

SECRET // NOFORN // 20310428



**DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
GUANTANAMO BAY, CUBA
APO AE 09360**



JTF GTMO-CC

28 April 2006

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

SUBJECT: Recommendation for Transfer Out of DoD Control (TRO) for Guantanamo Detainee, ISN: US9SA-000497DP (S)

JTF GTMO Detainee Assessment

1. (S//NF) Personal Information:

- JDIMS/NDRC Reference Name: Nasir M Asubayi
- Aliases and Current/True Name: Nasir Mazid Abdullah Al Qurayshi Al Subii and Al-Dihdah al-Najdi
- Place of Birth: Kasim, Saudi Arabia (SA)
- Date of Birth: 16 September 1970
- Citizenship: Saudi Arabia
- Internment Serial Number (ISN): US9SA-000497DP



2. (FOUO) Health: Detainee is in good health. He has nerve damage to his left leg from trauma occurring prior to detainment. He has had a left tympanic membrane perforation. He has had a left fibula fracture. He has had left peroneal nerve palsy. He had minor surgery to remove shrapnel from his left leg in August 2002. He is on a medication for chronic left leg pain.

3. (S//NF) JTF GTMO Assessment:

a. (S) Recommendation: Based upon information obtained since detainee's previous assessment, JTF GTMO now recommends detainee for Transfer Out of DoD Control (TRO). JTF GTMO previously assessed detainee as Continued Detention Under DoD Control (CD) on 10 August 2005.

b. (S//NF) Executive Summary: Detainee is an Islamic extremist with admitted links to the Maktab Al-Khidmat (MK), aka Tanzeem Ul Fuqra, non-governmental organization

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(NGO), a known supporter of Al-Qaida.¹ Detainee admittedly traveled to Afghanistan for jihadist training and utilized a number of Al-Qaida affiliated facilities. US/coalition bombing, probably during detainee's participation in hostilities with Al-Qaida forces in Tora Bora, injured detainee. JTF GTMO determined this detainee to be:

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

4. (S//NF) 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: In 1990, detainee began working with companies that dealt with providing visas and passports.² The first two years were spent working for a company that acted as a liaison between many foreign companies that work in Saudi Arabia and the Saudi government for issues relating to visas and passports. In approximately 1997/1998, detainee and his brother, Badar Mazid Abdullah Al Subeyi, started up the Naseer General Services Office.³ This company acted as a liaison between commercial businesses and the Saudi government by providing licensing, visas, and passports. Detainee admittedly did business with US companies in Saudi Arabia. Detainee traveled to Kuwait on multiple occasions to visit his mother's family and in 1998 went to Syria.⁴

b. (S//NF) Recruitment and Travel: In early August 2001, detainee decided to answer a fatwa (a religious ruling) issued by Saudi Sheikh Hamoud Al-Uqla calling for Muslims to train for jihad by attending a training camp.⁵ Khalid Rashd Ali Al-Muri, ISN US9SA-

¹ Maktab Al-Khidmat is an IICT Tier 2 NGO counterterrorism target. Tier 2 targets have demonstrated the intent and willingness to support terrorist organizations willing to attack US persons or interests. The Global Jihad Support Network is an IICT Tier 0 counterterrorism target.

² 000497 SIR 26-May-2004, Analyst Note: Detainee reported that he and his brother had several Saudi and Sudanese employees. The company earned an average of 25,000 to 50,000 SR a month, but never less than 10,000 SR.

³ IIR 6 034 0658 03, Analyst Note: Detainee worked in this company until his departure to Afghanistan.

⁴ 000497 MFR 31-Mar-2002, Analyst Note: Detainee further elaborated in 000497 SIR 26-May-2004 that he visited Syria two times, the UAE two times, Dubai two times, and went to Kuwait several times as he had family there.

⁵ IIR 6 034 0991 03, Analyst Note: Assessed to be deceased Sheikh Hamud bin Al 'Uqla Al Shuaibi aka Sheikh Al 'Uqla, who was the first radical to issue a fatwa recognizing the Islamic "legitimacy" of the 9/11 attacks and sanctifying the perpetrators as holy warriors.

