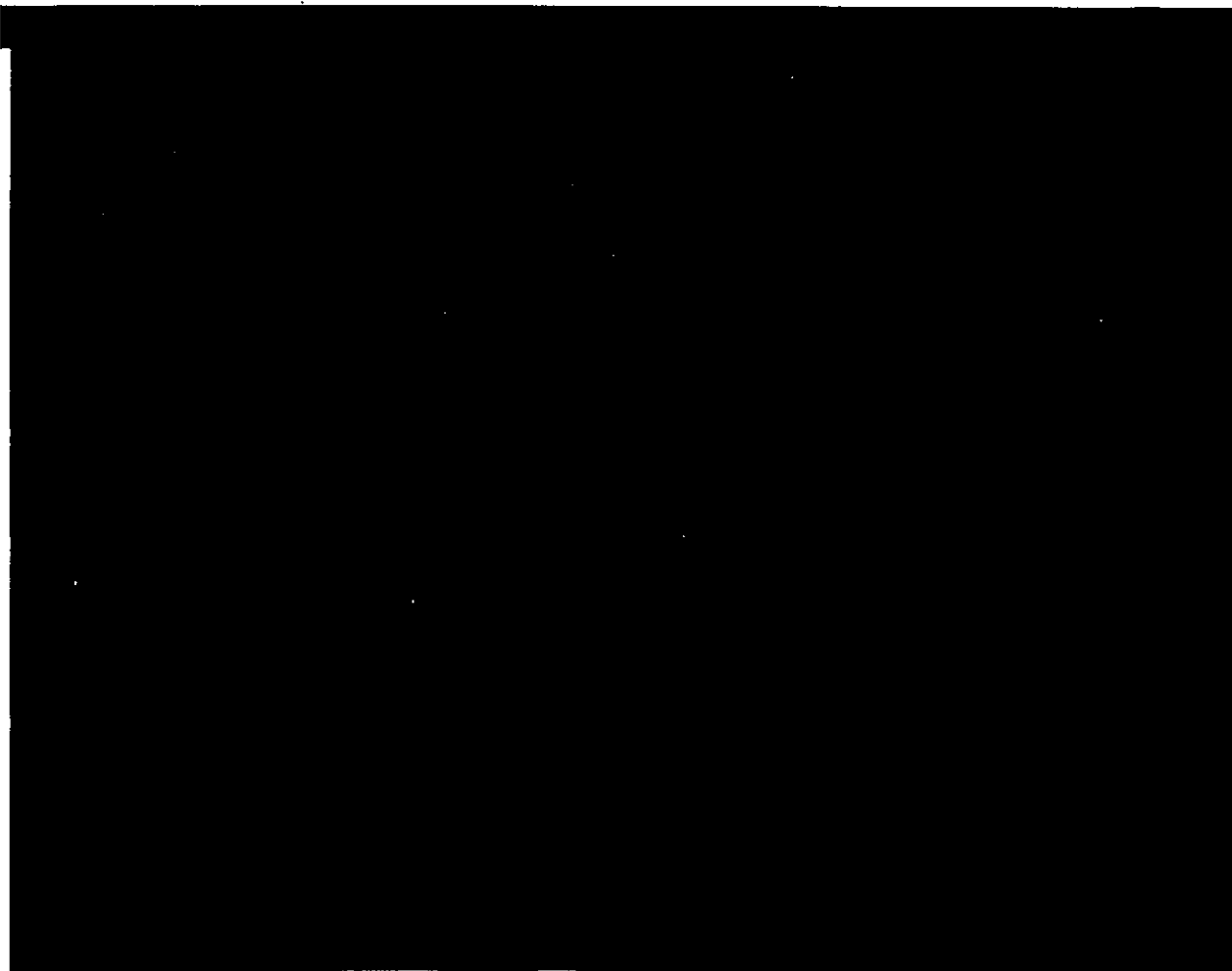
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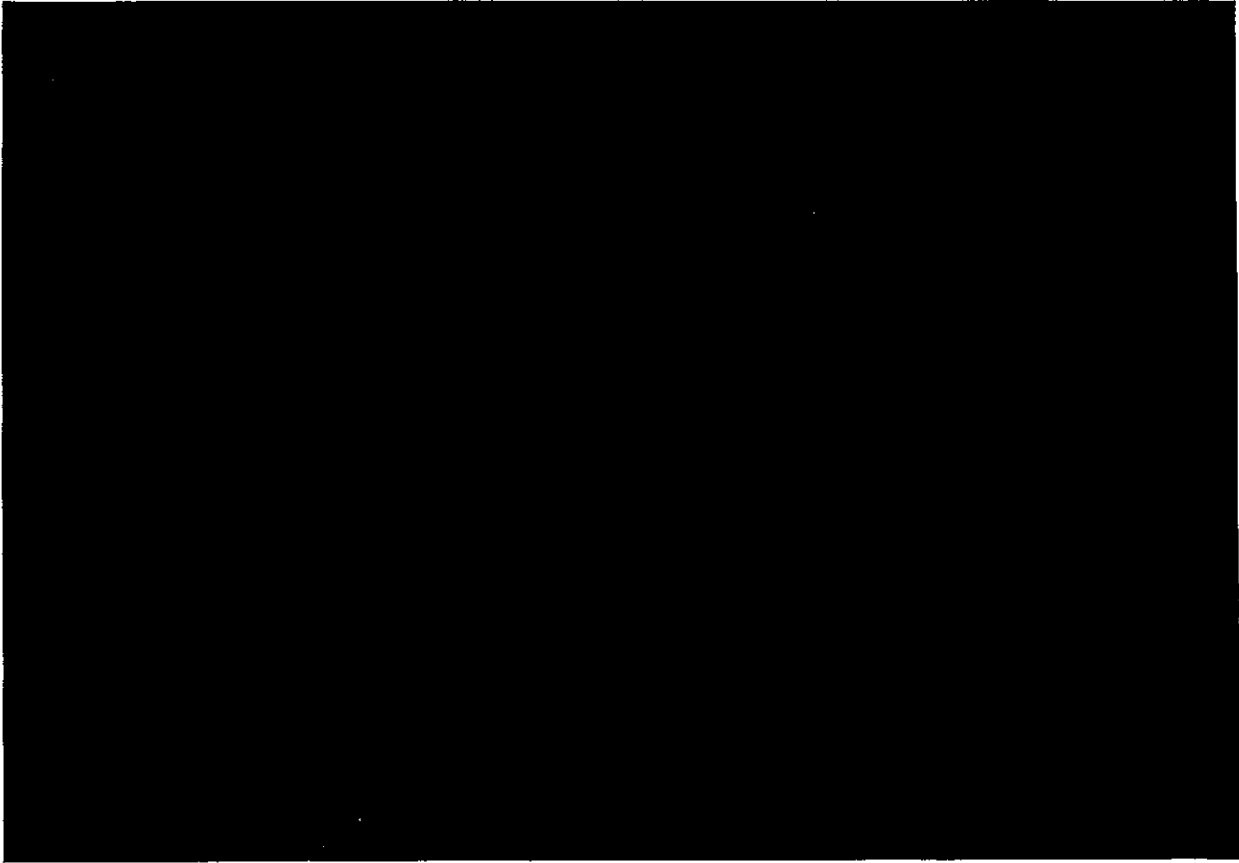
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UNITED STATES DISTRICT COURT
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Open Source Center (OSC), *Jihadists Websites*
(GMP20080123078003)

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Open Source Center

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AN OSC PRODUCT

Summary

Doc #:
GMP20080123078003

Posted: 23 Jan 2008
19:35:43

Publication Dated: 18 Jan
2008

Source Name: Jihadist
Websites -- OSC
Summary

Source Language: Arabic

Source Start Date: 2008-
01-18

Source End Date: 2008-
01-18

POC:



Jihadist Forum Posts Collection of Jihadist, Military Training Instructions

GMP20080123078003 Jihadist Websites -- OSC Summary in
Arabic 0000 18 January 2008 - 0000 18 January 2008

Terrorism : Jihadist Forum Contains Posting of Collection
of Jihadist and Military Training Instructions.

On 1 December, OSC observed a jihadist website carrying a
posting entitled: " Military Equipment and the Preparation
and Manufacture of Jihad," in which the poster included a
collection of links and references to Jihadist and Military
production and readiness. The posting included information
on manufacturing explosives, handling various forms of
arms, and tactical preparations.

