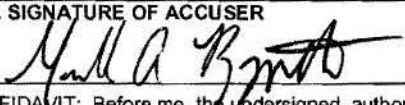



CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: SUFYIAN BARHOUMI		
2. ALIASES OF ACCUSED: Abu Obaida, Ubaydah al Jaza'iri, Shafiq		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0694		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C. SPECIFICATION: <div style="text-align: center; padding: 20px;">SEE CONTINUATION SHEET ATTACHED.</div>		
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 <u>12</u> day of <u>JAN</u> , <u>2009</u> , 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 <i>Typed Name of Officer</i>	_____ OMC-PROSECUTION <i>Organization of Officer</i>	
_____ O-3 <i>Grade</i>  <i>Signature</i>	_____ 10 U.S.C. 1044(b) <i>Official Capacity to Administer Oath</i> <i>(See R.M.C. 307(b) must be commissioned officer)</i>	

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

 OMC-PROSECUTION
 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 February 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. 801 concerning instructions. If none, so state.

Charge Sheet Continuation Page in Case of SUFYIAN BARHOUMI

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

Specification: In that Sufyian Barhoumi ("Barhoumi"), 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 January 1999 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"), Jabran Said bin al Qahtani ("al Qahtani"), various other members and associates of the al Qaeda organization, both known and unknown 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. During 1999, Barhoumi, an Algerian citizen, attended the terrorist training camp at Khalden in Afghanistan. There, he trained on light arms, movements, compass and land navigation, artillery, mortars and radio communications.
- b. While at Khalden, Barhoumi stood guard duty over the camp.
- c. At some point after his training at Khalden in 1999, Barhoumi received approximately two months of land mine training at a terrorist camp outside Jalalabad, Afghanistan. There he received training on laying and removing land mines. During this training, while practicing mine diffusion, Barhoumi lost four digits from his left hand.
- d. From on or about June or July 1999, Barhoumi trained at the [REDACTED] camp, an al-Qaeda camp that provided training on using weapons, outside Khowst, Afghanistan for approximately five months. Barhoumi continued with additional training at several smaller camps that included training on small arms and terrain training. This training lasted in total about nine months.
- e. On or about April or May 2001, Barhoumi obtained a Greek passport and traveled to Kandahar, Afghanistan, and then to Kabul, Afghanistan.

- f. By early March 2002, Barhoumi joined al Qahtani and al Sharbi at the safe house in Faisalabad, Pakistan.
- g. 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.
- h. On or about March 2002, while staying at a safe house in Faisalabad, Pakistan, Barhoumi began to train al Sharbi and al Qahtani on building small, hand-held remote-detonation devices for explosives.

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

Specification: In that Sufyan Barhoumi ("Barhoumi"), 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 January 1999 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. During 1999, Barhoumi, an Algerian citizen, attended the terrorist training camp at Khalden in Afghanistan. There, he trained on light arms, movements, compass and land navigation, artillery, mortars and radio communications.
- b. While at Khalden, Barhoumi stood guard duty over the camp.
- c. At some point after his training at Khalden in 1999, Barhoumi received approximately two months of land mine training at a terrorist camp outside Jalalabad, Afghanistan. There he received training on laying and removing land

mines. During this training, while practicing mine diffusion, Barhoumi lost four digits from his left hand.

- d. From on or about June or July 1999, Barhoumi trained at the [REDACTED] camp an al-Qaeda camp that provided training on using weapons, outside Khowst, Afghanistan for approximately five months. Barhoumi continued with additional training at several smaller camps that included training on small arms and terrain training. This training lasted in total about nine months.
- e. On or about April or May 2001, Barhoumi obtained a Greek passport and traveled to Kandahar, Afghanistan, and then to Kabul, Afghanistan.
- f. By early March 2002, Barhoumi joined al Qahtani and al Sharbi at the safe house in Faisalabad, Pakistan.
- g. 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.
- h. On or about March 2002, while staying at a safe house in Faisalabad, Pakistan, Barhoumi began to train al Sharbi and al Qahtani on building small, hand-held remote-detonation devices for explosives.