

Summarized Administrative Review Board Detainee Statement

The Presiding Officer read the Hearing Instructions to the Detainee and confirmed that he understood and had no questions.

The Assisting Military Officer presented Exhibit EC-A, the Enemy Combatant Notification Form to the Administrative Review Board.

The Assisting Military Officer presented Exhibit EC-B, the Enemy Combatant Election Form to the Administrative Review Board.

The Designated Military Officer presented Exhibit DMO-1, the Unclassified Summary of Information to the Administrative Review Board.

The Designated Military Officer gave a brief description of the contents of Exhibit DMO-1, the Unclassified Summary of Information to the Administrative Review Board.

The Designated Military Officer confirmed that he had no additional unclassified information to present and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Presiding Officer: At this point in the hearing the Detainee may now present information to the Administrative Review Board. Assisting Military Officer, does the Detainee want to present any information to this Administrative Review Board including written statements, oral statements, or witness statements prepared on his behalf?

Assisting Military Officer: Yes, the Detainee would like for me to present a written statement for me to read to you and I also have the Assisting Military Officer comments that I would like to read first. I am now handing the Administrative Review Board the following unclassified exhibits marked as Exhibit EC-C *(the Detainees translated written response to the Unclassified Summary)*.

Presiding Officer: Assisting Military Officer you may proceed.

The Assisting Military Officer begins to read his comments from the interview process from the Enemy Combatant Election Form marked as Exhibit EC-B and follows that by reading from the Detainees' translated written response to the Unclassified Summary marked as Exhibit EC-C.

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The Board takes a brief Administrative Break.

Administrative Review Board members' questions

Board Member: Haj, can you read and write Arabic?

Detainee: Yes.

Board Member: Do you speak any other language besides Arabic?

Detainee: No.

Board Member: Before you left for Pakistan, did you have any formal education in the Koran?

Detainee: There is no need for somebody to read Koran. Anybody can transfer the [knowledge of the] religion by [memorizing] the religion.

Board Member: How affective do you think you would be in teaching the Koran to people who do not speak Arabic if he went to Pakistan and Afghanistan?

Detainee: This we talked about in the interrogation three years [ago]. I want to explain something about religion. It was a Pakistani guy who spoke Arabic and he translated [for me].

Board Member: Thank you. I have just one more question. Did you ever swear Bayat or oath of allegiance to al Qaida or Usama bin Laden?

Detainee: How can you swear religion to al Qaida or Usama and you don't know al Qaida and you have never been with al Qaida?

Board Member: OK. Thank you. That is all I have.

Presiding Officer: Mr. Haj, the statement read by the Assisting Military Officer, was it true to the best of your knowledge?

Detainee: There is one point. The Assisting Military Officer stated that I went there to fight Russians. I said that General Dostum allied with Russia but not with the United States. That is the only point. Everything else is true except when the AMO says that. I am accused that I killed United States allies and the United States didn't have allies over there. They said that General Dostum is an ally with United States [but] he is an ally to Russia. Now, knowing that General Dostum is wanted by United States for war crimes, how come he is a United States ally and he is wanted by the United States? That is the only point I have that differs.

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Presiding Officer: I don't have the answer to your question. *(The Presiding Officer takes a short pause)*. While you were in the North, did you fire weapons at members of the Northern Alliance?

Detainee: No. We were shot by weapons and we couldn't fire. Bullets were short and we were prohibited from firing.

Presiding Officer: A harsh way to fight with no ammo!

Detainee: I didn't say I was fighting but I said I was [a] guard. I had some bullets but it was forbidden to fire.

Presiding Officer: In Pakistan you stayed at an Islamic guesthouse?

Detainee: Yes.

Presiding Officer: And there were wounded Taliban or Islamic soldiers there?

Detainee: Islamis are Taliban and I said I went to Afghanistan. At that time it was known as an Islamic government. I went there with the purpose that they were an Islamic government and then once I got there they started saying they were Taliban. Their name is Taliban. Islamis and Taliban were the same.