A summary of the posting follows:

To briefly preface this summary, this kind of bulletin was
previously published by Yusuf al-Ayiri, who, at the time was
officially in charge of the "Alneda" website, al-Qa'ida's official
Internet publication. Al-Ayiri was killed in a firefight with
Saudi security forces in Al-Ha'il on 3 June 2003. This is a
lengthy post of a collection of links and files intended to act as
reference materials for jihadists carrying out military
campaigns. Some of the material is referred to more than once
and can be accessed through various sources. Also, a number of
links are inactive or have been taken down.

There is a general instruction to change the file extensions of
the downloaded material from AVI to RAR since the files are in
actuality compressed archives but appear as video files. The
compressed files may also be part of a series of compressed
files that, when assembled together, form larger files that are
otherwise difficult to download or to transfer electronically.

Additionally, the posting includes "lessons" or a series of
lectures dictated by fallen jihadists. These lectures discuss topics
such as guerrilla warfare, signals, marine navigation, physical
fitness, self defense, urban warfare, and other propaganda
material.



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UNCLASSIFIED | Jihadist Forum Posts Collection of Jihadist, Military Training Instructi... Page 2 of 3

The same section of the posting includes material on explosives, poisons, missiles, and physical fitness. This section also includes material in English about these various types of preparations. Next, the post's links include material on jihadist military operations, including the manufacture and production of explosive and remote detonation devices. Also included is information on RPGs, G3s, AK47s, and silencers.

In the next section, the post includes information on the production of drug agents used for defense or for abduction operations. This is also supplemented by information on the manufacturing of ricin poison. The article continues with material focusing on communications and organized military operations.

The third section of the post focuses on explosives. This focus begins with introductory material on explosives and volatile substances. Next come links to instruction on making the triggering mechanisms in explosives. This section also includes information on various types of explosives and the desired outcome based on the specifics of the explosive.

The next section of this post concerns the C5K missile. This section includes detailed diagrams of the missile's structure and engineering. Discussed in great detail in this section are the trigger mechanism of the missile, the electrical components, safety considerations, the actual warhead, and the capabilities of various types of warheads, including armor-piercing shells, mounted on such a projectile.

The next section of this post highlights links to materials and information on what is described as a workshop by the Sawarim Institute. This includes documentation on security, intelligence, combat weapons, anti-aircraft weapons, tanks, artillery, and tactical training. These self-styled lectures include the names of their presenters and address other topics such as topography, physical fitness, light weapons, anti-armor, and handguns. The section then shifts its focus to the topic of urban warfare. This includes material, some of which is in English, on gang warfare in the US, on jihadist operations in an urban environment, on military doctrine, on guerrilla warfare, on asymmetrical warfare, on prison penetration, on abduction with a focus on US personnel, on smuggling, on targeting convoys, and on the art of combat on motorcycles.

The following section shifts the focus back to other topics including explosive engineering, chemical readiness, remote detonation, operation security, interrogation techniques, assassinations, and clandestine operations.

The end of the section concludes with information on a number

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of topics including weapons and ammunition, radar jamming, heavy US weapons, Qassam rockets, US missiles, electronic warfare, first-aid, self defense, physical fitness, tactical training, maps, negotiations, and finally, it provides information on hacked Israeli and coalition sites by Irhabi007 (who is currently being held in custody by the British authorities).

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH
FAHAD AL ODAH, *et al*

Petitioner,

v.

UNITED STATES OF AMERICA,
et al.,

Respondents.

Civil Action No. 02-CV-0828 (CKK)

b(2)

b(2)

b(2)

b(1)

Civil ID Card

Civil No. b(1)

Name Fawzi Khaled Abdullah Fahad Al-Awdah

Nationality b(1), b(6)

Date of birth b(1), b(6) Sex Male

Expiry Date

Overleaf:

Civil No. of the concerned party b(1)

Nationality No. b(1)

Address b(1)

Street

Building/ Plot

Unit No.

Tel. No.

b(2)

b(2)

b(2)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH
FAHAD AL ODAH, *et al*

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Civil Action No. 02-CV-0828 (CKK)

b(2)

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C J Q W
D K R X
E L S Y
F M T Z
G N

Kuwait country code: 965

International Country Code for calling Kuwait

International City Codes for calling Kuwait

Kuwait city code: none

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9

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MAJID ABDU AHMED,)
)
et al.,)
)
Petitioners,)
)
v.)
)
GEORGE W. BUSH,)
)
President of the United States,)
)
et al.,)
)
Respondents.)

Civ. Action No. 04-1254 (HHK)

 DOD/CITF Memorandum (May 14, 2004)



For Public Release

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[REDACTED]

CITF-CDR
SUBJECT: [REDACTED] Assessment UP Implementation Guidance for Release or Transfer of Detainees under U.S. Department of Defense (DoD) Control to Foreign Government Control/Detainee [REDACTED] ISN#: [REDACTED]

[REDACTED] was initially identified as [REDACTED]. Subsequent investigation has established that [REDACTED]. It appears that [REDACTED] was a foot soldier that went to fight the jihad against the Northern Alliance. That being said, [REDACTED] name is possibly associated with [REDACTED].

[REDACTED] (ISN#: [REDACTED]) also states [REDACTED] went home to Yemen every 5 or 6 months, that [REDACTED] and [REDACTED] has delivered about 3,000 USD to an unknown emir at [REDACTED] s credibility is in question with interrogators.

There is no indication that [REDACTED] went to Afghanistan to fight American forces. There is limited evidence available to establish that that [REDACTED] was associated with terrorist groups. There is also limited evidence that [REDACTED] took part in any acts of terrorism against U.S. persons or interests, nor is there reporting on his involvement with supporting, aiding, abetting, or funding terrorist operations.

With intelligence and evidence collected so far it seems highly unlikely that [REDACTED] is high or mid level Al Qaeda or Taliban.

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

CITF-CDR
SUBJECT: [REDACTED] Assessment UP Implementation Guidance for Release or Transfer of Detainees under U.S. Department of Defense (DoD) Control to Foreign Government Control/Detainee [REDACTED] ISN#: [REDACTED]

[REDACTED]

[REDACTED]

CITF interviews: 13 Jun 02, 22 Jun 02, 24 Jun 02, 26 Jun 02, 13 Jun 03, 21 Feb 04 (detainee is not cooperative with interrogators)

KB: 17 Jun 02

Polygraph: None offered.

JTF-GTMO release recommendations: None offered.

3. [REDACTED] Threat Assessment: The CITF has assessed [REDACTED] as a high risk. The JTF-GTMO has not yet provided a completed risk assessment recommendation on [REDACTED]

4. [REDACTED] Status of CITF Review Process:

a. The following table is a summary of the agency checks included in CITF's review process:

Agency Check	Date Requested	Date Completed	Hits * (Number)
[REDACTED]	26 Jul 03	Pending	
[REDACTED]	26 Jul 03	Pending	
[REDACTED]	26 Jul 03	Pending	
[REDACTED]	26 Jul 03	Pending	

*Significant information, if any, from relevant reports is included in Factual Synopsis above.

b. The table below depicts the intelligence community databases that were reviewed by CITF analysts:

[REDACTED]

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[REDACTED]

CITF-CDR
SUBJECT: [REDACTED] Assessment UP Implementation Guidance for Release or Transfer of Detainees under U.S. Department of Defense (DoD) Control to Foreign Government Control/Detainee [REDACTED] ISN#: [REDACTED]

Database	Date Review Completed
[REDACTED]	

*Significant information, if any, from relevant reports is included in Factual Synopsis above.

5. [REDACTED] The CITF believes that further investigation may produce new information relevant to this case. Agency checks remain outstanding. In the absence of further information, I recommend the continued detention of [REDACTED] in the custody of the Department of Defense pending further investigation, to include a clearer interpretation and better assessment, [REDACTED] of reports potentially associating [REDACTED] with Al Qaida. In addition, the allegations made by [REDACTED] that are currently being investigated by CITF must be resolved.

[REDACTED]

COL, MP
Commanding

[REDACTED]

b(2)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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b(1), b(5)

DETAINEE SUMMARY

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U.S. Department of State, Office of the Coordinator for
Counterterrorism, Foreign Terrorist Organizations,
Fact Sheet

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U.S. DEPARTMENT of STATE

Fact Sheet
Office of the Coordinator for Counterterrorism
Washington, DC
April 8, 2008

Foreign Terrorist Organizations

Foreign Terrorist Organizations (FTOs) are foreign organizations that are designated by the Secretary of State in accordance with section 219 of the Immigration and Nationality Act (INA), as amended. FTO designations play a critical role in our fight against terrorism and are an effective means of curtailing support for terrorist activities and pressuring groups to get out of the terrorism business.

