



S E C R E T // N O F O R N // 20330512

DEPARTMENT OF DEFENSE
HEADQUARTERS, JOINT TASK FORCE GUANTANAMO
U.S. NAVAL STATION, GUANTANAMO BAY, CUBA
APO AE 09360



JTF-GTMO-CDR

12 May 2008

MEMORANDUM FOR Commander, United States Southern Command, 3511 NW 91st Avenue,
Miami, FL 33172

SUBJECT: Recommendation for Continued Detention Under DoD Control (CD) for
Guantanamo Detainee, ISN US9YM-000088DP (S)

JTF-GTMO Detainee Assessment

1. (S) Personal Information:

- JDIMS/NDRC Reference Name: Magas Ali
- Current/True Name and Aliases: Adham Muhammad Ali
Awith Abu Asah, Waqas Adham Muhamad Ali Ala Wath,
Abu Waqas
- Place of Birth: Aden, Yemen (YM)
- Date of Birth: 1982
- Citizenship: Yemen
- Internment Serial Number (ISN): US9YM-000088DP



2. (U//FOUO) Health: Detainee is in overall good health.

3. (U) JTF-GTMO Assessment:

a. (S) Recommendation: JTF-GTMO recommends this detainee for Continued Detention Under DoD Control (CD). JTF-GTMO previously recommended detainee for Transfer Out of DoD Control (TRO) on 3 March 2007.

b. (S//NF) Executive Summary: Detainee is assessed to be a member of al-Qaida who participated in hostilities against US and Coalition forces. Detainee was part of a group of al-Qaida fighters barricaded in a Kandahar hospital recovering from wounds sustained during Operation Enduring Freedom and captured following a fire fight with Afghan forces. Detainee admitted traveling to Afghanistan for combat training, and his alias was found on an al-Qaida affiliated document indicating he received militant training. Detainee uses common counter-interrogation techniques assessed to indicate his continuing support to

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extremism. **[ADDITIONAL INFORMATION ABOUT THIS DETAINEE IS AVAILABLE IN AN SCI SUPPLEMENT.]** JTF-GTMO determined this detainee to be:

- A **HIGH** risk, as he is likely to pose a threat to the US, its interests, and allies
- A **HIGH** threat from a detention perspective
- Of **MEDIUM** intelligence value

c. (S//NF) Summary of Changes: The following outlines changes to detainee's assessment since the last JTF-GTMO recommendation. (Changes in this assessment will be annotated by ➤ next to the footnote.)

- Included additional document supporting detainee's membership in al-Qaida
- Added reporting of Kandahar hospital raid
- Updated detainee's SCI supplement
- Added detainee's support to UBL and verbalized threats against all Americans. Detainee's statements are similar to those made by former JTF-GTMO detainees indicating a **HIGH** probability for recidivist activities including suicide attack against large numbers of both military and civilian population such as the attack performed by Abdallah Salih Ali al-Ajmi, US9KU-000220DP (KU-220, suicide recidivist), in Iraq.
- Based on detainee's uncooperativeness, his assessed continuing support to extremism and his membership in al-Qaida, raised detainee's risk to **HIGH** and subsequently changed his recommendation from TRO to CD

4. (U) Detainee's Account of Events:

The following section is based, unless otherwise indicated, on detainee's own account. These statements are included without consideration of veracity, accuracy, or reliability.

a. (S//NF) Prior History: Detainee went to school for nine years and worked for a company named Taeh as a laborer working with paving cement. Detainee also worked for a company called Naft. Detainee obtained a Yemeni passport through the Yemeni passport office and learned how to use an AK-47 at home.¹

b. (S//NF) Recruitment and Travel: Detainee met an individual named Suraga at the Ibn al-Giam Mosque in al-Burayqah, a neighborhood in Aden, YM. Suraga convinced detainee

¹ 000088 302 30-APR-2002, 000088 302 22-MAY-2003

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to travel to Afghanistan to receive training,² and the pair traveled together to Afghanistan in mid-September 2001.³

c. (S//NF) Training and Activities: Despite traveling to Afghanistan for training to become a fighter, detainee never engaged in combat activities in Afghanistan. Detainee and nine individuals were traveling together in two automobiles from Kandahar. The group was involved in a collision while trying to avoid Coalition air strikes. Eight survivors, to include detainee, were evacuated to the Mir Weiss hospital in Kandahar. Detainee's passport was taken from him when he was recovering from his leg injury in the Afghani hospital.⁴

