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Summary of Administrative Review Board Proceedings for ISN 1050

The Administrative Review Board (ARB) was called to order.

The Designated Military Officer was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the ARB proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood. When asked if he had any questions concerning the Administrative Review Board process, the Detainee responded he did not.

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

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

The Designated Military Officer presented the Unclassified Summary of Information, Exhibit DMO-1, and DMO-2 to DMO-5, to the Administrative Review Board.

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

The Presiding Officer confirmed that a copy had been previously distributed.

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

The Presiding Officer acknowledged the request.

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

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The Presiding Officer asks the Detainee if he wishes to make a statement and whether he opts to take an oath (a Muslim oath).

The Detainee declined taking the (Muslim) oath.

The Assisting Military Officer read the responses to the allegations on the unclassified summary to assist the Detainee in answering the allegations.

The AMO had no further questions for the Detainee.

The DMO had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: When you were captured, who was with you?

Detainee: I was with Salim.

Board Member: Who is Salim?

Detainee: What do you mean by who is Salim from? Where, from where [where is he] from?

Board Member: Yes. Is he a friend or a teacher or...?

Detainee: No nothing. Not a friend, not a teacher.

Board Member: Were you captured with a group?

Detainee: No only with Salim.

Board Member: What were you doing when you were captured?

Detainee: I don't know anything. I came [went] with Salim. I am not aware of anything but I [was] captured with Salim [we were captured] together. When [they] captured him they captured me too.

Board Member: Okay, I have one more question. Do you hold any ill feelings toward the American people or the current government of Afghanistan?

Detainee: No, I have nothing...I have no hard feelings about [the] American [people]. I have no hard feelings about my own government. No nothing.

Presiding Officer: You were acting as a guide for this group that had weapons, surveillance equipment and radios. Did you become suspicious of what they were planning and doing with that equipment?

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Detainee: I [had] never seen these things, if I [had] saw those things with them I would [have] become suspicious. (Asking question) What are you doing with these kinds of things?

Presiding Officer: So going with that group, you did not see anything on the other folks that were with you?

Detainee: No, I didn't see anything besides [an] assault rifle with Salim.

Presiding Officer: Did you have a weapon?

Detainee: No.

Presiding Officer: You were a Madrassa student for quite some time at Lakan Madrassa. What kind of student were you; average, above average, top of the class, what kind of student were you?

Detainee: There is no degree in [the] Madrassa, Madarassa [the] people [are] reading different books, everybody. And they have their own merit.

Presiding Officer: So there's no standard as to how well you were doing in the Madrassa?

Detainee: Nobody told me anything, if I'm [at] the top or at the bottom. No they didn't tell me anything.

Presiding Officer: What were the main topics taught at the Madrassa?

Detainee: The Koran.

Presiding Officer: That's it?

Detainee: The Koran, and the Koran other parts like that ... (inaudible).

Presiding Officer: If you were to be released, what plans do you have for the future?

Detainee: I want to go and I will look too [for] work and find [work] and make [a] livelihood for my family.

Presiding Officer: What kind of work do you do?

Detainee: I am a landlord. I have land. I would like to work in [on] my land and do some farming.

Presiding Officer: How old were you when you first enrolled in the Madrassa?

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Detainee: I don't remember how old I was, just approximately. I was very minor [young] when I went to Madrassa to read [the] Koran. At the last Madrassa when [where] I was arrested, I don't remember how old I was.

Presiding Officer: Did you have a job before attending the Madrassa?

Detainee: No.

Presiding Officer: Were you allowed to work while you were in the Madrassa?

Detainee: Yes, I was [working on] my own farm... [a] farming job.

Presiding Officer: One last question, I understand you attended more than one Madrassa. What is the difference with the different Madrassas?

Detainee: I attended two Madrassas. When I was [a] minor small boy. I was [in one] in my Kalice (sic) my village Madrassa. It was in my village, it was [within] walking distance. Then [When] I become [became] older I went to another Madrassa. That is two Madrassas.

Board Member: What exactly were you doing at the time you were captured? Were you walking somewhere, were you sitting, were you about ready to have a meal?

Detainee: I was with Salim. Salim tell [told] me to buy him some foodstuff from the store. So when I went [to] buy him [the] foodstuff when I returned back [from the store] Salim wasn't there. So when he came [back] he said let's go. When we start[ed] moving the police... military people came and arrested us. I don't know what was the reason.

Presiding Officer: I need to go back. This person Salim, how well did you know him and from where did you know him?

Detainee: I never met this man before until the day I was arrested. I don't know this man, I never met this man that was the first day I met him and I was arrested. That's all.

Presiding Officer: Do you normally hang out with total strangers? Especially with the results of what happened, you didn't know this person; you just hang out with some one you don't know?

Detainee: No normally I don't do that. He came to my Madrassa and he was just like our guest. [And] to respect him; entertain him; [I] take him [to] places he said he [had] never been there [before] I was just there to accompany [him]. That was all I did.

Assisting Military Officer: Sir may I ask a couple of questions?

Presiding Officer: Certainly.

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Assisting Military Officer: Could you describe your routine at the Madrassa on a daily and weekly basis?

Detainee: I [would] study, nothing else except study.

Assisting Military Officer: Did you go out on any field trips?

Detainee: I [have] never done [any] military training. No I never went somewhere [anywhere] I [went] to school.

Assisting Military Officer: So what is your school? Do you go to school at eight o'clock, study the Koran till what time or, or...?

Detainee: Yes I can tell you precisely what time. Between nine and eight in the morning. We [would] start between nine and eight and [then] we close at noontime. Noontime is for lunch. After lunch we have a rest time, after rest time the school [would] start again until evening.

Assisting Military Officer: Just going back to your response to the allegation: "The Detainee along with other members of the group, were ordered by an known al Qaida to the burial ground". You stated that your friend, Mahbuburahman asked you to take a Pashtu Afghani named Salim to the burial ground. So you did have a friend that came along with you?

Detainee: Yes.

Assisting Military Officer: What was he carrying?

Detainee: Nothing.

Assisting Military Officer: How long was your trip to the burial ground?

Detainee: I don't remember... two hours [maybe] three hours.

Assisting Military Officer: How long did you plan to stay there?

Detainee: No we didn't spend much time there. When we go [went] there, then we returned back.

Assisting Military Officer: That is all I have sir, thank you.

The Presiding Officer read the post-Administrative Board instructions to the Detainee and the Detainee asked the following questions concerning the decision process:

Detainee: How long does it take?

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Presiding Officer: Uncertain. It is an administrative procedure that could take a while but we don't know. But we'll know within a reasonable amount of time.

Detainee: Two months, three months how long?

Presiding Officer: I can't specify a time but it takes a while for the procedures. For them to go through the records and once a decision is made we will be notified.

Detainee: If the decision [is] made against me, how long after that [will] I be able to come back to this proceedings?

Presiding Officer: I'll get to that.

The Presiding Officer concluded reading the post-Administrative Board instruction to the Detainee and adjourned the open session of the Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

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



Captain, USN
Presiding Officer

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