Current List of Designated Foreign Terrorist Organizations

1. Abu Nidal Organization (ANO)
2. Abu Sayyaf Group
3. Al-Aqsa Martyrs Brigade
4. Al-Shabaab
5. Ansar al-Islam
6. Armed Islamic Group (GIA)
7. Asbat al-Ansar
8. Aum Shinrikyo
9. Basque Fatherland and Liberty (ETA)
10. Communist Party of the Philippines/New People's Army (CPP/NPA)
11. Continuity Irish Republican Army
12. Gama'a al-Islamiyya (Islamic Group)
13. HAMAS (Islamic Resistance Movement)
14. Harakat ul-Jihad-i-Islami/Bangladesh (HUJI-B)
15. Harakat ul-Mujahidin (HUM)
16. Hizballah (Party of God)
17. Islamic Jihad Group
18. Islamic Movement of Uzbekistan (IMU)
19. Jalsh-e-Mohammed (JEM) (Army of Mohammed)
20. Jamaah Islamiya organization (JI)
21. al-Jihad (Egyptian Islamic Jihad)
22. Kahane Chai (Kach)
23. Kongra-Gol (KKG, formerly Kurdistan Workers' Party, PKK, KADEK)
24. Lashkar-e Tappiba (LT) (Army of the Righteous)
25. Lashkar i Jhangvi
26. Liberation Tigers of Tamil Eelam (LTTE)
27. Libyan Islamic Fighting Group (LIFG)
28. Moroccan Islamic Combatant Group (GICM)
29. Mujahedin-e Khalq Organization (MEK)
30. National Liberation Army (ELN)
31. Palestine Liberation Front (PLF)
32. Palestinian Islamic Jihad (PIJ)
33. Popular Front for the Liberation of Palestine (PFLP)
34. PFLP-General Command (PFLP-GC)
35. Tanzim Qa'idat al-Jihad fi Bilad al-Rafdayn (QJBR) (al-Qaida in Iraq) (formerly Jama'at al-Tawhid wa'al-Jihad, JTJ, al-Zarqawi Network)
36. al-Qa'ida
37. al-Qaida in the Islamic Maghreb (formerly GSPC)
38. Real IRA
39. Revolutionary Armed Forces of Colombia (FARC)
40. Revolutionary Nuclei (formerly ELA)
41. Revolutionary Organization 17 November
42. Revolutionary People's Liberation Party/Front (DHKP/C)
43. Shining Path (Sendero Luminoso, SL)
44. United Self-Defense Forces of Colombia (AUC)

Identification

The Office of the Coordinator for Counterterrorism in the State Department (S/CT) continually monitors the activities of terrorist groups active around the world to identify potential targets for designation. When reviewing potential targets, S/CT looks not only at the actual terrorist attacks that a group has carried out, but also at whether the group has engaged in planning and preparations for possible future acts of terrorism or retains the capability and intent to carry out such acts.

Designation

Once a target is identified, S/CT prepares a detailed "administrative record," which is a compilation of information, typically including both classified and open sources information, demonstrating that the statutory criteria for designation have been satisfied. If the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, decides to make the designation, Congress is notified of the Secretary's intent to designate the organization and given seven days to review the designation, as the INA requires. Upon the expiration of the seven-day waiting period and in the absence of Congressional action to block the designation, notice of the designation is published in the *Federal Register*, at which point the designation takes effect. By law an organization designated as an FTO may seek judicial review of the designation in the United States Court of Appeals for the District of Columbia Circuit not later than 30 days after the designation is published in the *Federal Register*.

Until recently the INA provided that FTOs must be redesignated every 2 years or the designation would lapse. Under the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), however, the redesignation requirement was replaced by certain review and revocation procedures. IRTPA provides that an FTO may file a petition for revocation 2 years after its designation date (or in the case of redesignated FTOs, its most recent redesignation date) or 2 years after the determination date on its most recent petition for revocation. In order to provide a basis for revocation, the petitioning FTO must provide evidence that the circumstances forming the basis for the designation are sufficiently different as to warrant revocation. If no such review has been conducted during a 5 year period with respect to a designation, then the Secretary of State is required to review the designation to determine whether revocation would be appropriate. In addition, the Secretary of State may at any time revoke a designation upon a finding that the circumstances forming the basis for the designation have changed in such a manner as to warrant revocation, or that the national security of the United States warrants a revocation. The same procedural requirements apply to revocations made by the Secretary of State as apply to designations. A designation may be revoked by an Act of Congress, or set aside by a Court order.

Legal Criteria for Designation under Section 219 of the INA as amended

1. It must be a *foreign organization*.


2. The organization must *engage in terrorist activity*, as defined in section 212 (e)(3)(B) of the INA (8 U.S.C. § 1182(a)(3)(B)), or *terrorism*, as defined in section 140 (d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. § 2656(d)(2)), or *retain the capability and intent to engage in terrorist activity or terrorism*.
3. The organization's *terrorist activity or terrorism* must threaten the security of U.S. nationals or the national security (national defense, foreign relations, or the economic interests) of the United States.

Legal Ramifications of Designation

1. It is unlawful for a person in the United States or subject to the jurisdiction of the United States to knowingly provide "material support or resources" to a designated FTO. (The term "material support or resources" is defined in 18 U.S.C. § 2339A(b)(1) as "any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who maybe or include oneself), and transportation, except medicine or religious materials." 18 U.S.C. § 2339A(b)(2) provides that for these purposes "the term 'training' means instruction or teaching designed to impart a specific skill, as opposed to general knowledge." 18 U.S.C. § 2339A(b)(3) further provides that for these purposes the term "expert advice or assistance" means advice or assistance derived from scientific, technical or other specialized knowledge."
2. Representatives and members of a designated FTO, if they are aliens, are inadmissible to and, in certain circumstances, removable from the United States (see 8 U.S.C. §§ 1182 (a)(3)(B)(i)(IV)-(V), 1227 (e)(1)(A)).
3. Any U.S. financial institution that becomes aware that it has possession of or control over funds in which a designated FTO or its agent has an interest must retain possession of or control over the funds and report the funds to the Office of Foreign Assets Control of the U.S. Department of the Treasury.

Other Effects of Designation

1. Supports our efforts to curb terrorism financing and to encourage other nations to do the same.
2. Stigmatizes and isolates designated terrorist organizations internationally.
3. Deters donations or contributions to and economic transactions with named organizations.
4. Heightens public awareness and knowledge of terrorist organizations.
5. Signals to other governments our concern about named organizations.

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UNITED STATES DISTRICT COURT
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Civil Action No. 02-CV-0828 (CKK)

UNITED STATES OF AMERICA,
et al.,

Respondents.

Travel Activity a



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DECLAS BY: LC - 11/13/2008

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TRAVEL ACTIVITY:

KUWAIT PASSPORT HOLDER

Date of Issue: [REDACTED]
Exp.: 04/30/2004

Visas obtained:

Pakistani visa - [REDACTED]

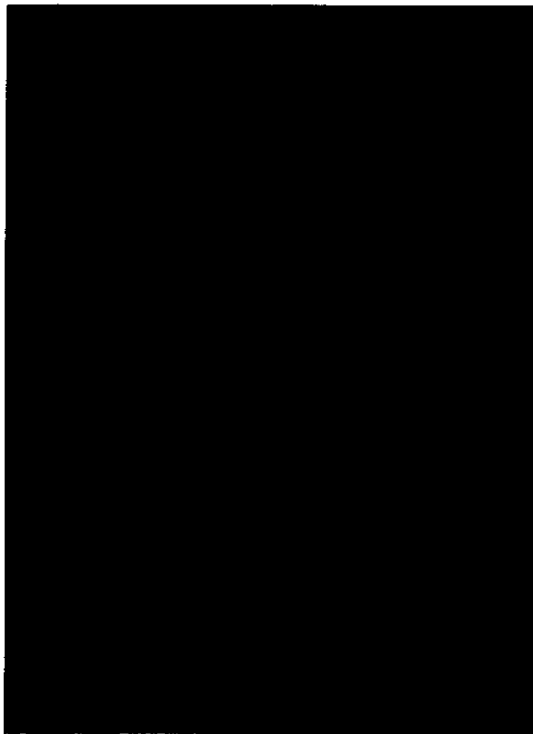
U.S. visa - [REDACTED]

Pakistani visa - [REDACTED]