5. (U) Capture Information:

a. (S//NF) At the time of capture, detainee was one of eight Arabs suspected of being an armed member of al-Qaida using the hospital as a safe haven.⁵ According to Sayf al-Adil's recovered diary, al-Qaida fighters were left at the local hospital in Kandahar during al-Qaida's retreat from Kandahar. The group was captured by US forces a month and a half later.⁶ Detainee is assessed to be one of these al-Qaida fighters. Detainee was taken into custody by US forces on 29 December 2001.⁷

b. (S) Property Held: None

c. (S) Transferred to JTF-GTMO: 21 January 2002

d. (S//NF) Reasons for Transfer to JTF-GTMO: To provide information on the following:

- Arab fighting elements in and around Kandahar
- Recruiters in Yemen and Arab contacts in Afghanistan

6. (S//NF) Evaluation of Detainee's Account: Detainee's account is only partially truthful. Detainee has used the amputation of his leg to evade questioning. Detainee admitted he was

² 000088 MFR 21-MAR-2002, 000088 SIR 21-MAR-2002, Analyst Note: Al-Burayqah is a "suburb" of Aden, YM.

³ 000088 HANDNOTE 29-DEC-2001, 000088 KB 06-Feb-2002, Analyst Note: According to detainee, Suraga died in Afghanistan. A variant, Suraqah al-Tabuki, was listed on a roster for the Implementation Course and the Tactics Course. See AFGP-2002-800321 and AFGP-2002-600875. Suraqah may be US9YM-000062DP (transferred) whose aliases include the variant spellings Saraqa, Surayqah, and Sarraka. See TD-314/37246-02, TD-314/13174-03, CIR 316-09960-06, and TD-314/40693-02.

⁴ 000088 SIR 23-JUL-2005, 000088 KB 06-FEB-2002

⁵ IIR 6 044 0746 05, 000088 HANDNOTE 29-DEC-2001

⁶ >IIR 6 105 0068 05

⁷ IIR 6 044 0746 05, 000088 HANDNOTE 29-DEC-2001

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aware his file was incorrect claiming he will answer all questions when he receives medical attention, but refused to receive the medical attention itself when offered or refused to follow through with instructions for the care and comfort of his amputated leg.⁸ The lack of information about detainee makes it difficult to accurately assess his true role in Afghanistan. His resistance to debriefing indicates detainee is withholding information of intelligence value and further indicates his continuing support for extremism.

7. (U) Detainee Threat:

a. (S) Assessment: Detainee is assessed to be a **HIGH** risk, as he is likely to pose a threat to the US, its interests, and allies.

b. (S//NF) Reasons for Continued Detention: Detainee is assessed to be a member of al-Qaida who participated in hostilities against US and Coalition forces. Detainee was part of a group of al-Qaida fighters barricaded in a Kandahar hospital recovering from wounds sustained during Operation Enduring Freedom and captured following a fire fight with Afghan forces. Detainee admitted traveling to Afghanistan for combat training, and his alias was found on an al-Qaida affiliated document indicating he received militant training. Detainee uses a common interrogation technique assessed to indicate his continuing support to extremism.

- (S//NF) Detainee is assessed to be a member of al-Qaida who participated in hostilities against US and Coalition forces. Detainee was part of a group of al-Qaida fighters barricaded in a Kandahar hospital recovering from wounds sustained during Operation Enduring Freedom and captured following a fire fight with Afghan forces.
 - (S//NF) Majid Abdullah Lahiq al-Judi, ISN US9SA-000025DP (SA-025, transferred), reported ten individuals evading US air strikes were injured and eight of them were taken to the hospital in Kandahar. The eight Arabs, who SA-025 referred to as suspected members of al-Qaida, armed themselves and used the hospital as a safe haven. Abu Wakaas (detainee's alias) was reported as one of the survivors.⁹ Detainee acknowledged he was captured at the hospital in Kandahar.¹⁰ (Analyst Note: Detainee's claim that he did not recognize SA-025 is assessed to be false. Detainee claimed he was in too much pain to recall anyone, but was able to confirm he was moved from the first floor to the second floor of the hospital.¹¹

⁸ 000088 SIR 27-MAY-2004, 000088 HANDNOTE 29-DEC-2002, 000088 302 15-OCT-2002, 000088 302 15-OCT-2002, 000088 302 22-MAY-2002, 000088 ASSESSMENT 29-NOV-2002, 000088 SIR 06-MAY-2003

⁹ IIR 2 340 6056 02, IIR 6 034 0533 02, Analyst Note: Variants of Waqas include Wakaas and Waqqas.