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000505DP (SA-505),⁶ accompanied detainee from Saudi Arabia to Kandahar, AF, via the United Arab Emirates (UAE) and Pakistan (PK) to train for jihad.⁷

c. (S//NF) Training and Activities: The detainee and SA-505 arrived at the Al Nebras guesthouse in Kandahar and then parted company. Detainee went to Al Farouq and received three weeks of training.⁸ After the 11 September 2001 attacks, training stopped. The students and cadre were taken to Kandahar and then to a house in the middle of Kabul.⁹ While leaving Kandahar, an unknown individual handed detainee a Kalashnikov,¹⁰ which he carried for self-defense. Detainee claimed he never fired the weapon.¹¹ The next day, the group was taken to a house near Jalalabad, AF, where he stayed for two months. Most of the Arabs were armed with AK47's or pistols in Jalalabad. In November 2001, detainee was told everyone was going to the mountains and it would not be safe to stay behind. Detainee went to the mountains in the Tora Bora region, lived in a small bunker, and assembled with others at a hilltop outpost called Beder Center. The leader at Beder Center was Abdul Qadus (variants: Qadoos, Kadus), whom detainee believed was previously the Emir at the Al Farouq camp.¹²

5. (S//NF) Capture Information:

a. (S//NF) Detainee claimed he was wounded in the left leg in December 2001, while in Tora Bora, and unknown Afghans transported him to a hospital in Kabul. He spent five days in a Jalalabad hospital before being captured by the Northern Alliance and turned over to US forces.¹³

⁶ IIR 6 034 0658 03

⁷ IIR 6 034 0668 02, Analyst Note: SA-505 corroborated detainee's reporting in FM40 20030403 – US9SA-000505DP with just a slight variation in times. In TD-314/03378-02, detainee reported that he arrived in Afghanistan in September 2001, but this date would not work if he received three weeks of training and departed Al Farouq on approximately 11 September 2001. Detainee's story coupled with documentation found in Tora Bora (IIR 7 739 3066 02) places him in Afghanistan in mid-to-late August 2001.

⁸ IIR 6 034 0668 02

⁹ 000497 MFR 31-Mar-2002

¹⁰ IIR 6 034 0991 03, Analyst Note: In other reporting, detainee contradicted himself and stated that he did not receive a weapon until he got to the Tora Bora Mountains. See IIR 6 034 0658 03.)

¹¹ IIR 6 034 0991 03 (Detainee reported he received only classroom instruction on the AK-47 rifle.) In IIR 6 034 0658 03, detainee reported that the first time he held a weapon was when he received it from an unidentified individual. Analyst Note: Every detainee at Al Farouq or other training camps reported that they were at least taught to assemble and disassemble an AK-47. It is assessed that classroom training would have at least taught him that. Therefore, this statement by detainee is deemed false.

¹² 000497 MFR 31-Mar-2002

¹³ 000497 MFR 31-Mar-2002, IIR 6 034 0991 03

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b. (S) Property Held: N/A

c. (S) Transferred to JTF GTMO: 7 February 2002

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

- Al Farouq training camp

6. (S//NF) Evaluation Of Detainee's Account: Detainee's statements concerning his activities have remained fairly consistent, and SA-505 (his traveling partner) corroborated detainee's account.¹⁴ Other detainees at JTF GTMO have admitted to traveling the same route detainee traveled from Al Farouq to the Tora Bora Mountains of Afghanistan; therefore, his reporting is deemed credible but incomplete.

7. (S//NF) Detainee Threat:

a. (S) Assessment: It is assessed the detainee poses a MEDIUM risk, as he may pose a threat to the US, its interests and allies.

b. (S//NF) Reasons for Continued Detention: Detainee is an Islamic extremist with admitted links to the MK.¹⁵ Detainee possibly supported MK by obtaining legitimate or fraudulent travel documents via his business. A senior Al-Qaida member identified detainee as a mujahid who attended jihadist training and stayed at multiple Al-Qaida affiliated facilities. Detainee was injured during US/coalition bombing while probably fighting under an Al-Qaida commander at Tora Bora.

