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[The detainee session for ISN 1094 opened at 0928, 08 March 2016.]

CA: Board Members... Board Members, remember that when the detainee makes any statements, those statements are presumed to be classified. All discussions or questions need to remain at the unclassified level. The Periodic Review Board is reconvened at 0928 hours on 8 March 2016, with regard to Saifullah Paracha.

PM: Saifullah, during this hearing, you have an opportunity to make a personal statement and/or ask... or ans... excuse me, answer questions. It's your choice whether to make a statement or answer questions during this session. Do you understand?

DET: Yes, Ma'am.

PM: All right. Do you desire to make an oral or written statement?

DET: I will be giving written statement. I don't need to read them.

PM: Okay. And Board Members... we may... the Board Members may have some questions for you. Sai... the detainee is not obligated to answer any questions posed by the Board Members. Personal Representatives and Private Counsel, does Saifullah want to answer our questions?

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PR 1: Yes, Ma'am.

PM: All right. We'll open for questions then.

BM: Sure.

PM: Go ahead.

BM: Mr. Saifullah, so I understand you spent 16 years living in the United States. Is that correct?

DET: Yes, sir.

BM: And where did you live?

DET: Most of the time, I lived in New York, Queens.

BM: And what school did you go to?

DET: New York Institute of Technology. They have two campuses: one in Manhattan and one in... that's on Long Island. I went to... I went to Manhattan.

BM: And what'd you study?

DET: Computer Science System Designing and System Analyst.

BM: So, after 16 years, what was your impression of... of Americans?

DET: I admire America. I lived a very rich and very good life in the United States. I like American people. I have no problem, never have any problem. I live very lawfully in that country. I never had any... any law enforcement agencies ever contacted me or ask me who I am or what I'm doing in that

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country.

BM: So, you... I think your Personal Counsel also mentioned that you have a large family living in the U.S. Is that correct?

DET: I... I went to New York in 1971, and in about 72, my brother joined me as a student, also. Then, my other brother came on a visit. Then, eventually, my brother went back to Pakistan and he got his Green Card and he came back. Another brother joined me and he got his Green Card. Then, my brother sponsored a family and we had three sisters coming in. So, I had two brothers and three sisters. They're all living with their [inaudible] children in New York. My brother was living in Long Island... one of my brothers living in Long Island is still living in Long Island. Another brother, living in Texas, probably in Houston. And my sisters live in Westchester County in New York. Another sister is living in... one's living... two sisters died while I was in Guantanamo and one sister died in Long I... both sisters died in Long Island while living here.

BM: I'm sorry to hear that. So, another question for ya: can you describe, for the board, the circumstances that led to your detention at Guantanamo Bay?

DET: I was living in Pakistan and I started an NGO called

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Council of Welfare Organization and we were helping in Pakistan in three major fields: education, health, and justice; and we had a Board of Trustees. Some of the Board of Trustees had visited Afghanistan and they wanted to extend that courtesy to Afghanistan. And I... I resented to go there and they keep on insist... insisting and one day they arrange a ticket for me. A group of us leaving. So, I end up going to visit Afghanistan. What I saw in Afghanistan was totally destroyed country by Russian and the civil war. So, we wanted to help Afghans to live in their country during [inaudible] time. But that... that process, one of the... I led a delegation of over 90 people of... of businessman and other people and one of the... the gentlemen, he used me himself as a modern Muzzal [sic] and he asked me question after I give a presentation to the... to the delegation and in the presence of the [inaudible] and the Minister and he asked me if I want to go to see Osama bin Laden. I agreed with him to go and visit as a curiosity.

BM: So, what was the purpose of your... what was the... the purpose that was stated to go see UBL?

DET: I went to it out of curiosity because there is... he had a very good [inaudible] personality. In Pakistan and Muslim countries, he's portrayed as a... as a good man and in the world

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he was well-known among the world.. entire world, and among the Western countries he was portrayed as evil. So, I wanted to see and meet him and wanted to feel what... what kind of personality he has.

BM: So... so, did you get to personally talk to him?

DET: I did... I was among ab... about 15 to 18 audience. I was one of them. He addressed the crowd in the... in the... in a private setting in a big hall and he quoted Koran and the saying of Prophet Mohammed, is called Hadith, and nothing hurtful thing he said during our meeting and in that meeting, I proposed him if I... I have a recording organization called Universal Broadcasting and that we can record a program on Koran and Hadith verses. So, he said that he would look into it and somebody would contact me.

BM: So, did someone contact you and what was the result, if they did?

DET: After, I don't remember exactly, about six to seven months, one person came to my office and he introduced himse... to reception, I have a large office. The receptionist called me and she said, "somebody's here to see you. He has your business card and he said he has a message from Afghanistan". So, I told them to bring... to send him into my office. So, he came and he

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wanted to know what is the detailed proposition of recording the program. So, I showed him the studio and I showed him some of the programs and the movies we produced almost 500 TV program in Afghanistan, Pakistan, and world-wide... on various issues. We produce corrupt affair, religious program, and.. and entertainment, also.

BM: So... so, who was this person that came to see you?

DET: He's... his name is Mir and he is from one of the city about 500 kilometer away from Karachi called [inaudible] and Mir said he's agriculturalist and he helps in the media side to... to the people about wanting to make a program.

BM: Thank you, very much.

DET: You're welcome.

(PM CONFERRING WITH BOARD MEMBERS)

BM: Thank you very much for being with us today. So, you mentioned that you spent approximately 16 years, or so, in the United States studying. Is that... is that right?

DET: I spent 16 years at... I was living there, but I have been traveling back and forth. We had an office in Pakistan and New York in Manhattan at 35th Street near Madison Square Garden and my partner Charles Anteby, he used to sit in New York and I was sitting in Pakistan, and I used to visit regularly during

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Summer or otherwise, if needed for a business meetings.

BM: So, let... let's... what... what was the longest time you spent in the U.S.?

DET: I would say about 15-16 years.

BM: Okay, and somewhere in that timeframe, you met your wife. Is that right?

DET: Well, yes. I met her, my wife, I think, in about 76 or 77. She was a student in NYU studying sociology at NYU..