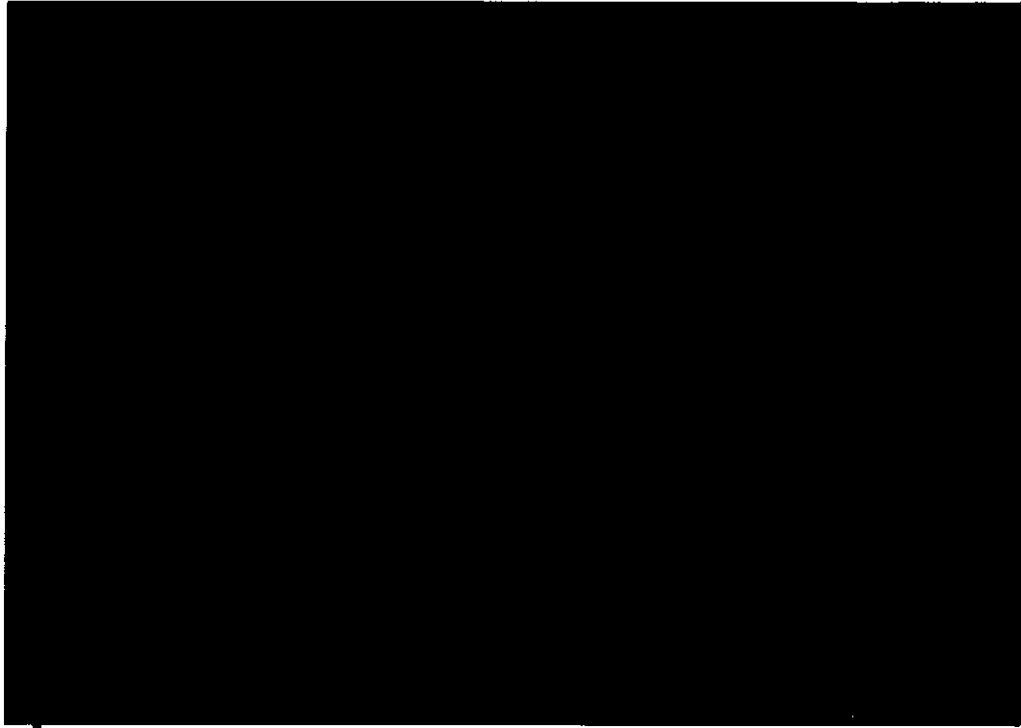
DATE	STAMP	LOCATION	COUNTRY
1. 08/24/1999 (Tues.)	Exit	AJ Salmay	Kuwait
2. 08/25/1999 (Wed.)	Entry	AJ Roq'i	KSA
3. 08/27/1999 (Fri.)	Entry	AJ Salmay	Kuwait
4. 08/28/1999 (Sat.)	Entry (?)	AJ Roq'i	KSA
5. 12/27/1999 (Mon.)	Exit	AJ Salmay	Kuwait
6. 12/27/1999 (Mon.)	Entry	AJ Roq'i	KSA
7. 01/01/2000 (Sat.)	Exit	AJ Roq'i	KSA
8. 01/01/2000 (Sat.)	Entry	AJ Salmay	Kuwait
9. 01/10/2000 (Mon.)	Exit	AJ Salmay	Kuwait
10. 01/10/2000 (Mon.)	Entry	AJ Salmay	Kuwait
11. 01/11/2000 (Tues.)	Exit	AJ Salmay	Kuwait
12. 01/11/2001 (Tues.)	Entry	AJ Roq'i	KSA
13. 01/14/2000 (Fri.)	Exit	AJ Roq'i	KSA
14. 01/14/2000 (Fri.)	Entry	AJ Salmay	Kuwait
15. 04/05/2000	Exit	Kuwait (Airport)	Kuwait
16. 04/06/2000	Entry	Lahore (Airport)	Pakistan
17. 05/27/2000	Exit	Lahore (Airport)	Pakistan
18. 05/27/2000	Entry	Kuwait (Airport)	Kuwait
19. 06/06/2000	Exit	AJ Nuaiseeb	Kuwait
20. 06/07/2000	Entry	AJ Nuaiseeb	Kuwait
21. 08/14/2000 (Mon.)	Exit	AJ Salmay	Kuwait
22. 08/14/2000 (Mon.)	Entry	AJ Roq'i	KSA
23. 08/25/2000 (Fri.)	Exit	AJ Roq'i	KSA
24. 08/25/2000 (Fri.)	Entry	AJ Salmay	Kuwait
25. 10/02/2000	Exit	Kuwait (Airport)	Kuwait
26. 10/02/2000	Entry	Houston (?) Airport	USA
27. 11/07/2000	Entry	Kuwait (Airport)	Kuwait
28. 12/05/2000 (Tues.)	Exit	Kuwait (Airport)	Kuwait
29. 12/05/2000 (Tues.)	Entry	Jeddah (Airport)	KSA
30. 12/08/2000 (Fri.)	Exit	Jeddah (Airport)	KSA
31. 12/09/2000 (Sat.)	Entry	Kuwait (Airport)	Kuwait
32. 01/19/2001 (Fri.)	Exit	Kuwait (Airport)	Kuwait
33. 01/19/2001 (Fri.)	Entry	Jeddah (Airport)	KSA
34. 01/25/2001 (Thurs.)	Exit	Jeddah (Airport)	KSA
35. 01/25/2001 (Thurs.)	Entry	Kuwait (Airport)	Kuwait
36. 02/25/2001 (Sun.)	Entry	AJ Roq'i	KSA
37. 03/01/2001 (Thurs.)	Exit	AJ Salmay	Kuwait
38. 03/09/2001 (Fri.)	Entry	AJ Salmay	Kuwait
39. 03/10/2001 (Sat.)	Exit	AJ Roq'i	KSA
40. 08/14/2001	Exit	Dubai (Airport)	UAE
41. 08/14/2001	Entry	Karachi (Airport)	Pakistan

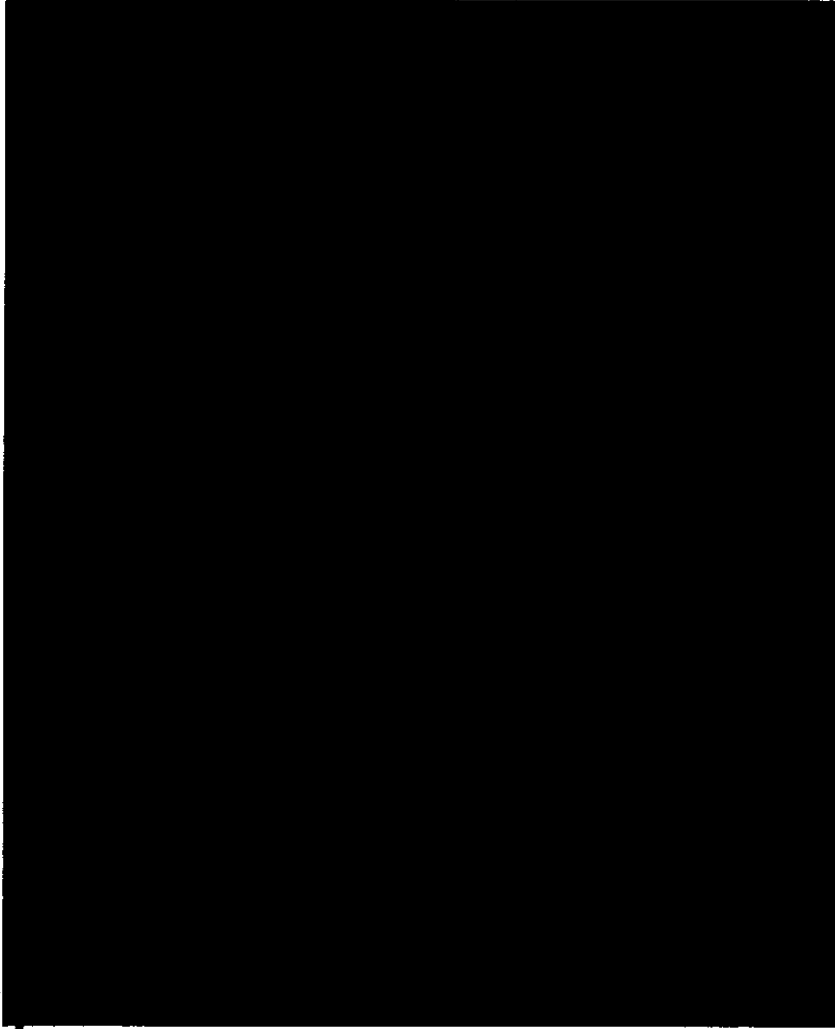
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DECLAS BY: LC - 11/13/2008