- (S//NF) While in a Kabul prison in Afghanistan, detainee reported to authorities that he had links (NFI) to the MK.¹⁶ (Analyst Note: Detainee has not provided any additional information to further identify what he meant by "links" to the MK.)¹⁷
 - (S//NF) The MK provided logistical support to mujahideen going to Afghanistan (AF) military training camps.¹⁸ The MK was originally founded to move fighters to Afghanistan to participate in the Russian jihad.¹⁹ Deceased Sheikh Abdullah Azzam, the spiritual mentor of Usama Bin Laden (UBL), founded the MK with two of his

¹⁴ FM40 20030403 – US9SA-000505DP

¹⁵ Analyst Note: The MK provides logistical support to mujahideen going to Afghanistan (AF) military training camps. See Appendix B to 9-11 Commission Report, D-INT-2400-019-05, TD-314/23625-05.

¹⁶ TD-314/03378-02, AFGP-2002-001095

¹⁷ 000497 SIR 26-May-2004, IIR 6 034 0658 03, 000497 MFR 31-Mar-2002

¹⁸ 9/11 Commission Report

¹⁹ TD-314/35453-02

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followers, UBL and senior Al-Qaida lieutenant Abu Zubaydah. Many MK officials were also affiliated with Al-Qaida. MK was placed on the US list of organizations financing terrorism in September 2001.²⁰ (Analyst Note: Logistical support possibly involved the facilitation of mujahideen from Saudi Arabia to Afghanistan and other countries. The facilitation provided probably involved forged visas and passports. The MK has effectively been absorbed by the Al-Qaida organization.)

○ (S//NF) Detainee co-owned Nasser General Services Office in Jubayl, SA, with his brother. This office liaises between foreign companies in Saudi Arabia and the Saudi Arabian government on issues regarding passports and visas.²¹ (Analyst Note: Through this business, detainee possibly expedited legitimate and fraudulent travel documents for extremist international travel.)

▪ (S//NF) Three travel visa applications bearing detainee's name were recovered from a former Al-Qaida or Taliban cave/stronghold in the Tora Bora area. Two of these applications are assessed to be forgeries, created surreptitiously to obtain visas or other documentation to facilitate future travel. All three applications contained the same information to include name and visa number assigned to the application. However, one application listed his citizenship as Yemeni, one listed the citizenship as Pakistani, and the third listed Sri Lankan.²²

▪ (S//NF) When questioned about the visas found, detainee claimed that his visas were for some of his laborers. When asked why his name was on all of them, he responded, "That is the system in Saudi Arabia."²³ (Analyst Note: There is no legitimacy to detainee's statements. If he were obtaining the visas for laborers, even if he used the same name to facilitate timely acquisition, the visas would have been issued with different names for each application. The repeated information, duplicate numbers, and the fact that the visas were found in the cave with other items belonging to detainee indicates the likelihood of detainee's involvement in providing counterfeit travel documents.)

○ (S//NF) Detainee was reported to be a possible member of an Al-Qaida support network, possibly the MK, and appeared to have linked up with three others in Dubai, UAE.²⁴ Detainee admittedly and identifiably was in a cave in Tora Bora, which further adds credence to the placement of these documents.²⁵

▪ (S//NF) Hotel receipts indicated that Salih Ali Zahid Al-Kuthayami, Khalid, and Usman stayed at the Sea View Hotel in mid-August in rooms near detainee's

²⁰ TD-314/23625-05

²¹ 000497 MFR 31-Mar-2002, 000497 SIR 26-May-2004

²² IIR 7 739 3066 02

²³ 000497 SIR 26-Aug-2004

²⁴ IIR 7 739 3066 02

²⁵ 000497 31-Mar-2002, TD-314/46903-05

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room.²⁶ (Analyst Note: Khalid is assessed to be detainee's traveling companion SA-505. Usman and Kuthayami were possibly other jihadists who met up with detainee and SA-505 in Dubai, UAE. Even though detainee tried to downplay these findings,²⁷ these receipts validate the time period that detainee was in Dubai, UAE, and his probable associates.)