BM: ... And did you...

DET: ... She was from Pakistan.

BM: Did you both live in the United States together for any period of time?

DET: No, we never. We... in our culture, in Pakistani culture, we don't... we don't... the unmarried wives and girls don't live together, but she was living with her sister. Her sister's a doctor...

BM: ... No... no, I'm sorry. I meant...

DET: ... Before she...

BM: I meant after you were married. Did you both live in the United States together?

DET: Yes, sir.

BM: After you were married... How long...

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DET: Yes, [REDACTED]

BM: So, how long did you both live in the United States together, after you were married?

DET: I was married in 1979 on December the 6th. On and off we were living in... in... in that house.

PC: 1986.

PR 1: 86.

PC: 86.

DET: 1986.

BM: Okay, so, some period of time. Did you have any children while you were in the United States?

DET: No, we didn't. We... whenever we were in Pakistan, the children were born in Pakistan.

BM: Okay. Why did you make the decision to leave the United States?

DET: Business reasons. I had the travel agency in New York, and we started another travel agency in Pakistan. Mostly clientele we had were Pakistanis. To facilitate them that they go to Pakistan, and our office was helping them and vice versa. When people were traveling from Pakistan to New York and they... our office in New York were assisting them.

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BM: I may have some further questions, but I want to give other Board Members...

PM: ... Okay. I wanted to ask about... you mentioned in your statement and just now your business partner, Charles Anteby, but I couldn't figure out from the statement what's happened to him. What's happened to your... your partner?

DET: I... I met three gentlemen in Pakistan Alan Levy, Steven Levy, and Charles Anteby, and they were visiting Pakistan and they have had some difficulty with one of their associates from Korea. Alan Levy knew [REDACTED] in New York, who was a common friend of myself and Alan Levy; and we called him and ask him if he knows somebody in Pakistan. He needed some help in Pakistan. So, he contacted me and I helped him. And that's how I got introduced to him. And later on, he visited my office and we made a joint company in Pakistan to do the business of buying house. Then, later on, Charles Anteby bought two of the other partners and leave two... partners in the business of buying house... buying Pakistani-made garments exporting to the United States to the importers. We were not having any... any garments ourselves, but we were helping them to refuel and transport them to the United States.

PM: Yes, I understood that part, but what... what's happened

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to Charles Anteby? Where is he now?

DET: I have no idea. I met him the last time I... he told me, in 2003, that he is in Bangkok and he wanted me to visit Bangkok and he said that one of the director of purchase of K-Mart is... is in Bangkok and place an order for the... that area. Bangkok and [inaudible] and he wanted me to come and visit and pursue the business along with him with a buyer. And I was captured when I arrived at the airport. I never heard from him after that.

PM: Okay. And I noticed that, I think it was in your statement, or perhaps in the overview, was that your... your feeling kind of like working with Anteby and your other partners was that you were pursuing business deals and it was business deals that brought you in contact with Usama bin Laden, al-Qaeda, Khalid Shiek Muhammed, and others; and what concerns me going forward if you were transferred is what kind of due diligence are you conducting on your business partners? How are you determining whether or not someone is worth working with?

DET: I have been always very careful and when... when I met Charles Anteby, we made a lawful company and worked together as buying house and we execute almost 100 million dollar business deals in this area. I had a production house... a television

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production house called Universal Broadcasting. We were making program on... on various issues and that's what the problem, I feel today, that was the reason that I was introduced to various leaders in Pakistan regarding the interviews and the discussion and that's house I came across Khalid Sheik or Osama bin Laden. I offered to make program with them. So now, that company is gone. My wife has sold all the equipment, like a garage sale. Plenty expensive camera... I had video camera from Sony, and they're all gone. Everything is gone, now. I don't have any appetite to restart the same business. I don't think I would be in any of that kind of business in Pakistan.

PM: But, my question is more about how you select your business partners. What kind of, again, due diligence or what kind of research are you applying to people that you choose to work with?

DET: In Pakistan, we don't have any reference services, but we... by discussing with people, you can make a judgment. I... I... I have one little problem. I trust too many people. That's my by nature. So, I trust people and most of the time, I'm... I'm... I find them very trustworthy. Charles Anteby always trusted me and we have very good relationship with each other. He would invite her to Pakistan along with him many times and I

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took her out to shopping. She was a family friend. We had a family dinner together. We never have any problem as far as the partnership was concerned.

PR 1: Okay. Ca... can I clarify a... or make... make a little more clarification? I think what we're asking is for the future, if he does get recommended for transfer, how can he prove that making contact that might be more of security levels or how can he put prevention from making contact that might have... that might be a security or have possible bad contacts in the future. Is that what you're asking, Ma'am?

PM: Prevenchment [**sic**]... prevention and I'd like to hear about judgment.

PR 1: Yes, Ma'am. So... she's really looking for the future if... 'cause you're gonna go back and have your business. She's... she... she wants to make sure that you have preventative measures for when you go out and meet somebody else and you start to set up a new business. Have you thought of ways that you... and don't make any contacts or... or business... when you go to meet new people, making new contacts, have you thought of ways that you can prevent maybe having new business partners and how you can... you know, how will you... not in the future... you know, have trust... and then you said that you have... you know, you trust people

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easily. You now, have to, you know, think these people might not be trustworthy. How have you been able to prevent that for the future when you are now going out in the... in that business meeting...

PC: Well, I... if I can put it into my own terms. Do you expect to be more cautious and more careful before entering into business relationships with other people?

DET: I feel that the future, I don't need to have any partner. I can work within the family. My son is grown up. He just graduated from business school. I don't need any partner, in that sense. I can... I can establish a business and run a business independently.

PC: What about customers?

DET: I would not be able to judge anybody who's who in Pakistan. I have no way of judging anybody, but if I come across anybody who's suspicious, I'll report to the government of Pakistan.

(BMs CONFERRING WITH PM)

BM: But, so, you had some sort of business relationship with al-Qaeda until 2003. Is that correct?

DET: Well, they made investment in the real estate project, but not as a business partner, as an investor.

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BM: Okay but...

DET: ... In Pakistan...