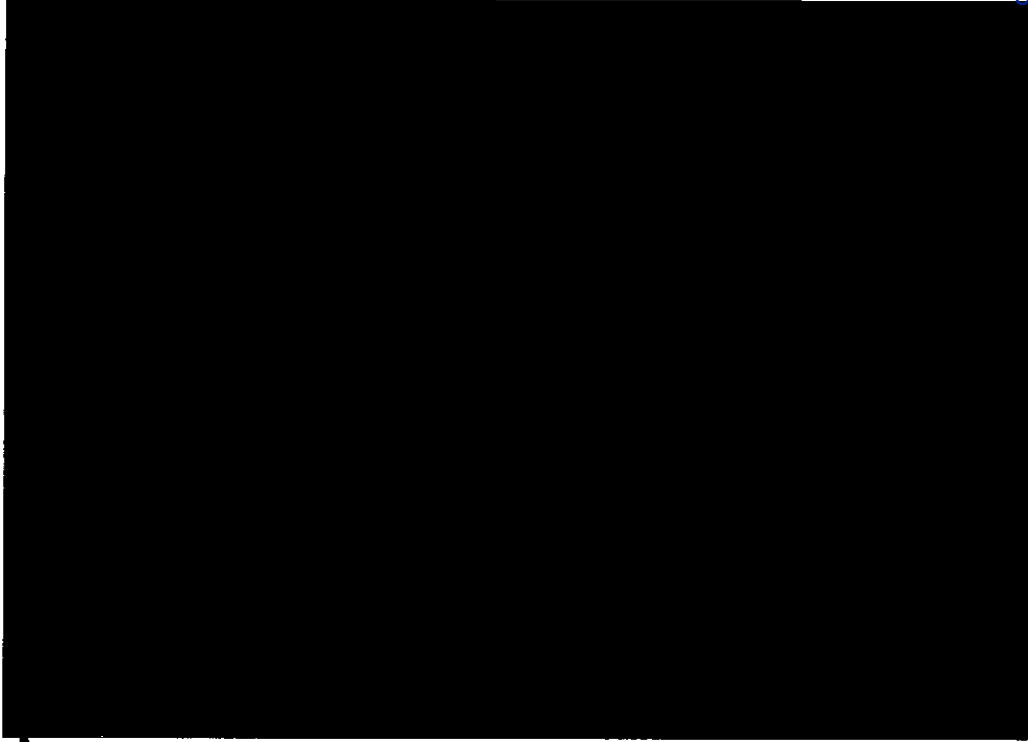


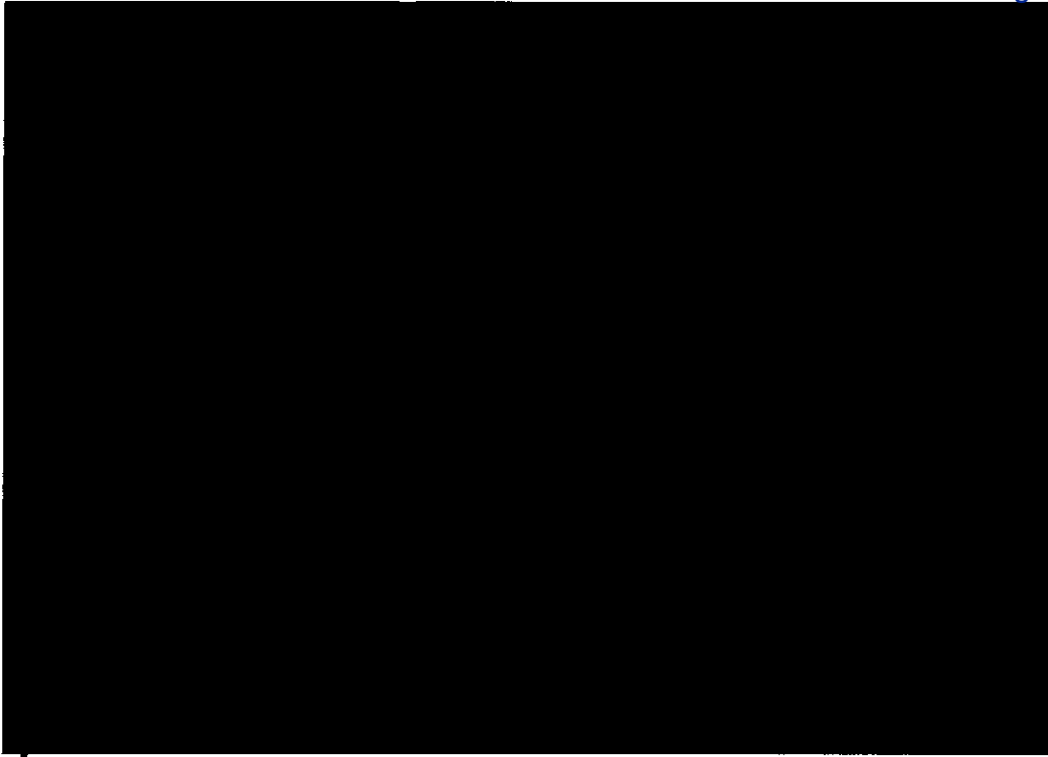
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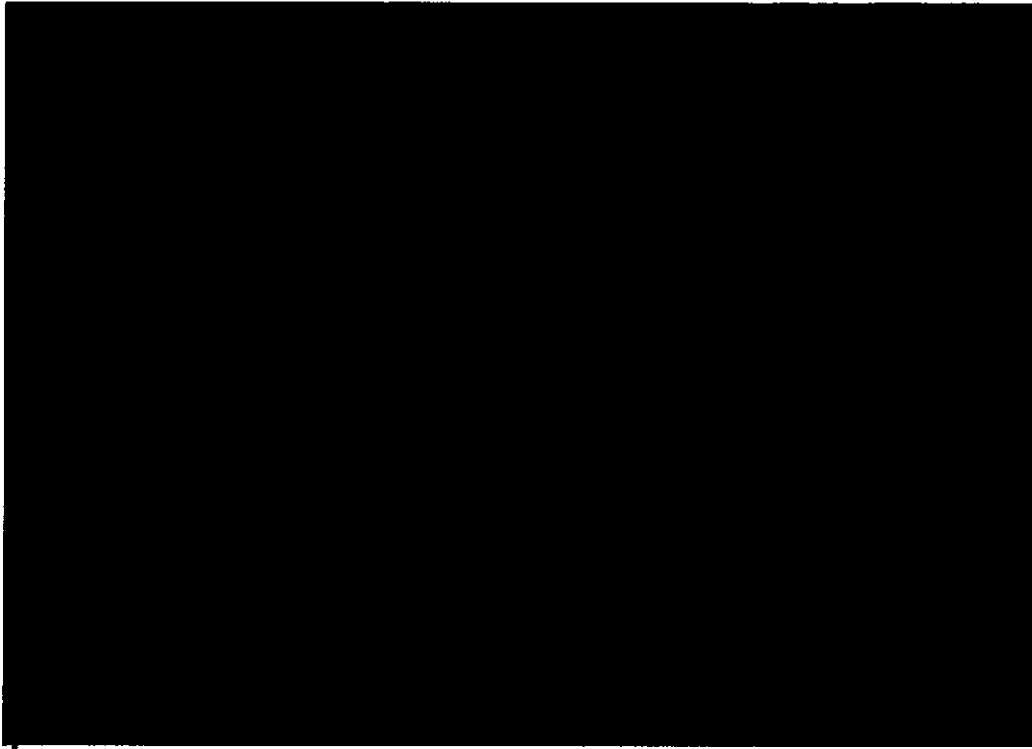