- (S//NF) Detainee attended an Al-Qaida supported militant training camp and was identified as a mujahid active in Tora Bora.
 - (S//NF) Senior Al-Qaida operative Walid Muhammad Salih Bin Attash aka Khallad aka Silver remarked that he saw the detainee in Tora Bora and that he was a newly arrived mujahid in Afghanistan.²⁸
 - (S//NF) Detainee admitted attending three weeks of basic training at Al-Qaida's Al-Farouq training camp. His first two weeks were primarily physical training with the third week focused on the AK-47.²⁹
 - (S//NF) Detainee stated that he viewed jihad as a duty of every Muslim and decided to go to Afghanistan in order to receive training.³⁰
 - (S//NF) Detainee traveled outside of Saudi Arabia to receive training knowing that it was against the law to attend training at Al Farouq and/or to travel to another country to fight.³¹
 - (S//NF) Detainee reported that the cadre at Al Farouq carried handheld radios. There were approximately 10 cadres to include Seba Al Layl aka Muhammad Al Ahmadi³² aka Aziz Al Akwa³³ and Abu Jerah, who were instructors, and Abdul Qadus, who was the Camp Emir.³⁴ Detainee further reported that his instructor on the AK-47 was Seba Al-Layl.³⁵ Other JTF GTMO detainees also reported that Al Layl was one of their instructors at Al Farouq.³⁶
- (S//NF) Detainee resided at a number of Taliban and Al-Qaida affiliated guesthouses during his movement through Pakistan and Afghanistan.

²⁶ IIR 7 739 3066 02, IIR 7 910 0020 02 (Documents were recovered on 23 December 2001 at a suspected Al-Qaida position in Tora Bora. Detainee listed as Nasser Mazid Alsebaei (variant: Nasser Mazid Al-Subai).)

²⁷ 000497 SIR 26-Aug-2004, Analyst Note: Detainee claimed that the hotel bills are just papers that the interrogator prepared. Detainee probably implied that they were a hoax, made up.

²⁸ TD-314/46903-05

²⁹ 000497 MFR 03-Aug-2002, 000497 302 13-May-2003, IIR 6 034 0668 02, IIR 6 034 0991 03

³⁰ 000497 MFR 03-Aug-2002

³¹ IIR 6 034 0658 03

³² TD-314/49800-01

³³ TD-314/49402-01

³⁴ IIR 6 034 0222 02

³⁵ 000497 MFR 03-Aug-2002

³⁶ TD-314/28444-02 (As reported by Fahmi Salim Sa'id Al Asani, US9YM-000554DP (YM-554).)

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- (S//NF) Both detainee and SA-505 stated they had stayed at the Al Mustafa Hotel in Karachi, PK.³⁷ (Analyst Note: The Al Mustafa Hotel is known to house Al-Qaida members and trainees in transient status on their way to Afghanistan or other areas of operation.)
- (S//NF) Detainee resided at the Al Nebras guesthouse before traveling to the Al Farouq training camp.³⁸ (Analyst Note: Al Nebras is a known Al-Qaida guesthouse where personal items were taken from Arabs transiting to Al Farouq. Usama Bin Laden (UBL) reportedly spoke to some of these fighters before they received militant training.)³⁹
 - (S//NF) Detainee's name and alias are included on a list noting Al-Qaida members and their trust accounts, discovered during raids against Al-Qaida-associated safe houses in Pakistan.⁴⁰ (Analyst note: Such a list is indicative of an individual's residence within Al-Qaida, Taliban, and other extremist guesthouses often for the purpose of training or coordination prior to travel to training, the front lines, or abroad. Trust accounts were simply storage compartments such as envelopes or folders that were used to secure the individual's personal valuables, including passports and plane tickets, until completion of training or other activity.)⁴¹
- (S//NF) Detainee went to the mountains in the Tora Bora region, lived in a small bunker, assembled with others at a hilltop outpost called Beder Center, and was reportedly wounded during a US bombing campaign at the end of Ramadan. The leader at Beder Center was Abdul Qadus, a reported Al-Qaida commander at Tora Bora.⁴²
 - (S//NF) Abdul Qadus Al Bahraini was an Al Qaida member known to have commanded at the Al Farouq camp and then served as a senior commander in Tora Bora when Al-Qaida abandoned Al Farouq in preparation for US retaliatory strikes.⁴³
- (S//NF) In July 2002, a delegation from Saudi Arabia visited JTF GTMO and interviewed detainee. He was identified as of low intelligence and law enforcement value to the US, and unlikely to pose a terrorist threat to the US or its interests. Furthermore, the Saudi delegation indicated that the Government of Saudi Arabia would be willing to