¹⁰ 000088 302 30-APR-2002, 000088 302 22-MAY-2002

¹¹ >000088 SIR 27-May-2004, 000088 302 15-Oct-2002.

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- (S//NF) In his recovered diary, al-Qaida commander Sayf al-Adil wrote six al-Qaida fighters were left at the hospital in Kandahar during al-Qaida's retreat from Kandahar in early November 2001. He added the group was captured by US forces a month and a half later.¹²
- (S//NF) In a letter recovered during the capture of senior al-Qaida planner, Khalid Shaykh Muhammad, aka (KSM), aka (Mukhtar), ISN US9KU-010024DP (KU-10024), Azmiri al-Rahil identified those with him at the hospital as brothers and expressed their expectations of martyrdom at the hospital. Additionally, the letter was accompanied by items entrusted to them, probably funds, which Azmiri wanted to pass along for use by others.¹³ (Analyst Note: This letter helps further identify this group as al-Qaida members. Azmiri duplicates the names of five of those noted by SA-025.¹⁴)
- (U) Detainee is assessed to be one of the Arab fighters reported connected to Usama Bin Laden's (UBL) terrorist network and injured by the US bombing campaign in Afghanistan. Open source reporting of events prior to their capture stated the fighters barricaded themselves in the hospital for several weeks and were armed with grenades and pistols threatening to blow themselves up if anyone other than the hospital staff approached. Tribal forces surrounded the hospital and traded gunfire with those inside.¹⁵
 - (U//FOUO//LES) Commanders Naquibullah and Momuck were in charge of 30 to 45 Afghan National Army (ANA) soldiers during the fighting at the Kandahar hospital. Commander Naquibullah was unable to identify detainee. Naquibullah added that the lights were out the night of the raid, which may have precluded him from positively identifying detainee. Commander Momuck identified detainee was one of those captured at the hospital, but stated detainee did not possess a weapon when he was detained and did not participate in the fighting the night of the raid. However, Commander Momuck confirmed he did not see any of the individuals prior to the assault.¹⁶
- (S//NF) According to Abu Bakr Ibn Ali Muhammad al-Ahdal, ISN US9YM-000171DP (YM-171), detainee confirmed he lost his foot during the US bombing of Afghanistan.¹⁷
- (S//NF) In a letter to al-Qaida member Abu al-Fadhl, assessed al-Qaida member Ammar al-Dhali reported "brother" Waqqas Adham (detainee's alias) from Burayqah,

¹² >IIR 6 105 0068 05

¹³ >TD-314/30311-03

¹⁴ IIR 2 340 6056 02

¹⁵ Mir Weiss Hospital Uprising Open Source 24-DEC-2001

¹⁶ >Momuck FM40 15-MAR-2006, 000025 FM40 01-FEB-2006

¹⁷ 000171 302 26-APR-2002

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YM, whose leg was amputated, was either captured or hiding, but was probably hiding.¹⁸

- (S//NF) Abu al-Fadhl is assessed to be Said Salih Said Nashir aka (Abu al-Fadl), ISN US9YM-000841DP (YM-841). Ammar al-Dhali, aka (Abu Amar), and YM-841 attempted to escape Pakistan (PK) into Iran together. YM-841 was captured and al-Dhali was killed during the 11 September 2002 raids on al-Qaida-associated safe houses in Karachi, PK.¹⁹
- (S//NF) Zayn al-Abidin Muhammad Husayn, aka (Abu Zubaydah), ISN US9GZ-010016DP (GZ-10016), reported he possibly saw detainee at the al-Zubayr Guesthouse and perhaps at the front lines in Kabul.²⁰
- (S//NF) Detainee admitted traveling to Afghanistan for combat training, and his alias was found on an al-Qaida affiliated document indicating he received militant training.
 - (S//NF) Detainee admitted traveling to Afghanistan for training to be a fighter.²¹
 - (C) Detainee's alias, Abu Waqas, was found on papers recovered by allied forces in February 2002 at the al-Qaida Tarnak Farm Training Camp. The document provides a list of probable students of a weapons training course.²²
- (S//NF) Detainee uses a common counter-interrogation technique and is assessed to show continuing support to extremism.
 - (S//NF) As previously noted, detainee uses medical care as justification for refusing to cooperate with debriefers. However, medical care has been given to detainee or has been refused by detainee. Detainee's contradictory and false claims are assessed to be indications of his continuing support to extremism. Use of medical complaints is a known counter-interrogation technique.²³
 - (S//NF) Detainee has verbalized support to UBL and made multiple threats to kill US personnel including a remark that he was going to "kill all Americans and that Usama Bin Laden was number one and all Americans must die."²⁴

c. (S//NF) Detainee's Conduct: Detainee is assessed as a **HIGH** threat from a detention perspective. His overall behavior has been non-compliant and hostile to the guard force and