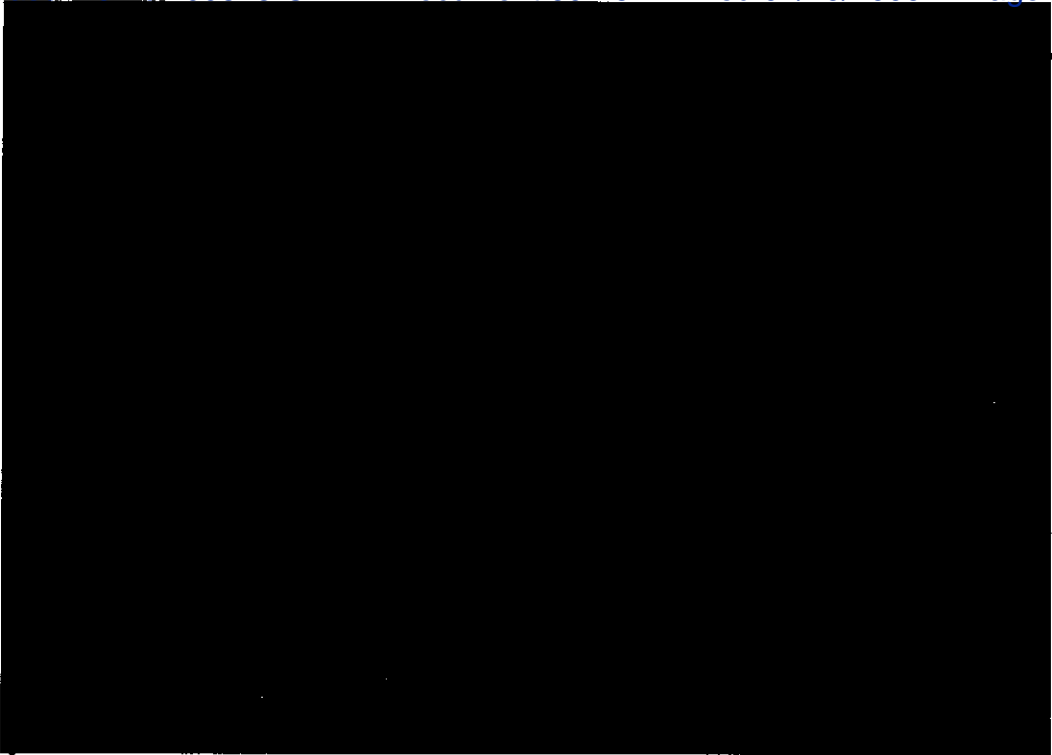


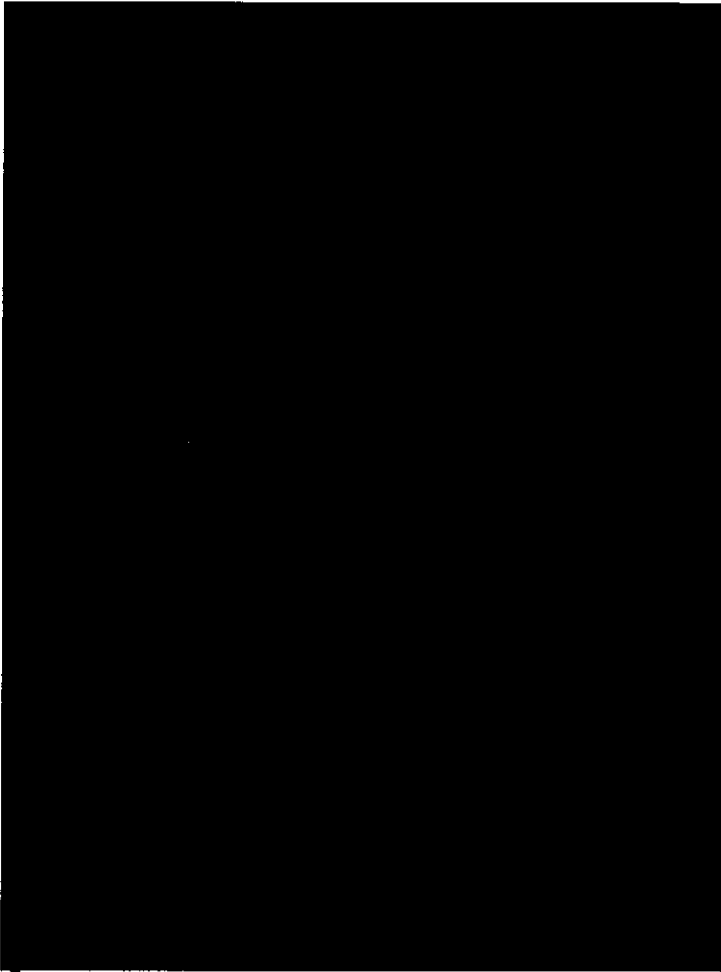


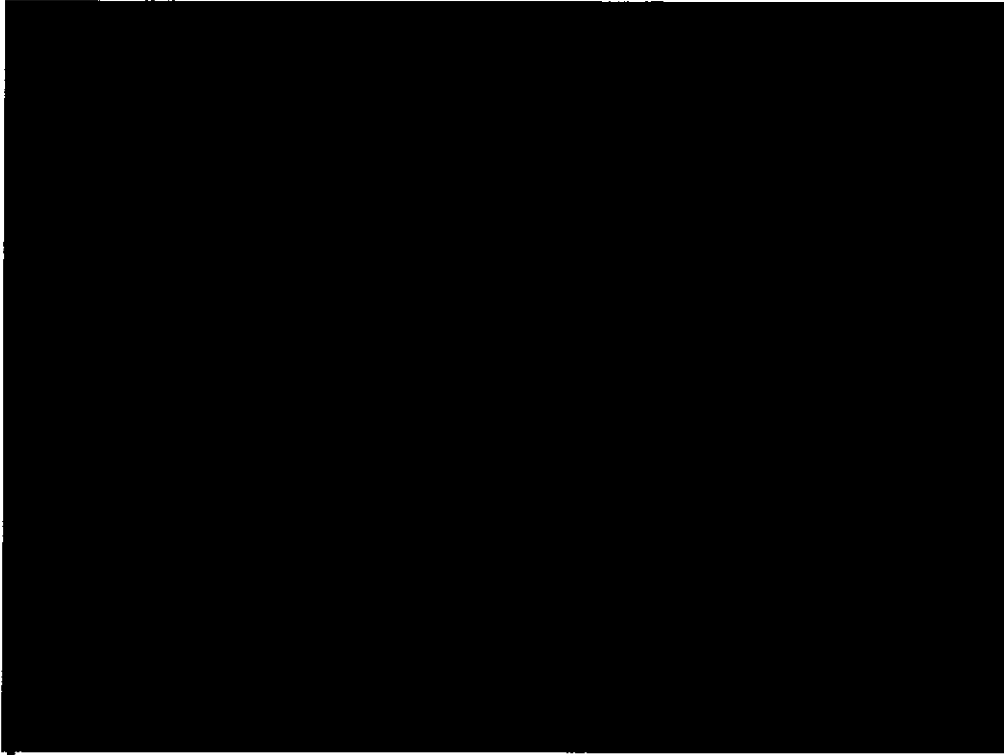








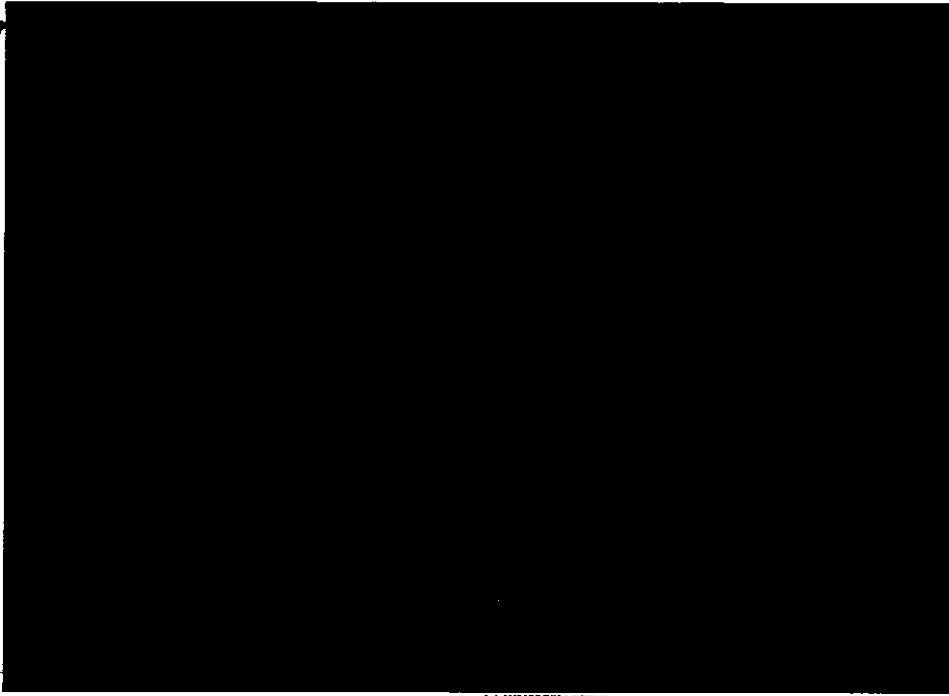












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UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,
et al.,

Respondents.

DHS Terrorist Organization Reference Guide
(January 2004)

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**U.S. Department of Homeland Security
U.S. Customs and Border Protection
Office of Border Patrol**

**Terrorist Organization
Reference Guide**

January 2004

DMO Exhibit 4

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19. Lashkar-e-Tayyiba (LT) (Army of the Righteous)

Description

The LT is the armed wing of the Pakistan-based religious organization, Markaz-ud-Dawa-wal-Irshad (MOI) - a Sunni anti-US missionary organization formed in 1989. The LT is led by Abdul Wahid Kashmiri and is one of the three largest and best-trained groups fighting in Kashmir against India; it is not connected to a political party. The United States in October 2001 announced the addition of the LT to the US Treasury Department's Office of Foreign Asset Control's (OFAC) list - which includes organizations that are believed to support terrorist groups and have assets in US jurisdiction that can be frozen or controlled. The group was banned, and the Pakistani Government froze its assets in January 2002.