Presiding Officer: But there were many injured people there?

Detainee: I don't recall.

Presiding Officer: Did you tend to the wounded people that were there?

Detainee: No, never. There were people in charge of taking care of them.

Presiding Officer: How long were you there?

Detainee: It's written. Twenty-five to thirty days.

Presiding Officer: In the prison at Al Janki castle, how long were you at the prison?

Detainee: At the castle or the prison? The prison is different from the castle.

Presiding Officer: Where were you injured in the prison or the castle?

Detainee: In the castle.

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Presiding Officer: How long were you in the castle?

Detainee: I was there approximately ten days, underground and we were wounded. Of course, they used all [kinds of] different weapons in order to kill us. They even used water and electricity. And they threw a bomb on us. And a lot of times they opened water on us to the point [that] we had water up to our necks. Of course, the wounded ones couldn't stand up and they were killed in the water. The ones that could stand up stood up and stayed two days in the water. After [that] we got out.

Presiding Officer: How did you get out? Who rescued you?

Detainee: They [told us to] give ourselves up and we were wounded and did not have any weapons. We [went] through a ladder that was broken and when we got out we found all different types of media were there outside. All international media and CNN were there and after we went to the prison, the prison of Dostum. And after we went to Kandahar. From Kandahar we came to Cuba.

Presiding Officer: When they told you to give up or to come out, who told you that? Was that U.S. forces or Dostum's forces?

Detainee: Dostum's forces.

Presiding Officer: Dostum's forces put you in there and Dostum forces got you out?

Detainee: Yes.

Presiding Officer: Do you believe that you are a threat to the United States or its' allies?

Detainee: To pose threat, do I know or do you know? *(The linguist explains that the words have been translated verbatim but that the meaning is not conveyed. The linguist explains that the Detainee is asking the question back to the Board.)*

The Detainee continues.

Detainee: I've spent three years here in your possession while you've been given information about me from Sudan and from everywhere [like] what I was doing. From this information that you got you can assess if I pose [a] threat or not.

Presiding Officer: The question is, do you now pose a threat to the United States or its' allies?

Detainee: I don't know the United States allies. I don't pose [a] threat.

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Presiding Officer: Allies are countries associated economically and militarily with the United States.

Detainee: How do I know that?

The Assisting Military Officer interjects by stating: Sir, he is just saying that he doesn't know who the United States allies are because they change and I think he doesn't understand that you are asking him his opinion.

Presiding Officer (to the Detainee): Do you intend to bring harm or injury to the United States if you are released?

Detainee: Never, I want to get married and live in my house.

Presiding Officer: I am going to refer back to an early part of this proceeding. Item three from early instructions to you [states that] this session is your opportunity to be heard and to present information to the Administrative Review board. You can explain why you believe you are no longer a threat to the United States or its' allies and why it is otherwise appropriate for you to be released and any other relevant information you wish us to consider.

Detainee: I don't pose threat to the United States. From the beginning I didn't pose [a] threat to the United States. That is it. There is nothing else.

Board Member: What do you feel about your decision to leave Pakistan for Afghanistan?

Detainee: I do not understand your question.

The Assisting Military Officer interjects by stating: He (referring to the Board Member) just wants to know if he (the Detainee) had to do it all over again, would he have gone to Afghanistan.

The linguist translated the question and requested that he be able to ask the same question again because he believed the detainee didn't get the question.

Detainee: What you are saying is if it happened again now? I swear there is nothing I need to go to Afghanistan [for]. I do not need to go to Afghanistan.

The Board Member rephrases the question again as the Detainee still does not understand the question.

Board Member: Does he have any regrets about the decision to leave Pakistan for Afghanistan?

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Detainee: When I went to Afghanistan I went to teach religion. Do you want us to stop teaching religion or what? I don't understand your words.

The Assisting Military Officer interjects by stating: I don't think he still understands that we are trying to ask him.

