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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**

16 March 2007

TO: Personal Representative

FROM: OIC, CSRT (16 Mar 07)

SUBJECT: SUMMARY OF EVIDENCE FOR COMBATANT STATUS REVIEW
TRIBUNAL – BASHIR BIN LAP

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. According to the Federal Bureau of Investigation, on 5 August 2003, a large vehicle bomb detonated outside of the J.W. Marriott hotel in Jakarta, Indonesia. Twelve persons were killed and one hundred forty-four people were injured, including two United States citizens.

b. An Indonesian National Police investigation, supported by the Federal Bureau of Investigation and other law enforcement agencies, revealed the J.W. Marriott hotel bombing was planned and executed by members of the Southeast Asia terrorist group Jemaah Islamiya, a group known to have solicited and received the support and guidance of al Qaida for its terrorist activities in Southeast Asia.

c. According to the Department of Homeland Security, Terrorist Organization Reference Guide, Jemaah Islamiya (JI) is a Southeast Asia terrorist network with links to al Qaida. The network plotted in secrecy through the late 1990s, following the stated goal of creating an idealized Islamic state comprising Indonesia, Malaysia, Singapore, the southern Philippines, and southern Thailand. In addition to raising its own funds, the JI receives money and logistic assistance from Middle Eastern and South Asian contacts, non-government organizations, and other groups, including al Qaida. The JI was responsible for the Bali, Indonesia, bombings on 12 October 2002, which killed nearly 200 and wounded 300 others.

R-1
Page 1 of 3

UNCLASSIFIED

UNCLASSIFIED

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d. *Hambali* (Riduan Bin Isomuddin a.k.a *Hambali* is the Jemaah Islamiya operations chief and brother of Rusman Gunawan) instructed Rusman Gunawan (Gunawan) to contact Ammar al Baluchi (*al Baluchi*), one of his contacts in Karachi, Pakistan, and request he provide 50,000 United States dollars to *Hambali's* contact in Bangkok, Thailand, a person known as *Zubair*. According to Gunawan, after he requested this funding from *al Baluchi*, he was contacted by the detainee. The detainee advised Gunawan he would travel to Bangkok, Thailand, and meet with *Zubair* to assist in the movement of the money. The detainee provided Gunawan with a cellular telephone number *Zubair* would be using. According to Gunawan, the detainee told him he intended to contact *Zubair* by means of this cellular telephone.

e. Ammar al Baluchi was captured on 29 April 2003 in Karachi, Pakistan, as he waited for the delivery of explosives for an alleged plot against the United States consulate in Karachi, Pakistan.

f. Rusman Gunawan (Gunawan) advised Ammar al Baluchi (*al Baluchi*) that the detainee would contact *Zubair* in Bangkok, Thailand, and Gunawan provided the telephone number of *Zubair* to *al Baluchi*. Gunawan later learned that *Zubair* and the detainee were known personally to each other. According to the statement of Gunawan, the detainee contacted him approximately a month and a half later and stated he had received the money. Subsequently, Gunawan contacted *Hambali*, who advised him the money had been received, though he did not specify by whom.

g. According to the Indonesian Indictment of Rusman Gunawan in January 2004, the detainee traveled to Bangkok, Thailand, to facilitate the movement of 50,000 United States dollars from al Qaida to the militant Islamic group, Jemaah Islamiya. A portion of this money, 30,000 United States dollars, supported operational expenses to bomb the J. W. Marriott hotel in Jakarta, Indonesia, on 5 August 2003.

h. The Indonesian National Police investigation, supported by the Federal Bureau of Investigation and other law enforcement agencies, revealed that the J.W. Marriott hotel attack was financed by persons who were members and associates of al Qaida. Rusman Gunawan (Gunawan) admitted during interviews he played a role in the funding for the attack and identified others who played a role in the movement of money from Pakistan, through Thailand, and eventually to Indonesia. Among those identified as part of this scheme by Gunawan was the detainee, a Malaysian citizen who was in Thailand.

UNCLASSIFIED

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i. The detainee shared a house with *Hambali* during basic explosives training. Additionally, the detainee shared a house in Karachi, Pakistan with other individuals in November 2001.

j. One of the individuals the detainee shared the house with in November 2001 is an admitted al Qaida operative and the leader of a suicide squad.

k. The detainee was identified by an al Qaida operative as a member of an al Qaida suicide team that was to participate in a plan to attack a building in the United States.

l. An M-16 rifle with ammunition was found in the detainee's apartment after his capture.

m. Computer media recovered at the detainee's apartment after his capture contained documents that described how to make bombs, grenades, dry ice bombs, and vest bombs. The recovered computer media also contained documents with information on the high explosive, pentaerythrite tetranitrate (PETN) and information on making nitric acid.

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.

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