BM: But, you had a... but, you had a relationship with them. Either they were investing in you or you were somehow engaged in some sort of financial relationship is...

DET: I did have relationship with Amir without knowing his real identity. So, I will... I will avoid people. I'll probably check their credential and their identity more carefully to have an investor or partnership.

BM: But, did you also...

PC: ... If I can put...

BM: But did... you also work with, you know, your detainee profile says that you worked with Khalid Sheik Mohammed. Is... do you acknowledge that?

DET: I did work with... I... I... he addressed it as Amir, Pakistani. I never knew his real name and his link with al-Qaeda.

PR 1: Do you... he's under the al... that... the... when... if you read his detainee statement, his name is listed as Mir, but it's actually KSM.

PC: That is to say this wasn't a knowing relationship with al-Qaeda.

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PR 1: When he found out that he was... when he found out that Mir was actually KSM on a television, he went and did report it.

BM: So, you... you don't... your contention is that you di... you were not aware that any of the... these business associates were members of al-Qaeda?

DET: I didn't, never.

BM: Okay.

(BMs CONFERRING)

BM: What did you think... what were your impressions of UBL when you met him?

DET: I found him very humble and very polite as he portrayed in front of... we were about 15 people there... there were some young children among us. I didn't see him talking any hate... hateful thing about anybody.

BM: You said earlier, in your statement, that you knew the West viewed him as, I think you said, "evil". Why do you think...

DET: ... Yes, ma'am...

BM: ... Why do you think the West viewed him that way?

DET: Because of his activities, they labeled him that he was involved in it.

BM: So, knowing that, why did you, nevertheless, offer him

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the use of your media services?

DET: I wanted a... because I is... I have a production house and we made program with various personalities. He was one of them who wanted to make program, but nothing to do with terrorism. He wanted... I wanted him to make... I wanted to make program on a common personality of between Christian, Judaism, and Islam, like Abraham, Mehdi, Christ, which is mentioned in Koran. That was the proposition I have had.

BM: Do you have any regrets for offering that business opportunity?

DET: I do have, but there are many people, they have done the similar thing, and they invest in countries, even they made program and telecasted on television. So, I... as I have seen it... so, I... I felt, at that time, there's nothing wrong to do that.

BM: Do you ha...

DET: ... I reported to the Pakista... I reported to the Pakistan Secretary of Home Affair who is in charge of the security in Pakistan and he showed no concern as far as that is concerned.

PC: I recall that U.S. journalists repr... interviewed Saddam Hussein in the lead up to the... to the Iraq war a couple years earlier and they got in trouble, reputation wise, just for

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having the interview.

BM: Do you have any regrets knowing what you know now about the fact that you had al-Qaeda associated individuals investing in your businesses?

DET: I do have a reg... I have... I do have a regret for one thing that, I trusted them the way they portrayed me. I... and there was no way of investigating them. If I wanted to investigate them, they will... they... they... I would not have been able to investigate them. If I tried, they would have gone away. The... the purpose of recording a program would have not been accomplished then, but on the contrary, I feel they didn't trust me. Having been in Pakistan, having a wife, American-Jewish as a partner and whenever they visited, there were plenty Americans, they used to visit us as... as... as a buying agent and they... they can... people can see them in our office. So, I don't know how far he trusted me to do that. I feel, today, that he never trusted me to do any program because we didn't do any program.

BM: So, I just want to talk again a little bit more about your business dealings prior to your time in detention at Guantanamo. Sort of the sense that I'm getting from you, and correct me if I'm wrong, is that you were running various

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businesses. You had dealings with a variety of people, some of them, according to what you're saying, could've been involved in bad actions. Some may have been extremists or affiliated with al-Qaeda or the Taliban. Is that sort of fair? Is that a fair...

DET: ... I didn't do any business with the Taliban. I don't know any Taliban doing business...

BM: ... Okay, let me... let me ask you a question. Do... di... did you care, at the time, of who you were doing business with? Not about whether you knew or not, but did it matter to you who you were doing business with?

DET: Of course, I would never do business with anybody who's involved into any illegal affair.

BM: Okay, so...

DET: ... Evidently...

BM: ... Again, what were you doing, if anything, to look at the bona fides of the people that you had involvement with, whether they be customers or people that were investing in your businesses or vice versa?

BM: ... So far what I've heard is this was happening, according to your statements, there were bankers who were doing similar things, there were journalists doing the same thing. What I'm interested in is you just said to me that you cared

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about who you were doing business with and you cared about those relationships. Did you take any concrete steps to figure out who you were doing business with at the time that you were in Pakistan and the United States?

DET: I don't know what concrete step I can take in Pakistan. If somebody deal... it's similar to as somebody come into the [inaudible] and makes investment. What do they do? They take the money and they make investment for them.

BM: Okay...

DET: ... Normally we did in Pakistan, we... if somebody wants to invest and I have a real estate project... if somebody wants to buy apartment, how can I check him? It's... it's... I'm selling the apartment...

BM: ... Okay what would you...

DET: I don't need to check his credentials.

BM: What would you do moving forward if you were to be released?

DET: I have... I don't know what the condition of Pakistan are, at the moment. If I go back, I thought of few various businesses, which are relatively very easy to handle. One is [inaudible] lantern I saw at the advertisement on television because emergency will come and rechargeable battery. I'll have

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them imported to Pakistan and Pakistan needs millions of those lanterns in Pakistan when there's eight to ten hour of blackout in Pakistan for electricity and every household needs one, every shop needs one and the millions of lanterns can be sold. Each lantern has a ten dollar value and I can import them and... and find a distribution in different part of the country and sell them. There's no shortage of business, which can be very successful. Another business possibility is, there is, I read in part of a magazine that, the... the new invention of making a brick with sand and cement with a high pressure and you can make it 20 to 30 percent stronger than the sand and the... and the cement. That can be made in Pakistan can be sold in Pakistan easily and we don't need much investment in that except buying the equipment and making bricks. There are plenty of people to buy every... there's a lot of activities in construction in Pakistan. That's not an issue. Another business is that there is a water shortage in the coastal area of Pakistan and Lockheed Martin has invented a new membrane and that... there is very [inaudible] and very cheap. It doesn't need much electricity to disseminate water from sea. That's another possibility of business. Karachi is short of water along the coastal area. So, that can be imported and used. It's... it's not very

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expensive to do that.