Board Member: OK, one more time then I will stop. He said he was going to go to...he flew to Pakistan to teach religion.

The linguist questions the word "flew."

Board Member: Yes, he said he left Saudi Arabia to Pakistan to teach the Koran.

The linguist interjects and states (to the Board Member): You said, "flew" but there is nothing about flying.

Board Member: Well your original intent was to go to Pakistan, correct?

Detainee: Yes.


The Board Member concludes his questioning.

The Presiding Officer confirmed that all unclassified information had been presented to the Administrative Review Board and closed the open session of the hearing.

The Presiding Officer explained the reminder of the Administrative Review Board process to the Detainee and adjourned the open session.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Colonel, U.S. Army
Presiding Officer

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(U) ENEMY COMBATANT'S WRITTEN STATEMENT

The detainees translated written response to the Unclassified Summary.

1. The detainee traveled to Konduz, Afghanistan and then rode in a truck with other Taliban fighters to a bunker area on the second line, where he served as a guard for several months.

Detainee's Response: And what is in that, is it an accusation? I do not consider it an accusation. And the reason is that when I entered Afghanistan, I traveled to Konduz and worked as a guard on the second line. As far as I was concerned it was an Islamic government, not the Taliban. The Islamic government was never an enemy to the US. And the reason why the US entered Afghanistan is because of the falling of the buildings in the United States. And I was, after all, present in Afghanistan before this happened. So my trip to Konduz and my ride in truck with the other Islamic government fighter is not an accusation as you say it. (This all was stated to make the distinction that these men were there in response to the call to fight with the Islamic Government against Russia.)

2. The detainee also spent time in the North, fighting on the front line.

Detainee's Response: Also I do not consider this as an accusation for the fact that I fought in front or second line, or that I was a guard, or that I held a weapon, or I rode in a truck or I traveled. All these things happened before the US started thinking about entering Afghanistan. And I never thought that one day the US would enter Afghanistan. I decided to travel to Sudan so I can get married and live in my country, and on my way to Pakistan I was told that the roads were closed. When I asked why? They told me that the Americans entered Afghanistan and closed all the roads. Even though the roads were closed I tried to exit in order not to fight the Americans. And for that I tried and I tried but I could not. So then I returned to my place in the second line. Then the withdrawal happened and I walked out with them from the North. And after we were betrayed by General Dostum by telling us that we are going to our country, they put us in Al Janki Castle in Mazar-e-Sharif and fired at us when we were handcuffed and American airplanes fired at us also. And they killed a lot of us. We entered the castle and we were about 400 people and when we walked out we were about 60. They killed about 340 people by firing at us with bullets and American airplanes. And so this should not be considered an accusation against me.

3. The detainee participated in the Mazar-e-Sharif prison riot at the Al Janki Castle.

Detainee's Response: These words are not true and I do not consider them an accusation and the history of the castle is now known all over the world because of all the media that was there in the castle. Even you have the whole video about the history of what happened in the castle. I saw the video myself while I was in one of the interrogation rooms here and I told you the summary of the history. After the withdrawal from the lines and on our way to our country we were betrayed by General Dostum by saying to us that we are going to Kandahar through Mazar-e-Sharif under one condition

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which was to turn in our weapons. So as he requested we believed him and turned in our weapons. Then we rode in trucks and we were about 400 men and we entered Mazar-e-Sharif so we can go to Kandahar but the General betrayed us and we entered the big castle. They handcuffed us so tightly that the circulation was cut off. And I became unconscious. What happened after is all I know is they were firing bullets at us while we were handcuffed and American airplanes came and started firing at us and killed a lot of us. I was handcuffed and wounded in my back with a bullet and it went to my belly where it is now. And I feel the pain of it. I asked to see a doctor about it and as of now I have not seen him. While I was on the ground an American airplane fired a bomb and shrapnel hit my head and it is still there in my head. And then I went unconscious and I did not feel anything until I woke up in a room underground. I did not get out of that room until the men with General Dostum and the Americans took us from the prison and from there to Kandahar while we were wounded. How can you say that I participated when I was handcuffed and I had a bullet in my stomach and shrapnel in my head and I was unconscious? And if you don't believe me there are 2 films about the castle riot and on one film it shows everything about the handcuffing and the killing and airplanes firing. And on the other film it has been edited with the most important things out because of the public. And the government has both copies and CNN has only the edited one. Therefore, this is not an accusation because I did not participate in the fighting in the castle and this is how I defend myself for this allegation.

