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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at US Naval Base Guantanamo Bay, Cuba

10 June 2005

To: AL SHULAN, HANI ABDUL MUSLIH

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL SHULAN, HANI ABDUL MUSLIH

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a. Commitment

1. The detainee traveled to Afghanistan in response to a fatwa for the purpose of fighting coalition forces.

2. The detainee arrived in Afghanistan in approximately July 2001 from Yemen via Pakistan.

3. The detainee spent two months at a Taliban camp. The detainee stated that his job was to prepare food that was later transported to soldiers fighting on the front lines.

4. The detainee was present in the Tora Bora region during the U.S. air campaign.

5. The detainee was armed with an AK-47 rifle.

b. Training

The detainee denied receiving any military training while in Kabul. According to the detainee, Taliban officials asked him if he wished to undergo firearms training. The detainee declined because he already considered himself proficient with a Kalashnikov rifle.

c. Connections/Associations

1. The detainee's travel to Afghanistan was facilitated by a Yemeni national known to have recruited Yemeni men to fight the Jihad against the Russians in Chechnya.

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2. The detainee resided in Taliban safehouses during his travel to and within Afghanistan.

d. Other Relevant Data

1. The detainee had in his possession at capture a Casio watch, model # A159W, which has been used in bombings linked to al Qaida.

2. The detainee was captured in Pakistan near the Afghanistan border by Pakistani forces.

4. The following primary factors favor release or transfer:

a. The detainee stated that he didn't mind "working" for the Taliban, but didn't want to fight.

b. The detainee stated that he had planned to go to Afghanistan to find work with the Taliban and earn money. He had planned on staying for six or seven months and then return home.

c. When asked, the detainee stated that if the fatwa that Sheik Mohamed al-Imam issued had included fighting Americans, he would not have gone to Afghanistan.

d. The detainee claimed that he did not say during the interrogation that he traveled to Afghanistan in response to a fatwa for the purpose of fighting coalition forces. There are other people that went for the purpose of fatwa but he did not go there for that purpose.

e. The detainee stated that he knew Usama Bin Laden was in Afghanistan, but did not know he was associated with the Taliban. The detainee stated that he does not know anyone that supports or is associated with Usama Bin Laden, nor would he fight against the Americans.

f. The detainee had learned about the East African US embassy bombings, and the bombing of the USS Cole from the news. The detainee stated that he does not know anyone associated with these attacks.

g. The detainee stated that he believed that the United States would not attack Afghanistan without a reason.

h. The detainee noted that, if released, he would like to return to study at the university and subsequently become a teacher.

i. The detainee stated he has never heard the term Bayout, or swearing of allegiance, to Usama Bin Laden. The detainee further denied any association to Al Qaida, and added that the first time he ever heard the group, was after arriving in Cuba. The detainee also said he knows of UBL only through what he has heard from the media.

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j. The detainee denied having prior knowledge of the attacks, and further criticized the fact they took place. The detainee continued to state that if two countries can't resolve their differences peacefully, then it is a matter for armies to settle, and not terrorists. The detainee stated he believes terrorism is a bad thing because many innocent people lose their lives at the hands of the terrorists.

k. The detainee stated that prior to leaving Kabul, he was issued an AK-47 assault rifle. He advised that this was the first time he had carried a rifle while in Afghanistan.

l. The detainee states that everyone uses a Kalashnikov rifle. He denied that he had the weapon for any enemy activities or to fire at the coalition.

m. The detainee claimed that he was not at Tora Bora during the U.S. air campaign. He stated that was the only way to leave Afghanistan.

n. The detainee claims the Pakistani forces did not capture him but that he turned himself over to them so he could exit.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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