BM: I want to talk a little bit about...

DET: ... If the Cliftonia is still standing, I can go and revive that business. That business was strong about... when I was captured, then started again. My wife was trying to run it. Some people came and they cheated her and ran away with the money. So, I can possibly try to revive that business, also.

BM: Okay. I want to talk a little bit ab...

DET: ... It's a plenty big project, about eight to ten million dollar project.

BM: I want to talk a little bit about your personal statement. If you can kind of help me understand what you're trying to convey, this is on page three. It's the second paragraph that starts with, "in reference to a statement that I have shown no remorse working with al-Qaeda", and it goes on from there; and there's some sentences there, which I don't understand what you mean. You say things like, "I felt bad about this", and then you talk a little bit about your son's [sic], Uzair, and you say, "my son, Uzair, and I were never involved for real". What... what are you referring to there? It's very much out of context for me.

DET: What I'm try to refer is that when Russia invaded

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Afghanistan, Pakistan... the government of Pakistan almost declared a holy war against the infidel communists, and the people poured into Pakistan and they fought against Russian. Jihad became very fashionable and very lucrative business to raise funds. A lot of young Pakistanis and people Mus... from Muslim countries, they poured into Pakistan and they fought against it. And many people exploited that situation and they raised funds for their own good purposes. That's what I'm referring to.

BM: So, what is the reference to, "my son, Uzair, and I were never involved for real". What... what does that mean?

DET: He had nothing to do with the terrorism. That's what I'm referring to.

BM: Okay. Thank you.

PM: I wanna pick up on that thread and I know some of my colleagues have questions, too, but you... you had investors that you, now, know were pretty senior in al-Qaeda. You had other business dealings that supported Taliban and... and people who are engaged in the Jihad you just referenced. What effect do you think your actions had, ultimately, by allowing these investors to be part of your company? What effect do you think that had?

DET: Effect on businesses?

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PM: And on the United States.

BM: And on the ability...

DET: ... I... I take it as local Pakistanis and they came and made investment. I... I never felt they are part of any terrorist groups. You know, what I was trying to refer to the gentleman, that in Pakistan, Jihad is... the people like Khalid Sheik Mohammed, there... there are in thousands and thousands in Pakistan. You come across every day somebody. So, there's... it's very difficult to... to pinpoint people, notice who is terrorist or who is Mujahedeen or who is normal Pakistani. It's the basic duty of Pakistan government to... to monitor them. Business men, there's... there's... it's impossible for us to go around and check everybody who is who in Pakistan. And still, I mention, my writer is still in Pakistan. That is still is... is going on. Young Pakistani, they're not educated they are from very poor family. They're not... they... they are recruited as a Mujahid and then they go around... these kids go around raise money from all businesses, houses, and internationally also.

PM: But this is what concerns me...

DET: ... It's about...

PM: ... This is what concerns me is that...

DET: ... Of the business management...

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PM: ... There are many business people in Pakistan who... who do their due diligence, who know who their customers are and they know who their investors are. Bank tellers know who. Bank tellers know to report certain amounts of money, wire transfers know to report, but from everything you're saying it seems that you're in... you're denying that you have that capability. So, what I'm trying to get a sense of is if you were engaged in this business, and you now know that your partners, your investors, and some of your customers were involved in terrorism against the United States, what effect do you think your involvement had?

PC: Madam Presiding Member, may I interject here? Because I think that... I think it's a question in order to give you the reassurance that you're looking for and a question of what conditions could the United States impose on Mr. Paracha to assure that he will not get mixed up with the wrong people...

PM: No, that's... that's not my question. My question is what... is what I stated. Knowing that you know now... knowing what you know now about who your investors were, who your partners were, Mr. Paracho [sic], what effect do you think your business dealings had on the security of the United States?

PR 1: Knowing that Mir was actually KSM..

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PC: ... Knowing what you know now...

PR 1: ... Knowing that Mir was actually KSM...

PC: ... What effect did you think you had... you enable them...
you regret enabling them... that sort of thing...

DET: I'd report it to the Pakistan government...

PR 1: ... No, at the time, you may not have known that Mir
was KSM. If... he was KSM, so by working with KSM what affect did
that actually have on the United States?

PC: Objectively.

PR 1: Objectively. Even though you might not have known
at the time he was KSM, he was, and so therefore, that did
affect the United States. What, by doing so, what did that
affect the United States? By looking back, now, what... what
effects do you think that affected? How do you think that
affected the United States? By you working with KSM, even at
the time, you might not have known he was him. By looking back,
exactly what was that effect on the United States?

PC: It's a question of enablement.

PR 1: Yeah. Can you look back and realize what you have...
by you working with him, even if you weren't aware at the time
who he was, can you now look back and say what... by you working
with somebody, that I might not been aware at the time was Mir,

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he was KSM. You realize my effect on the United States...

(BMs CONFERRING)

PR 1: ...who he was, even if I was not aware of who he was.
That's what they're asking.

DET: I don't know, ma'am. I... I... I... it's... it's a difficult question that I can't answer.

PM: Okay. All right, well, we have some others. So, I'll let others jump in.

BM: So, wh... who did you think Ammar Baluchi was?

DET: Ammar Baluchi was introduced to me by Mir and he also discuss about the making a program and selecting the equipment and this what is... it was a process which it was carried on for more than a year that they used to come after many months and discuss about the equipment, discuss about the studio, and this is what has happened over a period of time.

BM: And he gave you money, as well, didn't he? To invest?

DET: Both of them together, yeah.

BM: And did you question where they were getting so much money to invest with you?

DET: I didn't ask questions, but in Pakistan, it's very common that people make investment in the project of different kind because if they put the money in the bank, the... the bank

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charges them on the sale of two and a half percent irrespective of the interest that you get. So, there are a lot of... thing... it's a Pakistan in that... in that entire area is a cash culture country. People make a lot of investment, and that's what I expected. They... they wanted to make investment of my real estate project, called Cliftonia.