b. Training

The Detainee received training on the Kalashnikov rifle.

Detainee's Response: And what is in all that? Is this forbidden Internationally to learn weapon. Or should I have asked permission from the US? Have you ever seen anyone guard himself just with a stone or throwing a glass of water on someone who has been attacked? And you know that learning weapons is very, very natural. And the proof to that is in America there are many schools to train you about firing weapons if you are willing to pay the fee. Are you telling me that anybody who learned how to use the weapons is breaking the law? If the US made an international decree that no one can learn how to use a weapon except an American, this is something else. I do not consider this a charge against me.

c. Connection / Association

1. While in Quetta, Pakistan, the detainee stayed 25 to 30 days in a Taliban guesthouse that was also used by recovering, injured Taliban fighters.

Detainee's Response: This is also related to the other allegation as long as I am accused of belonging to military of Islamic government. The thing that is certain is that I stayed in one of their guesthouses. As if you are telling me, you are accused that you are human, accused also that you have eyes, or accused that you are wearing military uniform and you are accused also that the uniform has a pocket.

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2. The detainee was identified as a Sudanese who spent a long time in Afghanistan.

Detainee's Response: This is true that I am Sudanese and there is not doubt in that. The copy of the passport you have. And saying that I spent along time in Afghanistan is not true. You can check the passport dates when I entered Afghanistan and when I exit. In the end this allegation is related to the other allegation and I do not consider it an allegation.

3. The detainee was a special friend to a known Taliban leader.

Detainee's Response: I have never, never heard this charge during my stay here in Cuba for three years. And I have not heard from any interrogator that I was a friend of the leader of Islamic government. Where did you come up with these words? This is something very strange and I have not heard it until now. If you have any proof please tell me of this proof. I deny this allegation.

4. This Taliban leader was in charge of all the Arabs on the front lines in the northern area of Afghanistan near Konduz and Marzar e Sharif.

Detainee's Response: This allegation is related to the previous one and therefore I don't know this leader and I don't need to respond to this.

5. This Taliban leader reported directly to an al Qaida commander.

Detainee's Response: Here again I will not respond to this because I do not know this leader.

6. The al Qaida commander was in charge of al Qaida fighters in the Afghani northern front.

Detainee's Response: Again I will not respond because I have never heard of such thing.

d. Intent

1. The detainee traveled from Saudi Arabia, through Pakistan, then into Afghanistan.

Detainee's Response: My passport allows me to travel to any country except Israel. For example if you are an American and you traveled without permission to Cuba. In this case it would be an allegation. But I am not of American nationality and my passport allows me to travel anywhere except Israel.

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2. The detainee said that if he were in a combat situation, he would attack Americans to defend his country and/or family and he would fight again for the sake of his religion or his family.

Detainee's Response: This allegation was changed from it's meaning. I was asked if I fought the American's. I said no. He says to me, "never"? I said I would not lie to you. If any person attacked me no matter who it was, if they attacked my family and my house I will defend myself, and my family as best as I can. And this is the nature of humanity. I would like to ask you Mr. PO if somebody attacked you would you defend your family and what are you going to do?

The above translation is not an exact word for word translation.

