



# U.S. Department of Defense

Office of the Assistant Secretary of Defense (Public Affairs)

## News Release

IMMEDIATE RELEASE

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### **Charges Referred Against Detainee Al Qosi**

The Defense Department announced today that two charges have been referred against Guantanamo detainee Ibrahim Ahmed Mahmoud al Qosi of Sudan.

Al Qosi is charged with providing material support to terrorism and conspiring with Usama bin Laden and other al Qaeda members to target, attack and murder civilians; attack civilian objects; commit murder and destroy property in violation of the law of war; commit terrorism; and provide material support to terrorism. If convicted, the accused could be sentenced up to life in prison.

The charges allege that between 1996 and 2001, Al Qosi personally served as an armed guard and driver for Usama bin Laden. Until about 1998, Al Qosi is alleged to have provided logistical support by obtaining supplies and provisions for Al Qaeda, an international terrorist group dedicated to opposing non-Islamic governments with force and violence, at a compound near Jalalabad known as the "Star of Jihad." It is further alleged that from 1998 through 2001, al Qosi lived at an al Qaeda compound near Kandahar, Afghanistan, with other al Qaeda members, including Usama bin Laden, where he provided security, transportation, and supply services. Between 1998 and 2001 he allegedly traveled from the Kandahar compound to the front line near Kabul, where he fought in support of al Qaeda as part of a mortar crew.

The charge sheet sets out that in 2001, Al Qosi, armed with a Kalashnikov rifle, evacuated the Kandahar compound and traveled to Kabul, then to Jalalabad, and then into the Tora Bora Mountains to provide transportation, security and support to Usama bin Laden and other al Qaeda members.

In accordance with the Military Commissions Act of 2006, the accused and his detailed defense counsel will be served a copy of the charges in English and the accused's native language. Additionally, a military judge will be detailed to the case. The Manual for Military Commissions requires the accused to be arraigned within 30 days of the service of charges and the military judge to assemble the military commission within 120 days of the service of charges. Assembly is the procedural step that usually occurs when all parties, including the jury, are present and sworn. The military trial judge will contact attorneys in the case to set an initial trial schedule.

The military commissions provide the following protections for the accused: the right to remain silent and to have no adverse inference drawn from it; the right to be represented by detailed military counsel, as well as civilian counsel of his own selection and at no expense to the government; the right to examine all evidence presented to a jury by the prosecution; the right to obtain evidence and to call witnesses on his own behalf including expert witnesses; the right to cross-examine every witness called by the prosecution; the right to be present during the presentation of evidence; the right to prevent admission of statements obtained by torture; the right to have a military commission panel of at least five military members determine his guilt by a two-thirds majority; and the right to an appeal to the Court of Military Commission Review, then through the District of Columbia Circuit Court of Appeals to the U.S. Supreme Court.

The charges are only allegations that the accused has committed offenses under the Military Commissions Act, and the accused is innocent unless proven guilty beyond a reasonable doubt.