BM: They're offer you some pretty large sums of money, weren't they?

DET: I have had investors, similar investment from other Pakistanis also in my businesses.

BM: Did you questions where they were getting so much money from?

DET: I didn't ask them, and you don't ask investor if they invested in the company.

BM: And Majid Khan, he's a relative of yours?

DET: Mine?

BM: Yeah...

DET: ... I don't know. I've never met him before. He was introduced to me by Ammar Baluch...

BM: ... And what did you understand...

DET: ... He sp...

BM: ... What did you understand his relationsh...

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DET: ... Excuse me?

BM: What did you understand his relationship to be with Ammar Baluchi?

DET: He just said he's a friend and he... he used to live in Medilan, and he was... he and his family were living there as... as an asylum. They had asylum visa. And he wanted... he already applied for asylum renewal visa and he wanted my son to help. My son... I was... that he graduated as an MBA we... I... bought him a business of Cliftonia and he... he wanted to market that pro... that project in New York. So, my son was going to New York with the brochures and everything and we made TV advertisement, and he advertised on the television in New York, and... and North America on a cable network on a Pakistani program. So, that Cliftonia that he was doing, Ammar Baluch [sic] asked me if he could do a favor and collect his visa and... and... give it... and send it to him, so he had... he was living in a... he went to school at college and was working in Maryland. He spoke perfect English and I have no doubt about him, and I said it shouldn't be any problem, as a fellow Pakistani, to help.

BM: I understand that, obviously, as a result of your detention that your family's financial situation is not the same as it was before you left. What do you believe your family's

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net worth currently is in Pakistan?

DET: I don't exactly know because my feeling is my family does not disclose a lot of things to make me worry, but I was told that the house we have... I have a very large house, and that house I have was full of servant quarters. I have five bedroom, six bathrooms, and it's... it's worth is today, according to my family, it's about a million dollar. I have a large office, which is also worth maybe half a million dollar, and the investment in the Cliftonia... I made large investment there... I don't know what the status of that investment is and what the schedule of that project is because the standing project incomplete it erodes because of the weather, raining, the saltiness, and the Arabian Sea. So, with the salty wind, I don't know what the status of the project would be when I go back. And my wife has rented out part of the office and she's getting almost a thousand dollars a month as the rent. Before the rent of the larger office, also, they were getting two thousand dollars of the rent per month. And my house is a clear, there's no loan from the bank. There's no mortgage. So, it's... they're living comfortable, as far as living is concerned, but a lot of business have been closed. The business with Charles Antebly is closed, and my broadcasting... Universal

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Broadcasting is closed. I had a large industrial unit near Islamabad. That was closed. I wanted to revive. I don't think that can be revived after 13 years. So, the business conditions are not so good as far as my family... our family business is concerned.

BM: But, I take it that you feel confident that you have enough capital, that if you were return to Pakistan, you could resume doing business or making new investments.

DET: Certainly, I can do that. There's no problem. I mean to... the... to start with, suppose if I import the lantern... if she import the lantern, even ten thousand, it's only you need a hundred thousand dollars. That's not a problem for me to... to raise money to import those lanterns in Pakistan and to buy equipment to make bricks or importing membrane from the United States. That's... you don't need much money to do that.

BM: Thank you.

BM: Mr. Saifullah, I have a couple of...

(VIDEO CONNECTIVITY LOST)

CA: Excuse me, we are experiencing technical difficulties, right now. If you give us a few moments, we'll try to get everything taken care of and come back.

(BMs CONFERRING)

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(VIDEO CONNECTIVITY REGAINED)

PM: All right, sorry about that. We're back.

BM: Mr. Saifullah, I've got a couple of questions to close up some loose ends in my mind. First is, back to your businesses, just to be clear, I have... you mentioned a... a real estate business, an import/export business, and a production... video production business. Were there any others?

DET: I had a factory near Islamabad that I made investment. I... I... I got money from the bank...

BM: ... Okay, so...

DET: ... I invested about two billion... two billion dollar...

BM: ... So, in terms of the business that you did... in terms of the business that you did with, what are now-known terrorists, what kind of monetary value would you place on all that business that you've done... that you did between 99 and 2003?

DET: Very negligible as far as my business is concerned. I started business in New York...

BM: ... Give me a number.

PR 1: Money... money.

BM: ... A monetary value...

PC: ... A dollar value.

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DET: Monetary value of the investment overall businesses I have?

BM: No, no, no, no.

PR 1: Of the terrorist... terrorist-involved.

DET: They made investment one time. One time they wanted to buy a TV...

BM: ... No, I just want to know the number...

DET: ... Cable...

BM: ... The dollar amount of business you did with known terrorists.

PC: Put a dollar amount on it.

DET: Five... I think about 240,000 euros, one time, and a half a million dollars another time.

BM: And what kind of profit margin did you return for them?

DET: It was based on the execution of business, the 500,000 dollars. The other business that they return on, I give them some apartments of their choice.

BM: Okay. Then, moving on. There was some information in your file that mentioned that you were studying CBRN: chemical, biological, nuclear, radiological devices.

DET: I never studied anything. I don't know anything

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about that, even today. I don't know anything about that.

BM: Okay, and lastly, can you tell me a little about... a little about your son and the circumstances that led to his imprisonment in the U.S.?

DET: I... he... he was born in Pakistan. He went to school in Pakistan, then, college and a university. He graduated in December 2003, and after his graduation, I ask him to join me in my businesses and he said he will, but he wants to have independent business. He doesn't want to involve in the renting businesses. So, I bought him a Cliftonia, which was a real estate business, and on that business, he went to New York in February. He doesn't know anything about United States law and... and... and the investigation. He was just a nice kid. And he... I asked him... I asked him to help Majid Khan and he promised that he will. He never... he never had a chance to even go and help him, and there is... there is Mir... the statement of Majid Khan and Ammar Baluch [sic] that he never helped anything. So, what had happened was, that the interrogator... they asked him questions and they ask him to... to... for a proffer, which was he didn't do anything, but they promised him that if he does, then he can go home. That's how he was [inaudible]. That's what I read his board hearing.

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BM: So... so, do you think he's being unfairly imprisoned in the U.S.?