³⁷ IIR 6 034 0668 02, FM40 20030403 – US9SA-000505DP

³⁸ IIR 6 034 0668 02

³⁹ IIR 6 034 1014 03

⁴⁰ TD-314/40693-02 (#284), AFGP-2002-905527 (#284, Nasser Mazyad Al Sobei'e aka Al Dahd Ah Al Najdi, 22-11, has possession of a Saudi passport, ticket, and money; Nasir Mizyid al-Subay'i aka Al-Dihdah al-Najdi, Trust No. 25)

⁴¹ IIR 6 034 0844 03

⁴² 000497 MFR 31-Mar-2002

⁴³ IIR 6 034 0449 02, IIR 6 034 0348 04, IIR 6 034 0088 06, IIR 6 034 0434 04, 000252 SIR 12-Apr-2004

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take custody of detainee for possible prosecution as soon as the US determined it no longer wanted to hold him.⁴⁴

c. (FOUO) Detainee's Conduct: The detainee is assessed as a HIGH threat from a detention perspective. The detainee's overall behavior has been non-compliant, but rarely hostile toward the guard force and staff. The detainee currently has 25 Reports of Disciplinary Infraction listed in DIMS, with the three most recent occurring on 5 March 2006. The first two on 5 March were for throwing feces on guards and the third was for throwing water on a guard. Other incidents for which the detainee has been disciplined include using provoking words and gestures with the guards, fighting with other detainees, assault, failure to follow instructions/camp rules, unauthorized communications, and possession of non-weapon type contraband. The detainee has 5 Reports of Disciplinary Infraction for assault and 2 for fighting with other detainees. The most recent example of this behavior was on 19 April 2005 when he, along with two other detainees, threw water and feces at another detainee in retaliation after that detainee threw water and feces at them as they were trying to pray. The significant activities log for the detainee, however, shows that he threw feces at a block guard on 14 May 2005, hitting him in the head, face, and upper torso. Other behavior notes show that on 16 September 2004, detainee was harassing a block guard saying, "Why do you work here MP? You know that in six months you will leave here and go to Iraq or Afghanistan and you will die. I have been here three years yes, but there are ten of my brothers that in one year in Iraq or Afghanistan (imitates shooting) will kill you. You are going to die soon." More recently, on 5 March 2006, detainee participated in a block disturbance in which he chanted the name, "Zarqawi!" The detainee has also tried to manipulate guards into following his own commands through intimidation. On 4 October 2005, SA-497 threatened fecal and urine assaults on guards unless the guards did not move the detainee on his timeline. Additionally, the detainee has been noted occasionally performing extra physical training in his cell.

8. (S//NF) Detainee Intelligence Value Assessment:

a. (S) Assessment: JTF GTMO determined this detainee is of LOW intelligence value. Detainee's most recent interrogation session occurred on 26 August 2004.

b. (S//NF) Placement and Access: Detainee admitted to Afghan authorities that he has links to MK. Detainee has a business, which his brother is still operating, in Saudi Arabia that deals with issuing passports and visas. Detainee was in Tora Bora where documentation was found linking him with three other jihadists in Dubai. Detainee attended Al Farouq and received a portion of training prior to the 11 September terrorist attacks. Detainee departed

⁴⁴ TD 314 30789 02

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Al Farouq with a number of other mujahideen and traveled through Jalalabad to the Tora Bora Mountains of Afghanistan.

c. (S//NF) Intelligence Assessment: Detainee is assessed as substantially exploited by may still possess intelligence of value. Detainee can probably provide information on facilitators, to possibly include himself, who enabled mujahideen travel to and from Afghanistan. The extent of such involvement is unknown but he has not been identified by other extremist personalities as a facilitator. He can outline procedures for circumventing those requirements to expedite the process or to obtain fraudulent documents. Detainee can provide a description and possibly other information on Abdul Qadus. He can provide general to specific information on the Beder Center and associated personnel.

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

- MK personalities and logistics
- Illegal passport procedures
- Personalities in Al Farouq, Kandahar, AF; the Seaview Hotel, Dubai, UAE; Al-Qaida caves in Tora Bora, AF; and guesthouse in Pakistan and Afghanistan

9. (S) EC Status: Detainee's enemy combatant status was reassessed on 19 October 2004, and he remains an enemy combatant.


HARRY B. HARRIS, JR.
Rear Admiral, USN
Commanding

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