Activities

The LT has conducted a number of operations against Indian troops and civilian targets in Kashmir since 1993. The LT claimed responsibility for numerous attacks in 2001, including an attack in January on Srinagar airport that killed five Indians along with six militants; an attack on a police station in Srinagar that killed at least eight officers and wounded several others; and an attack in April against Indian border security forces that left at least four dead. The Indian Government publicly implicated the LT - along with JEM - for the 13 December attack on the Indian Parliament building. The LT is also suspected of involvement in the 14 May 2002 attack on an Indian Army base in Kaluchak that left 36 dead. Senior al-Qaeda lieutenant Abu Zubaydah was captured at an LT safehouse in Faisalabad in March 2002, suggesting some members are facilitating the movement of al-Qaeda members in Pakistan.

Strength

Has several hundred members in Azad Kashmir, Pakistan, and in India's southern Kashmir and Doda regions. Almost all LT cadres are foreigners - mostly Pakistanis from madrassas across the country and Afghan veterans of the Afghan wars. Uses assault rifles, light and heavy machineguns, mortars, explosives, and rocket-propelled grenades.

Location/Area of Operation

Based in Muridke (near Lahore) and Muzaffarabad. The LT trains its militants in mobile training camps across Pakistan-administered Kashmir and had trained in Afghanistan until fall of 2001.

External Aid

Collects donations from the Pakistani community in the Persian Gulf and United Kingdom, Islamic NGOs, and Pakistani and Kashmiri businessmen. The LT also

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Terrorist Exclusion List³

Section 411 of the USA PATRIOT ACT of 2001 (8 U.S.C. § 1182) authorized the Secretary of State, in consultation with or upon the request of the Attorney General, to designate terrorist organizations for immigration purposes. This authority is known as the "Terrorist Exclusion List (TEL)" authority. A TEL designation bolsters homeland security efforts by facilitating the USG's ability to exclude aliens associated with entities on the TEL from entering the United States.

Designation Criteria

An organization can be placed on the TEL if the Secretary of State finds that the organization:

- commits or incites to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;
- prepares or plans a terrorist activity;
- gathers information on potential targets for terrorist activity; or
- provides material support to further terrorist activity.

Under the statute, "terrorist activity" means any activity that is unlawful under U.S. law or the laws of the place where it was committed and involves: hijacking or sabotage of an aircraft, vessel, vehicle or other conveyance; hostage taking; a violent attack on an internationally protected person; assassination; or the use of any biological agent, chemical agent, nuclear weapon or device, or explosive, firearm, or other weapon or dangerous device (other than for mere personal monetary gain), with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property. The definition also captures any threat, attempt, or conspiracy to do any of these activities.

Designation Process

The Secretary of State is authorized to designate groups as TEL organizations in consultation with, or upon the request of the Attorney General. Once an organization of concern is identified, or a request is received from the Attorney General to designate a particular organization, the State Department works closely with the Department of Justice and the intelligence community to prepare a detailed "administrative record," which is a compilation of information, typically including both classified and open sources information, demonstrating that the statutory criteria for designation have been satisfied. Once completed, the administrative record is sent to the Secretary of State who decides whether to designate the organization. Notices of designations are published in the Federal Register.

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Effects of Designation

Legal Ramifications

Individual aliens providing support to or associated with TEL-designated organizations may be found "inadmissible" to the U.S., i.e., such aliens may be prevented from entering the U.S. or, if already in U.S. territory, may in certain circumstances be deported. Examples of activity that may render an alien inadmissible as a result of an organization's TEL designation include:

- membership in a TEL-designated organization;
- use of the alien's position of prominence within any country to persuade others to support an organization on the TEL list;
- solicitation of funds or other things of value for an organization on the TEL list;
- solicitation of any individual for membership in an organization on the TEL list; and
- commission of an act that the alien knows, or reasonably should have known, affords material support, including a safe house, transportation,
- communications, funds, transfer of funds or other material for financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training to an organization on the TEL list.

(It should be noted that individual aliens may also found inadmissible on the basis of other types of terrorist activity unrelated to TEL-designated organizations; see 8 U.S.C. §1182(a)(3)(B).)

Other Effects

1. Deters donation or contributions to named organizations.
2. Heightens public awareness and knowledge of terrorist organizations.
3. Alerts other governments to U.S. concerns about organizations engaged in terrorist activities.
4. Stigmatizes and isolates designated terrorist organizations.

Background

On December 5th, 2001 Secretary of State Colin Powell, in consultation with the Attorney General designated the following organizations, thereby placing them on the Terrorist Exclusion List:

Terrorist Exclusion List Designees

- Al-Ittihad al-Islami (AIAI)
- Al-Wafa al-Igatha al-Islamia

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C2

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH
FAHAD AL ODAH, *et al*

Petitioner,

v.

UNITED STATES OF AMERICA,
et al.,

Respondents.

Civil Action No. 02-CV-0828 (CKK)

C2

C2

Document #: ^{C2} [REDACTED]
Partial Translation
Date: Sep. 17, 2002

Document Summary: A (79) page document printed on July 20, 2002 from the ^{C2} [REDACTED] internet site. The document was scanned twice and contains information, news and press releases about the status of the Taliban and Al-Qa'edah after Sep. 11, 2001 and the beginning of the American retaliation. The document consists of several printouts although have the same date but carry different numbers and cover different topics.

The following report was selected to be fully translated.

First report consists of (6) pages printed under the following number:

^{C2} [REDACTED]

*Page 1 of 6

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The Story, Names and AKA's of the Prisoners held by Pakistan

During the months of the crusade aggression on Afghanistan, the traitor Pakistani government was able to capture about (160) prisoners of the supporters who came to Afghanistan to defend the Moslems. These prisoners were captured in groups at various locations inside Pakistani at the borders with Afghanistan. The largest of these groups was about (130) fighters who left Afghanistan on 09/28/1422H (12/14/2001), and crossed the borders at a point in the Nangerhar province. Most of these brothers are young men who came to Afghanistan just before the crusade aggression on Afghanistan. Because they have not completed their trainings, and being unfamiliar with the method and techniques of the upcoming war, they decided to leave. They departed and for (4) days they moved around within the tribal areas. A number of individuals from one of the host tribes decided to sell them to Pakistani authorities and their allies of the International crusaders. These hosts treated the Mujahidin well until they felt secured and safe and then they proposed to the brothers surrendering their weapons in order not to be exposed while leaving and returning to the area, and the brothers agreed to the proposition. On a dark night, the traitors decided to implement their plan,



and informed the brothers of the Pakistani forces discovered their presence and are surrounding the village. They proposed to move fast in order to transfer them into another remote area. The brothers feeling safe and secure prepared themselves for the move. The traitors gather them from different locations and brought them into one of the mosques. Immediately afterwards, the Pakistani armed forces surrounded the mosque and ordered everyone to be calm and began hauling them into large trucks in preparation to move them to Peshawar.

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On the way and just before arriving to the Sada area, brother C1, C6, a Saudi attacked and struggled with one of the guards and succeeded in disarming him. The rest of the prisoners attacked the rest of the guards on the truck and disarmed them. The confrontation resulted in the killing of (10) brothers and (6) Pakistanis. Many brothers from this truck and other trucks were able to escape and the Pakistani guards controlled the rest and took them to prison. They then moved them to Islamabad in preparation to transport them back into Afghanistan as the Americans wished who will have control over the brothers once they are in Afghanistan. While interrogating the brothers, the Pakistani authorities were not able to prove the crime against any of them and managed to deport a small number of them while the majority still in Pakistani prisons.

The rest of the brothers were captured by Pakistani authorities either while attempting to enter Afghanistan and some are residing in Pakistan especially Palestinians whom we don't know their names.

Many would ask the question: Why did all of these events took place (2) days after Eid (Ramadan holiday) and you did not report it till today?

We answer by saying that we did not want to thwart the attempts by several Pakistani parties including religious scholars to release the brothers. The intervened with Pakistani authorities to release them on the condition they would immediately leave the country. They authorities procrastinated and gave promises, sometimes officials talked about a deal in the works for their release.

When the Pakistani authorities began to return some of them to Afghanistan, mediators announced that the matter is out of their hands and can do nothing to release them now.