DET: I think on the... on the false impression, he is.

BM: Thank you.

BM: I don't want to focus too much on the past, but there's one part of your story that I'm still having trouble... and so, I just wanted to kind of run this by you again to see if I have this correct. So, in... in 1999 or 2000, you meet with Osama bin Laden and then you propose that you make some video for him and you give him your business card. And then, six months later, Mir shows up to follow up on this conversation that you had with Osama bin Laden, and you have no idea that he's part of al-Qaeda, even though that you knew that Osama bin Laden was the head of al-Qaeda. Is that... do I have that correct?

DET: Yes, sir. There are so many Pakistanis in Pakistan, they show very close relationship with Osama bin Laden. So, he was... I thought he's one of them, as far as that is concerned.

BM: But you...

DET: ... In Pakistan, you come across many people like him.

BM: Okay. So, how do you feel about al-Qaeda now? I mean, they... you know, because of al-Qaeda's, in your story,

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deceptions or failure to reveal who they were, that led to your... to your imprisonment, basically. So, how do you feel about that organization and what they did to you?

DET: I feel bad. I mean, I... I... I'm... I'm suffered because of them, and he lied about me. I just... I... it is beyond my comprehension why he should lie about me that I was... I was helping them to export explosives, and that led to my arrest.

BM: And how do you feel about the United States for detaining you for 13 years based on, in your opinion, just doing business with people who were not forthcoming?

DET: My opinion about the United States?

BM: About... about the fact that you've been detained for this long based on your financial transactions with people who you did not know were al-Qaeda?

DET: I regret... I regret every moment of that.

BM: I guess my question is that you know, are you... are you frustrated... are you... does that make you upset with the United States for, you know, the length of your detention?

DET: See, the... the issue is, that I... I feel that 9/11 incident was America felt really hard, and I feel... I felt a pain, also. In return, I called... on the same day when the incident happened, my wife called me. I was sitting in my

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office about to go home. We have a nine-hour time difference in Pakistan and the U.S.A. and I opened the channel and I saw... and I was... I was disturbed and I immediately talk to Charles Anteby because our office is far away, but it can be effective because Charles Anteby wa... used to travel by car to Manhattan, and he was on Queens Brooklyn Expressway [sic], BQE, and that... these from [inaudible] tunnel to downtown, there the... where the Twin Towers were. And I called him and he said, "I'm standing at the Brooklyn Queen Expressway and watching. It's a terrible situation". And... and I called even the American Consulate and condoned that incident and all of Charles Anteby and myself, we offered our office to the Consulate General. I spoke to him, personally, that if they want to use our office, we will extend our cooperation to take the office for any purposes they need to. So, I extended our... my... my condolence and offered assistance, if I could be of any help.

PC: You've been here for 15 years... 14 years... 13 years. The United States has held you... held you on the basis of false premises. Question is, I guess, has that hardened you against the United States? Does it make you angry against the U.S.?

DET: I don't. I... I feel that there's a misunderstanding and America felt very hurt and very revengeful. So, that's what

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the problem is. I have nothing against America, just a misunderstanding I feel I have.

BM: If you were approved for transfer, would you be willing to be resettled in a country other than Pakistan?

DET: I have too many assets and family in Pakistan. I prefer to go back to Pakistan, but if... if there is no choice, I'll go to another country.

BM: So, I wanna talk a little bit more about some of the... your... your written statement. You... you make some references that, as far as UBL's activities, that the West portrayed him as being evil. Can you tell us a little bit more about what you were referring to? Were there specific things that you were saying in the Western media?

DET: Well, the... what I... I... I used to watch CNN, and BBC, and other channels. That's what I'm referring to.

BM: So, tell me what you...

DET: ...[inaudible] portrayed.

BM: So, what were they... what were they linking him to in the media?

DET: All the terrorism activities were right, almost.

BM: Okay. So, at that point, you knew that Osama bin Laden, according to the Western media, had been linked to a

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variety of terrorist activities. Is that right?

DET: Yes.

BM: Okay. Did you believe any of these stories, at that point?

DET: A little... some of the stories he confirmed, so I have no reason not to believe and I have no reason the reject them.

BM: Okay, but then you continued to have dealings with him at some level. Is that right? Is that sort of..

DET: ... Just a bit...

BM: ... How things... is that sort of the timeline of what happened?

DET: That's what I... I have referenced in my writing, to make TV program with... on him.

BM: Okay, but that was after you saw some of these TV broadcasts that were at least linking him to a variety of terrorist activities. Is that right?

DET: I was... yes. I... I offered him after knowing that. Yes, I did because that was the reason that he was known world-wide...

BM: ... Okay...

DET: ... I wanted to make program and... and make a syndicated TV broadcasting on that program... those programs.

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BM: So...

DET: ... And I was not... I was not going to make any program as far as hateful program are concerned.

BM: But you were still willing to deal with him knowing what was out there? Is that... is that right?

DET: Yes, I was.

BM: Okay.

DET: I saw the other channels were doing the similar thing and I... I... if other channels can do it, my organization can do it as also...

BM: ... Okay, but you're now telling...

PC: ... You were willing, in other words, to have him... you were willing to have him as a guest on your program in the same way that Wolf Blitzer was willing to have Saddam Hussein as a guest on his program?

DET: Yes, but... but I [inaudible]... what I was proposing was, we will write the script ourself, and we will do program according to our script and we will edit ourself and then, we will give to the media channels for telecasting.

BM: Were there other business activities that you were having with anybody who is affiliated with Osama bin Laden?

DET: Well, there's... in Pakistan, there's so many people

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with a fake name, I don't know anybody.

BM: But... but, as I understand what you've told us, at least there were people who were representing to you that they had some affiliation with Osama bin Laden, and coming to you to invest...

DET: ... No, I was... what I was trying to... I was what... what I was trying to refer to you was, that there are many people in Pakistan, they claim they have a close relationship with Osama bin Laden, but I never did business with them.

BM: Okay. So, kinda moving forward to the future should you be released, you are telling us that it's your claim that you wouldn't do business or affiliate with individuals who have ties to violence or espouse violence. What I'm trying to understand is, you were, in the past... you claim you were just giving them an outlet to do an interview, but you're somewhat telling us that you wouldn't do that now. What's... what's the difference?

