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**Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba**

8 February 2007

TO: Personal Representative

FROM: OIC, CSRT (8 Feb 07)

SUBJECT: SUMMARY OF EVIDENCE FOR COMBATANT STATUS REVIEW
TRIBUNAL – BIN ‘ATTASH, WALID MUHAMMAD SALIH

1. Under the provisions of the Deputy Secretary of Defense Memorandum, dated 14 July 2006, Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at U.S. Naval Base Guantanamo Bay, Cuba, a Tribunal has been appointed to determine if the detainee is an enemy combatant.

2. An enemy combatant has been defined as “an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces.”

3. The following facts support the determination that the detainee is an enemy combatant.

a. On 7 August 1998, near simultaneous truck bombs were detonated at the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. The explosion at the United States embassy in Nairobi resulted in the death of 213 people, including 12 Americans. More than 4,500 people were wounded.

b. Mohammad Rashed Daoud Al-Owhali (Al-Owhali) stated that in approximately June or July 1998, the detainee told him that his (Al-Owhali’s) mission was a martyrdom mission, where he would be driving a vehicle filled with explosives into a target which would result in his death. The detainee told Al-Owhali the target was a United States embassy in East Africa, but he was not told the exact country.

c. In 1998, Mohamed Rashed Daoud Al-Owhali was indicted in the United States District Court, Southern District of New York, for his involvement in the 7 August 1998 bombing of the United States embassy in Nairobi, Kenya. Charges included conspiracy to kill United States nationals, conspiracy to murder, kidnap, and maim at places outside the United States, conspiracy to murder, conspiracy to use weapons of mass destruction against nationals of the United States, conspiracy to destroy buildings and property of the United States, and conspiracy to attack defense utilities.

d. During the latter part of 1999, the detainee facilitated and participated in close-combat training which was held in the Lowgar training camp in Afghanistan. The graduates of the class

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then met with Usama bin Laden who lectured about the operational details of the East Africa bombings.

e. On 12 October 2000, the USS Cole was attacked during refueling in the Yemeni port of Aden by operatives of the al Qaida network. Al Qaida claimed responsibility for the attack. Seventeen United States sailors were killed and 39 other sailors were wounded.

f. Stamps utilized on a forged Yemeni merchant's registration card, which was utilized by the detainee, were forged by a suspect of the USS Cole bombing.

g. A participant in the USS Cole bombing identified the detainee as someone he knew from an al Qaida training camp. The participant in the USS Cole bombing that identified the detainee stated an individual approached him with a letter from the detainee requesting assistance in facilitation of the USS Cole bombing. The participant in the USS Cole bombing claimed the only reason he agreed to assist the individual was due to the letter from the detainee.

h. The detainee went to an al Qaida training camp in Afghanistan in December 2000.

i. An al Qaida cell associated with a senior al Qaida operative used the code name, *father of the leg*, which was a reference to the detainee and the fact that he was missing a leg.

j. A notebook that was seized during the capture of a senior al Qaida operative contained a phone number that was also found in the stored memory of a phone belonging to the detainee.

k. The detainee's University of Islamic Studies identification card was found at an alleged al Qaida residence in Karachi, Pakistan.

l. The detainee was implicated in a notebook containing account ledgers for payments made to various al Qaida operatives which was found during a raid of an al Qaida safe house.

m. A source that met the detainee in Afghanistan stated he also saw the detainee at al Farouq training camp. The source stated the detainee worked for an important person in al Qaida and the detainee was a body guard for Usama bin Laden.

4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant and that is deemed relevant to that issue. The Tribunal President will determine the reasonable availability and relevance of evidence or witnesses.