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UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL DECISION

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

TRIBUNAL PANEL: 5
ISN #: [REDACTED]

1. Introduction

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

2. Synopsis of Proceedings

The unclassified evidence presented to the Tribunal by the Recorder indicated that the detainee was recruited in [REDACTED] and traveled to Afghanistan to participate in Jihad. He received weapons training at the al-Farouq training camp, and then participated in military operations against the coalition. Northern Alliance forces in the Tora Bora region later captured him. The detainee chose to participate in the Tribunal process. He called no witnesses and requested no documents be produced. During the hearing he made an oral statement under affirmation. In his oral statement the detainee denied the veracity of the evidence submitted, disputed all the evidence presented in the government's Unclassified Summary and claimed not to be a member of al Qaida.

3. Evidence Considered by the Tribunal

The Tribunal considered the following evidence in reaching its conclusions:

- a. Exhibits: D-a, R-1 through R-14
- b. Oral statement of the detainee under affirmation.

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

The Detainee requested no witnesses; no rulings were necessary.

The Detainee requested no additional evidence be produced; no rulings were necessary.

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5. Discussion of Unclassified Evidence

The Tribunal found the following unclassified evidence persuasive in making its determinations: The Tribunal was presented with a minimal amount of unclassified evidence. Therefore, it relied heavily on the classified exhibits (R-3 through R-14) in making its decision. However, during his oral statement, the detainee admitted that he traveled from [REDACTED] to Afghanistan, and was later captured by Afghanis. He admitted making statements to interrogators regarding his training in the Al-Farouq camp, but now claims that he only made these statements because his captors in Afghanistan were beating him.

The Tribunal found the following unclassified evidence unpersuasive in making its determinations: Overall, the Tribunal found the Detainee's oral statement to be unhelpful in that it appeared to be completely self-serving, evasive, and contrived.

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

6. Consultations with the CSRT Legal Advisor

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

7. Conclusions of the Tribunal

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

- a. The detainee was mentally and physically capable of participating in the proceeding. No medical or mental health evaluation was deemed necessary.
- b. The detainee understood the Tribunal proceedings. He indicated his understanding when asked, actively participated in the hearing, and asked relevant questions at appropriated times.
- c. The detainee is properly classified as an enemy combatant because he is a member of, or affiliated with al Qaida.

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8. Dissenting Tribunal Member's report

None. The Tribunal reached a unanimous decision.

Respectfully submitted,


Tribunal President

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