DET: Well, I... you know, I... I started my business from New York...

BM: ... No, let me... let me ask you a direct question. Why should we believe the statements that you wouldn't engage in the same type of activities which you did in the past?

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DET: I realize that's not appropriate to do that.

BM: Why?

DET: Number one, number two, all of the... all the businesses I've had, I've never had any problem except Universal Broadcasting. Universal Broadcasting is the only business where you come across all kind of people for interview and making discussion and program. So, I don't have that business anymore and I don't have any reason to start that business again.

PR 1: Do you regret?

DET: I do regret, certainly.

PM: Why? I... I think, my colleague was asking you the question, "why?". Why do you regret it?

DET: I don't support any negative activities of any individuals or... or the group of people. I've never done it. I've never... I don't support them. I will never do that, in the future, also. And the future businesses are very simple. Retail businesses, there's nothing to do with the terrorism. There's nothing to do with the broadcasting. That's what I'm trying to refer.

PM: Why would you go into business at all, if you were transferred? Why wouldn't you just retire? From what you said, it sounds like your family has assets, you're in your sixties,

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why not just retire?

DET: I have a feeling... businessman doesn't retire, first of all. Number two, I will certainly retire as... when I realize that my son or other family member can run the business, I will certainly.

PM: Well, they've been running it without you...

DET: ... I will not be...

PM: ... Now, correct?...

DET: ... I will not be able... I will not be able to run the business the way I was running before. My age factor and my health is very fragile. So, I... I... I probably... I'd be guiding my son and my daughter to run a business.

PM: So, this is one of the things that kind of concerns me is, as explained to our... our questions, it appears your explanation for doing business with people involved in terrorism, with al-Qaeda specifically, is that everybody else was doing it and you were ignorant of who they were and who your investors were, where their money came from. And, to my colleague's previous question, what's changed? How are you less ignorant today and what systems will you put in place to do due diligence on your investors, your partners, and your customers?

DET: The first thing I can do is to report it to the

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government of Pakistan any sign of an investment I... that anybody makes with me.

PM: If one of the conditions for a transfer would be that you have to sell off all of your companies and not be involved in the business, could you abide by that?

DET: I would certainly do that.

PM: If one of the conditions were... or just in the... in returning, if someone approached you with a business idea and an investment, under the conditions that I've just laid out, how would you tell them "no"? You don't seem like a person who can say "no" to a large amount of cash. So, how, in the future, would you deal with that?

DET: I... I have been refusing people for businesses. I've been refusing cash. There have been time that people brought cash into my office. I said, "I don't have any business to invest" and I return the cash money to them.

PM: Tell me about those incidents. Why did you say "no"?

DET: Because there was no business rendered to make investment and it's... it's a responsibility and a liability to... to... to accept money and not to invest any money in the businesses. I don't want to go into any business where there's a large investment that is required. I don't want to do any

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businesses, now.

PM: So, your past decisions to say "no" to business were based purely on a financial calculation?

DET: Excuse me?

PM: When you said "no" to other... to other business ideas and other investments, was that based solely on the financial calculation?

DET: Not a financial calculation, but when there is no... in every business, there's a time when you need money in investment, and sometime you don't have anything... any... any businesses that needs any cash money to invest. So, I don't... if... if there was occasion that I... and then they requested me that if they... if I know somebody where they can make investment and I refer to one of my associate businessman and they invested in that gentlemen, I... I know him very well.

PM: So...

PC: ... I guess maybe the question is, can... would... are you still, or were you ever so interested in money that anything that came along, you would go and invest in?

DET: No, I... I... if there is... there's a business opport... opportunity where there's the ca... the ca... the money is required investment and there's a... a short return on it, that's the only

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way I... I... I... inves... I accept money. Otherwise, I don't.

PM: Okay. So, you were looking for a quick return in your investments?

DET: Quick, also, and [inaudible] also.

PM: Okay. So, I think though, that you... you've said that you realize that you made some bad choices in your business. What effect do you think those choices had on your family and on your community?

DET: You mean the bad choices of accepting money from Khalid Sheik?

PM: Yes, for example, start with that one.

DET: That's a disaster. I mean, I had 350 families working... person working in my company. They lost... all of them, they lost their job. I had to build this million dollar a month business dealing with the United States. That, I have lost. I had a production house. I produced about 500 programs and produced a program every day. That is gone. And the Cliftonia is in a very bad shape. So, it's a... it's a... it's a very big disaster from... on my family and the people working for me as far as that's concerned.

PM: Have you made any efforts to, based on what that said, and... and you understanding the effect, have you made any efforts

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to restore or acknowledge that effect to that... to your community and to your family.

DET: From here, I cannot. I mean, I'm not allowed to discuss business affair with my family. Only fam... family affair allowed to discuss.

(BMs CONFERRING)

BM: Just a follow-up on... on a question from my colleague: if... if Mir had approached you when he did and said, "I'm... my name's Khalid Sheik Mohammed. I'm following up on a conversation that you had with Osama bin Laden. I'd like... I'd... I'd be interested in doing this production". Would that have changed your decision making, back then?

DET: If the production is according to the... to the acceptable as... as... as a viewer world-wide, I might do it.

BM: Okay, well that's...

DET: ... It depends upon the content of the production...

BM: ... No, that's... that's fair...

DET: ... I don't want to... I don't want to produce anything which is hateful.

BM: Okay...

DET: ... I never done any.

BM: What... what about the other business relationships that

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you had with Mir? You know, the... the... the investing money and the... the holding the money. Would th... would... if he had acknowledged who he was, KSM, would that have changed your mind about those other business ventures, apart from the broadcasting?

DET: I would certainly not involve in any business if he identifies himself as far as that is concerned, but you know, you should understand one thing, that Khalid Sheik, Ammar Baluch [sic], they had a personality to fake the personality, in... in such a way that even expert in Pakistan could not identify them. The intelligence agencies... there are 40,000 intelligence agents are working in Pakistan, they were not identified. So, it's... it's very difficult for businessman to identify them.