¹⁸ AFGP-2002-906127

¹⁹ TD-314/39082-02, TD-314/37098-02

²⁰ TD-314/24151-02

²¹ 000088 MFR 21-MAR-2002, 000088 KB 06-FEB-2002

²² IIR 7 739 3338 02, Analyst Note: The Tarnak Farm facility, aka (Abu Ubaydah Training Camp) served as one of al-Qaida's advanced training camps in Afghanistan. Tarnak Farm was considered the most important al-Qaida training camp in Afghanistan since al-Qaida operatives received advanced operational training including urban assault and other tactics. For additional information see TD 314/06145-02. Detainee's name is crossed out on the list but it is unknown why it is crossed out or when it occurred. It is, therefore, unknown if detainee received this advanced weapons course at Tarnak Farm, but completion of basic training was a prerequisite for advanced training.

²³ >Analyst Note: For additional details about counter-interrogation, see Extremist Counter-Interrogation 19-Aug-2005, TD-314/58769-03, TD-315/55899-07, and IIR 7 738 0065 03 among others.

²⁴ >JDG INTREPs dated: 13-Aug-2003, 21-Jul-2007, 22-Aug-2003, 17-Jun-2006, 26-May-2005

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staff. He currently has 71 Reports of Disciplinary Infraction listed in DIMS with the most recent occurring on 7 April 2008, when he was in possession of engraved Arabic wiring on cell door. He has 14 Reports of Disciplinary Infraction for assault with the most recent occurring on 23 April 2006, when he threw bodily fluids on the guard force. Other incidents for which he has been disciplined include inciting and participating in mass disturbances, failure to follow guard instructions/camp rules, inappropriate use of bodily fluids, unauthorized communications, damage to government property, attempted assaults, assaults, provoking words and gestures, and possession of food and non-weapon type contraband. In 2007, he had a total of 37 Reports of Disciplinary Infraction and one so far in 2008.

8. (U) Detainee Intelligence Value Assessment:

a. (S) Assessment: Detainee is assessed to be of **MEDIUM** intelligence value. Detainee's most recent interrogation session occurred on 12 April 2008.

b. (S//NF) Placement and Access: Detainee has links to al-Qaida members possibly including GZ-10016, Ammar al-Dhali, and Abu al-Fadhl. Detainee was captured in the Kandahar hospital standoff with Coalition forces that allegedly included al-Qaida members. Detainee failed to provide an accurate timeline in which to determine his entry and duration in Afghanistan prior to capture. According to captured al-Qaida documents, detainee probably attended the al-Faruq Training Camp and possibly Tarnak Farm.

c. (S//NF) Intelligence Assessment: Due to detainee's deceptive and uncooperative attitude, detainee remains largely unexploited. Detainee can provide information on events and individuals surrounding the standoff at the Mir Weiss hospital. Detainee can possibly provide information on Tarnak Farm and other al-Qaida training facilities around Kandahar. Detainee's intelligence value is difficult to assess based on his hostile demeanor and lack of cooperation; however, reporting provides possible links between detainee and al-Qaida. Detainee's role as an extremist is assessed as minor; however, detainee constantly utilizes counter-interrogation techniques which may indicate detainee was more imbedded within al-Qaida than previously assessed.

d. (S//NF) Areas of Potential Exploitation:

- Training at al-Qaida camps
- Al-Qaida suspects from the Kandahar airport
- Members of al-Qaida retreating from Kandahar
- Detainee's timeline, activities, and associates in Afghanistan
- Terrorist personalities and facilities in Peshawar
- Terrorist biographical-psychological information

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9. (S) **EC Status:** Detainee's enemy combatant status was reassessed on 18 November 2004, and he remains an enemy combatant.

VIC,

MARK H. BUZBY
Rear Admiral, US Navy
Commanding

* Definitions for intelligence terms used in the assessment can be found in the Joint Military Intelligence College October 2001 guide *Intelligence Warning Terminology*.