

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:

JABRAN SAID BIN AL QAHTANI

2. ALIASES OF ACCUSED:

Salam al Farsi, Hateb, Jabran al Qahtan, Saad Wazar Hatib Jabran, Jabran Wazar

3. ISN NUMBER OF ACCUSED (LAST FOUR):

0696

II. CHARGES AND SPECIFICATIONS

4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.

SPECIFICATION:

SEE CONTINUATION SHEET ATTACHED.

III. SWEARING OF CHARGES

5a. NAME OF ACCUSER (LAST, FIRST, MI)

RIZZOTTI, MICHAEL

5b. GRADE

O-3

5c. ORGANIZATION OF ACCUSER

OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER



5e. DATE (YYYYMMDD)

20090112

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 12 day of JAN, 2009, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

KEITH A. PETTY

Typed Name of Officer

OMC-PROSECUTION

Organization of Officer

O-3

Grade

10 U.S.C. 1044(b)

*Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)*



Signature

IV. NOTICE TO THE ACCUSED

6. On _____, 2009 the accused was notified of the charges against him/her (See R.M.C. 308).

Typed Name and Grade of Person Who Caused Accused to Be Notified of Charges

Organization of the Person Who Caused Accused to Be Notified of Charges

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1705 hours, on 19 Feb. 2009, at Arlington, VA

Location

For the Convening Authority: Donna L. Wilkins

Typed Name of Officer

GS-15

Grade

Signature

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order

subject to the following instructions¹:

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

Charge Sheet Continuation Page in Case of JABRAN SAID BIN AL QAHTANI

CHARGE I: Violation of 10 U.S.C. § 950v(b)(28) Conspiracy

Specification: In that Jabran Said Bin al Qahtani (“al Qahtani”), a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, Pakistan, and elsewhere, between on or about September 2001 and on or about March 2002, conspire and agree with Usama bin Laden, Zayn al-ibidin Muhammed Husayn (“abu Zubaydah”), Ghassan Abdullah al Sharbi (“al Sharbi”), Sufyian Barhoumi (“Barhoumi”), and various others known and unknown, to commit one or more substantive offenses triable by military commission, to wit: murder of protected persons, attacking civilians, attacking civilian objects, intentionally causing serious bodily injury, murder in violation of the law of war, destruction of property in violation of the law of war, providing material support to an international terrorist organization and terrorism; and with knowledge of the unlawful purpose of the agreement knowingly commit one or more of the following overt acts in order to accomplish some objective or purpose of the agreement:

- a. On or about September or October 2001, al Qahtani, a Saudi citizen, left Saudi Arabia with the intent to fight against the United States.
- b. Al Qahtani traveled to Mashhad, Iran, and bought food, clothing and luggage for his travels to Afghanistan. While in Iran, he also exchanged his Saudi riyals into U.S. dollars.
- c. On or about November 2001, al Qahtani traveled to Kabul and Khowst, Afghanistan. Al Qahtani attended a ten day terrorist military training camp north of Kabul, where he received training in the use of automatic weapons, hand guns, and grenades, and physical fitness.
- d. After attending this ten day training camp, al Qahtani traveled to the battlefield to help fight the Northern Alliance.
- e. After his training in Afghanistan, al Qahtani fled Afghanistan with other fighters and traveled to Pakistan. Al Qahtani stayed in a safe house in Waziristan, Pakistan, where he met al Sharbi.

- f. On or about December 2001, al Qahtani was directed by al Qaeda or al Qaeda associates to receive training on electronically-controlled explosives with al Sharbi, which al Qahtani agreed to receive.
- g. Between on or about late December 2001 and the end of February 2002, al Qahtani and al Sharbi moved to a safe house in Faisalabad, Pakistan. They were told to report to abu Zubaydah because of their educational backgrounds in electronics. Once in Faisalabad, they were to receive further training in the construction and use of remote detonation devices, in order to attack United States and Coalition forces.
- h. By early March 2002, Barhoumi joined al Qahtani and al Sharbi at the safe house in Faisalabad, Pakistan.
- i. On or about March 2002, abu Zubaydah facilitated the importation of electronic components, which included electrical resistors, plastic resistors, light bulbs for circuit board lights, plastic and ceramic diodes, circuit testing boards, an ohmmeter, watches, soldering wire, soldering guns, wire and coil, six cell phones of a specified model, transformers and an electronics manual, and text books, note books and manuals on electronics, circuits and the English language to the safe house in Faisalabad.
- j. After their training was to be completed, al Qahtani and al Sharbi agreed to return to Afghanistan in order to train others to construct remote-control devices to be used against United States and Coalition forces.
- k. In early 2002, al Qahtani met with abu Zubaydah about his passport. Al Qahtani had asked abu Zubaydah to forge his passport since al Qahtani was in Afghanistan illegally.

CHARGE II: Violation of 10 U.S.C. § 950v (b)(25) Providing Material Support for Terrorism

Specification: In that Jabran Said Bin al Qahtani, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, Pakistan, and elsewhere, between on or about September 2001, and on or about March 2002, in the context of or associated with an armed conflict, intentionally provide material support to international terrorist organizations, including but not limited to al Qaeda, an international

terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged in or engages in terrorism, by performing at least one of the following acts:

- a. On or about September or October 2001, al Qahtani, a Saudi citizen, left Saudi Arabia with the intent to fight against the United States.
- b. Al Qahtani traveled to Mashhad, Iran, and bought food, clothing and luggage for his travels to Afghanistan. While in Iran, he also exchanged his Saudi riyals into U.S. dollars.
- c. On or about November 2001, al Qahtani traveled to Kabul and Khowst, Afghanistan. Al Qahtani attended a ten day terrorist military training camp north of Kabul, where he received training in the use of automatic weapons, hand guns, grenades, and physical fitness.
- d. After attending this ten day training camp, al Qahtani traveled to the battlefield to help fight the Northern Alliance.
- e. After his training in Afghanistan, al Qahtani fled Afghanistan with other fighters and traveled to Pakistan. Al Qahtani stayed in a safe house in Waziristan, Pakistan, where he met al Sharbi.
- f. On or about December 2001, al Qahtani was directed by al Qaeda or al Qaeda associates to receive training on electronically-controlled explosives with al Sharbi, which al Qahtani agreed to receive.
- g. Between on or about late December 2001 and the end of February 2002, al Qahtani and al Sharbi moved to a safe house in Faisalabad, Pakistan. They were told to report to abu Zubaydah because of their educational backgrounds in electronics. Once in Faisalabad, they were to receive further training in the construction and use of remote detonation devices, in order to attack United States and Coalition forces.
- h. By early March 2002, Barhoumi joined al Qahtani and al Sharbi at the safe house in Faisalabad, Pakistan.

- i. On or about March 2002, abu Zubaydah facilitated the importation of electronic components, which included electrical resistors, plastic resistors, light bulbs for circuit board lights, plastic and ceramic diodes, circuit testing boards, an ohmmeter, watches, soldering wire, soldering guns, wire and coil, six cell phones of a specified model, transformers and an electronics manual, and text books, note books and manuals on electronics, circuits and the English language to the safe house in Faisalabad.
- j. After their training was to be completed, al Qahtani and al Sharbi agreed to return to Afghanistan in order to train others to construct remote-control devices to be used against United States and Coalition forces.
- k. In early 2002 al Qahtani met with abu Zubaydah about his passport. Al Qahtani asked abu Zubaydah to forge his passport since al Qahtani was in Afghanistan illegally.