BM: No, I'm not... I'm not questioning you on whether you did, in fact, identify them. I'm just wondering if... if it would have changed your decisions, if you knew who he, in fact, was.

DET: Of course, I will never involve with any businesses if I know that he is... he is involved in the terrorist activities.

BM: Except for, perhaps, the broadcasting if it went according to your script.

DET: Exactly.

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BM: Okay. Okay. Thank you.

(BMs CONFERRING)

BM: If you were to be released and resettled in a country, other than Pakistan, would you try to start another business? Would you retire? What would you think that life would.. would be like?

DET: Ma'am, the problem I have is my... I have two daughters and a son in Pakistan. My priority is to revive business and have their family life started. I would like my daughter to get married and my son to get married. That is my priority. How I would do it, but I would have to have financial reason to do that. I have the resource in Pakistan if I... if I go to another country, I don't know what financial conditions I will have there.

PM: What... when you were captured in Southeast Asia and then when you first got to talk to your family, how did you explain your capture to your family?

DET: We were not allowed to talk any detail except family affair.

PM: Well, eventually, you were... you were able to. So, what... what have you told your family about the circumstances of your capture and what happened?

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DET: I never told them anything so far as, even now. They must have read it in the... in the press, but I never discuss with them. We are not allowed to discuss in detail.

PM: Okay. So, if you were to be transferred back to your family, how would you explain these past 13 years?

DET: As... as I've explained to you, similar way to them.

PM: Would you explain to them any regrets?

DET: Certainly, I will.

PM: And if someone approached you from your family or extended family or from just the business community in Pakistan, what lessons would you tell them that you had learned from this experience?

DET: Not to trust everybody. That's the only thing I can tell them.

PM: Would you suggest some techniques or ways to check peoples' identity?

DET: I... I don't know any method of doing it. I don't know. [inaudible]

PC: If I may ask a question. Let's say, that there really isn't any meaningful way that you can check and find out, suppose as a condition of your release, you are required to report to the Pakistani government or the United States Embassy,

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transactions over a certain size; so, that the United States or Pakistan could advise on whether these are people that it's safe to deal with, would you accept those conditions?

DET: Certainly. I have no reason not to accept that. If you want me to submit a report monthly or weekly or quarterly, I'll do that.

PM: You mention...

DET: ... If... if I know them... if I know the people in the Embassy, I can report... I have good relationship with America's Embassy, me and Charles Anteby. We visited the Consulate General and I have had relationship with them. Another thing you mentioned in the... in the dossier about [inaudible] Taliban. There's no parity, me and them. I am very liberal. They're very conservative. They... once, they came to one of the section of... in the auditorium, and there were too many people. We put cable TV outside, so people can sit out and monitor the proceeding in the auditorium. It was a program on some religious discussion. So, there, people came with guns and they said "we will shoot the television if you don't turn it off". So, we turn it off. So, it's... and I produce entertainment, religious interviews, all the critical, non-critical... all sort of program I produce. So, they are so different and if they

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come to know that my daughters are going to a Catholic school, my son went to the ministry schools, my mother-in-law was a Christian, and my father was a Jewish from America, they'd probably kill me. I don't want to be have any association with people like them, but I never realized that the thing which I have had in Pakistan [inaudible].

PM: So, you're saying that Lashkar Tayyiba and other elements of Pakistan, you... you recognize they're dangerous to you, now. Is that what you're saying?

DET: They have always been keeping some distance with them, of course. I kept all the distance with them...

PM: ... And yet, you di...

DET: ... They never...

PM: ... You did business with al-Qaeda that shares the same views...

DET: ... I never did business with Lashkar Tayyiba. I never did business with Lashkar Tayyiba or... or... or [inaudible].

PM: But, you've also said you have no way to tell if they're Lashkar Tayyiba.

DET: No way to tell Lashkar Tayyiba?

PM: You said you can't check identities that Jihad is very popular in Pakistan.

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DET: But Lashkar Tayyiba they... they identify themselves as Lashkar Tayyiba. They don't hide any... they don't hide their personal identity identity, but they label themselves that they are from Lashkar Tayyiba...

PM: ... Okay...

DET: ... And I... I did meet with the... the I dealt with the leaders and I... I showed them my studio and TV programs. I... I told them there's nothing wrong to make religious programs.

PM: Do we have any more questions?

(NO VERBAL RESPONSE FROM THE BMS)

PM: All right. That concludes our questions from the Board Members. Saifullah, normally, written statements are presented... written statements presented by the detainee to the Board are posted to the Periodic Review Secretariat's website. Do you wish to have your written statement and/or transcript of today's participation posted to the website?

DET: It's okay, Ma'am.

PM: Okay. So, we can post your... your statement. Personal Representatives and Private Counsel, do you have any final questions?

PR 1: Yes, Ma'am.

PC: Yes, Ma'am.

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PM: Okay. Please, go ahead.

PC: The detainee profile says that because of your... your business contacts could provide you with opportunities to reengage in extremist activities, should you choose to do so, my question is: would you choose to do so?

DET: Never.

PR 1: That's all we have.

PC: That's all we have.

PM: All right. That concludes the questions from Personal Repres [sic] and Private Counsel. So, Saifullah, do you have anything further you wish to say to us?

DET: No, Ma'am. Thank you.

PM: All right. Then, this concludes your participation in the hearing. The Board will continue in a classified session. Your Personal Representatives and the Private Counsel will remain and attend the classified session and they'll continue to advocate on your behalf. The Board will deliberate to determine whether continued law of war detention is warranted in your case. Your Personal Representatives will advise you of the results. I'd ask that everybody remain seated until further instructed by the Case Administrator. Thank you.

CA: We will take a 15-minute recess and prepare for the

remaining session.

[The detainee session closed at 1046, 08 March 2016.]

[END OF PAGE]

ABBREVIATION AND ACRONYM KEY

BM: BOARD MEMBER
DET: DETAINEE
PC: PRIVATE COUNSEL
PM: PRESIDING MEMBER
PR 1: PERSONAL REPRESENTATIVE ONE
PR 2: PERSONAL REPRESENTATIVE TWO