At this point in time, we decided to publish their names and have their families exert some pressure on their governments and the Pakistani government to release them especially when they committed no crime. The Mujahidin are keen to attain their release by exchanging them with prisoners from the crusaders. But keep in mind that their release is not only the responsibility of their families or the Mujahidin, it is also the responsibility of all Moslems yielding to the Prophet's (PBUH) saying as reported by [redacted] from [redacted] "Release the prisoner".

Consensus of Moslem scholars agrees that release of the prisoner is collective duty demanded by Moslems. Hence, we put the release of these prisoners in the hands of able Moslems after we tried our utmost and will continue to do so. We say to the Moslem nation that these are the sons of Moslems who answered the call to defend the honors and blood of Moslems. If you do not mobilize your efforts to release them, then who will? It would be a different story if they were Jews or Christians, and would have witnessed the entire world being mobilized to release them. There is no one to care about the sons of Moslems.

We decided to publish the names of the brothers and the phone numbers of their families available to us from information they provided personally. We could not know the true identity of some of the brothers so we published their AKA's. The Pakistanis, responding to American pressures are being extremely secretive when it comes to the rest of the brothers.

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They don't want the names published in order not to cause them problems they don't need, but we have in our possession (31) photographs for a number of these prisoners.

The following are the names and AKA's of the prisoners:

- 1) [redacted] from Mecca. His brother and father's phone number is [redacted] and the numbers of his brother [redacted]
- 2) [redacted] from Rabigh, Saudi Arabia. His family's number is [redacted]
- 3) [redacted] from Sanaa, Yemen. His family's number is [redacted]



- 4) [redacted] from Mecca. His family's number is [redacted]
- 5) [redacted] from Medina, Saudi Arabia.
- 6) [redacted] from al-Qasim, Saudi Arabia. His family's number is [redacted]
- 7) [redacted] from al-Khari, Saudi Arabia. His family's mobile phone number is [redacted]
- 8) [redacted] from al-Jawf, Saudi Arabia. His family's mobile phone number is [redacted]
- 9) [redacted] from Saudi Arabia. His family's number is [redacted]
- 10) [redacted] from Saudi Arabia. His family's number is [redacted]
- 11) [redacted] from Tabuk, Saudi Arabia. The number of his brother [redacted] is [redacted] or [redacted] and his relative's number [redacted]
- 12) [redacted] from Jeddah, Saudi Arabia. His family's number is [redacted]
- 13) [redacted] from South Saudi Arabia. His family's number is [redacted]
- 14) [redacted] from Riyadh, Saudi Arabia. His family's number is [redacted]
- 15) [redacted] from al-Dammam, Saudi Arabia. His national I.D. number is [redacted] and his family can be reached at the house of his relative [redacted] or at the house of [redacted] it [redacted]
- 16) [redacted] from Aleppo, Syria.

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- 17) His brother [redacted] from Aleppo, Syria.
- 18) [redacted] from Mecca.



- 19) [redacted] from Hadhramaut, Yemen.
- 20) [redacted]
- 21) [redacted] from Bahrain. The number of his brother [redacted] is [redacted]
- 22) [redacted] from Saudi Arabia. His family's number is [redacted]
- 23) [redacted] from France. His family's number is [redacted]
- 24) [redacted] from America. His family's number is [redacted]. This number has no country code.
- 25) [redacted] from Qurtubah, Kuwait. His family's number is [redacted]
- 26) [redacted] from Sabah al-Salim, Kuwait. His family's number is [redacted]
- 27) [redacted] from al-Riqqah, Kuwait. His family's number is [redacted]
- 28) [redacted] from Sabah al-Nasir, Kuwait. His family's number is [redacted]
- 29) [redacted] from al-Farwaniyyah, Kuwait. His family's number is [redacted]
- 30) [redacted] from Medina, Saudi Arabia. He was taken prisoner while carrying a forged passport in the name of [redacted]
- 31) [redacted] from South Saudi Arabia. His family can be reached at the house of [redacted] at [redacted]
- 32) [redacted] from South Saudi Arabia.
- 33) [redacted] from al-Qasim, Saudi Arabia. His family can be reached at the house of brother [redacted]
- 34) [redacted] from Saudi Arabia. His family can be reached at the house of [redacted]
- 35) [redacted]
- 36) [redacted]. You can reach his family at the house of Riyad or Rashid at [redacted] in Riyadh, Saudi Arabia.




- 37) [redacted] from Mecca. His family's number is [redacted]
- 38) [redacted] His family can be reached at the number of [redacted] at [redacted]
- 39) [redacted] from al-Qasim, Algeria. His family can be reached at the house of his brother [redacted] or his brother [redacted]

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- 40) [redacted] His family can be reached at [redacted] at [redacted]
- 41) [redacted] from Riyadh, Saudi Arabia. His family can be reached at the house of [redacted] at [redacted] or at the house of [redacted] at [redacted]
- 42) [redacted] from Mecca. His family number is [redacted]
- 43) [redacted] from Riyadh, Saudi Arabia.
- 44) [redacted] He is accused of being one of the leaders of al-Qa'idah, but this brother was not associated with al-Qa'idah in the past. He was one of the men stationed in Afghanistan and was famous for his seniority. Because of his devotion to his brothers, the Pakistani officials proposed to him that they release him from prison in exchange for money, but he refused, unless they released those who were with him; otherwise, he would stay with them. They threatened to hand him over to the United States, but he insisted on staying. Then he and 10 others were moved to Kandahar.
- 45) [redacted] from Saudi Arabia.
- 46) [redacted] from Yemen.
- 47) [redacted] from Bangladesh.
- 48) [redacted] from Kurdistan, Iraq.
- 49) [redacted] from Yemen.
- 50) [redacted] from Algeria.
- 51) [redacted] from Kurdistan, Iraq.
- 52) [redacted] from Kurdistan, Iraq.
- 53) [redacted] from Syria.



- 54) [REDACTED] from Syria.
- 55) [REDACTED] from Algeria.
- 56) [REDACTED] from Algeria.
- 57) [REDACTED] from Algeria.
- 58) [REDACTED] from Algeria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 59) [REDACTED] from Tunisia. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 60) [REDACTED] He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 61) [REDACTED] from Algeria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 62) [REDACTED] from Algeria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 63) [REDACTED] from Algeria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 64) [REDACTED] from Algeria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 65) [REDACTED] from Algeria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 66) [REDACTED] from Syria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 67) [REDACTED] from Syria. He was one of those who escaped from the trucks during clashes with soldiers and whose current location is unknown.
- 68) [REDACTED] from Saudi Arabia.
- 69) [REDACTED] from Yemen.
- 70) [REDACTED] from Yemen.
- 71) [REDACTED] from Yemen.
- 

- 72) [REDACTED] from Saudi Arabia.
73) [REDACTED] from Saudi Arabia.
74) [REDACTED] from Turkey.
75) [REDACTED] from Turkey.
76) [REDACTED] from Turkey.
77) [REDACTED] from Algeria. He was with the Chechen Mujahidin a month before they went to Afghanistan.
78) [REDACTED] from Mecca.
79) [REDACTED] from Tunisia.
80) [REDACTED] from Yemen.
81) [REDACTED]

There were 6 who were killed in the clash with the Pakistani forces. We have pictures of three of them. They are

- 82) [REDACTED] from Saudi Arabia. His picture was clear, so we know it is he who died.
83) [REDACTED] from Saudi Arabia. His picture was not so clear, but we think that there is a great possibility that he has died.
84) [REDACTED] from Kurdistan, Iraq. His picture was not so clear, but we think that there is a great possibility that he has died.

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In conclusion, we renew our call to all Moslems every where to continue praying for the release of the prisoners and heal the wounds of those injured, and to accept the martyrs; pray to grant victory to those fighting against the Americans by dividing them, annihilate their soldiers, destroy their weapons, down their aircrafts and sink their ships; for Allah is the powerful and able.

End of report / Translation

The following is a brief gist of another report since 2 of 4 pages are missing, and printed on 07/20/2002 under the following number:

(b) (1), (b) (2)

*Pages (2 & 4) of 4

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The report in general talks about the life and accomplishments of the religious scholar [REDACTED] C1, C6. The author claims that he was the first to support all Moslems around the world in their struggle against occupation and oppression, seeking their independence.

In conclusion, the author conveys the condolences of the [REDACTED] C1, C6 of Afghanistan especially [REDACTED] C1, C6 and the rest of the Mujahidin to the entire Islamic nation on the loss of the great scholar and Mujahid. (TC: The date and place of [REDACTED] C1, C6 death is not available, but it must be after the events of September 11, 2002).

End of Translation