وزارة الدفاع

مكتب هيئة مراجعة حجب الإعدادات القتالية
بالقاعدة البحرية الأمريكية بحوانتانامو بتي
كوبا

من: الضابط المشرف
إلى: علي محمد حجاب // محمد
بواسطة: الضابط العسكري المساعد
الموضوع: مختصر الأدلة الغير السرية المقدمة إلى الهيئة
الإدارية للمراجعة في قضية علي محمد حجاب // محمد

(١-) ستعقد هيئة إدارية للمراجعة لتراجع قضيتك لتقررها
من الضروري استمرار احتجازك.

(٢-) الهيئة الإدارية للمراجعة ستقوم بمراجعة شاملة
لكل المعلومات المتعلقة بقضيتك ومن المصقول تواجد
في نهاية هذه المراجعة، ستقتصر على أحمد من الأمريكي:
(١) الحلاق صراحك إلى وطنك أو إلى وطن ثالث،
(٢) نقلك إلى وطنك أو إلى وطن ثالث، مع الشروط
المتفق عليها من قبل الولايات المتحدة ووطنك أو
الوطن الثالث،
(٣) استمرار احتجازك تحت سيطرة الولايات المتحدة.

(٣-) العوامل الرئيسية التالية تفضل استمرارية الاحتجاز

أ - تصمد:

(١) المحتجز سافر إلى كوندرا، أفغانستان، وبعد ركب

①

الساكنة مع مقاتلين طالبان إلى منطقة بنكر في
الخطوط الثانية، هناك عمل كحارس لمدة شهر.
(٢) استغرق أيضاً المحتجز مدة زمنية في الشمال،
ليقاتل على الخطوط الامامية.
(٣) شارك المحتجز في غزو السجن مزار الشريف في قلعة
الحبانكي.

(ب) تدريب:

المحتجز أتمتع تدريب على بندقية الكلاشنيكوف

(ت) العلاقات / الاجتماعات.

- (١) بينما كان في كويتا، باكستان، المحتجز مكث كره إلى
30 يوماً في بيت ضيافة للطالبان الذي كان مستعد
للقائد المجرمة الطالبان المقاتلين.
- (٢) عُثِفَ عن المحتجز بأنه سوداني وأنه قضى وقت
طويل في أفغانستان.
- (٣) المحتجز كان صديق خاص للزعيم الطالباني معروف.
- (٤) هذا الزعيم الطالباني كان مسؤول على جميع العرب
في الخطوط الامامية في المنطقة الشمالية لأفغانستان
قريبة من كندوز ومزار الشريف.
- (٥) هذا الزعيم الطالباني كان يبلغ مباشرة إلى
قائد القاعدة.
- (٦) قائد القاعدة كان مسؤول عن مقاتلين القاعدة
في الجهة الشمالية لأفغانستان.

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- (1) سافر المحتجز من السعودية العربية، عبر باكستان، وبعد إلى أفغانستان.
- (2) قتال المحتجز إذا كان في موقع قتال، سيهاجم
الأمريكيين للدفاع عن وطنه و/أو عائلته وسيقاتل
كذلك لأجل دينه أو عائلته.

(3) العوامل الأساسية التالية تؤيد إخلاف سلاح أو نقل:

- أ- صرح المحتجز "أنا لم أقاتل ضد الولايات المتحدة
أو حلفائها."
- ب- صرح المحتجز "أنا لم أرى أمريكي أوقلت ضد
أمريكي أو أي حلفاء أمريكيين."
- ج- قال المحتجز بأن نيته كانت ليذهب إلى باكستان
للمربعة أشهر لتعليم الدين حسب الدعوة.
- د- قال المحتجز بأنه كان ذاهباً إلى مسجد ريتوان في
لاهور باكستان للتعليم.

(4) ستمنع لك فرصة مقبولة لتسمع وتقديم معلومات
للهيئة؛ وهذه تشمل فرصة المحضون بشكل خاص في
الجلسة. الضابط العسكري المساعد ليس في حالة
ضد استمرارية حرك الاحتجاز كما أن الضابط
العسكري المساعد لا يمكن أن يشكل علاقة سرية
معك أو يملك في أي شأن آخر.

(3)