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Summary of Administrative Review Board Proceedings for ISN 1074

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) 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 Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

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.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's initial ARB interview occurred on 09 August 2005 and lasted for seventy-three minutes. A follow-up interview was held on 11 August 2005 and continued for forty-five minutes. After a review of the ARB's purpose and procedures, the Farsi Unclassified Summary of Evidence was read to the Detainee. Afterwards, the Detainee stated he would like to attend the ARB, present his comments after each allegation regarding the Unclassified Summary of Evidence is read, and provide a written statement. He also expressed the desire to speak openly to the Review Board. The Detainee was polite and very cooperative throughout both interviews. He also stated the interrogators presented information about him that was not the truth. At

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the conclusion of the interview, he was provided a Farsi translation of the Unclassified Summary of Evidence for further review.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, and the Terrorist Organization Reference Guide, DMO-3, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Detainee chose to respond line by line to the Unclassified Summary of Evidence. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee admitted that he joined the Taliban in 1999.

Detainee: When the Taliban took control of Afghanistan I was unemployed for three years and was busy with my personal life. In 1999 due to my financial obligations I got a job, which was a very low position job, in the city of Gardez as a functionary officer, in a military subdivision about 100 kilometers away from the battle field. Due to my health problems I have always been a non-combatant person. There were about ten thousand educated people who were employed by the Taliban, because they were forced to, but did not have any power and authority; the power was in the hands of the uneducated Taliban. In your minds, you should separate the Taliban from [Afghanis] and you should know the difference between the Taliban and us. The Taliban went to a madrassa to study and we went to schools to get educations, [the Taliban] were Pashtu and we were Farsi. The Taliban were uneducated and fanatics. They would look at educated people in a [very low manner]. We were educated and open minded and [the Taliban] were uneducated and fanatics. All the power and authority was in their hands. If you were working as a clerk or functionary officer at the time, then all of the thousands of Afghans who are educated and worked for the Taliban, they should all be criminals. Most of those people still work for the current government of Afghanistan.

Designated Military Officer: (3.a.2) The Detainee worked for the Taliban for two years, until the Taliban was defeated.

Detainee: Yes, that is true and I said that during an interrogation. For two years I forcefully served as a functionary officer in a military subdivision. You should separate and know the difference between Afghanistan and other civilized countries. We call it a subdivision, but it was only 20-30 people and not more than that. You should not compare Afghanistan to other civilized countries because we did not have an organized government. We did not have many Taliban in Gardez and again, all of the power and authority was in the hands of the Taliban. During that time we did not have money to

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leave our country and run away. During that time the United States did not make any laws that said it was against the law to work for the Taliban.

Designated Military Officer: (3.a.3) The Detainee was the Deputy Officer of Personnel at 3rd Corps in Gardez. He was offered the position and promoted to Colonel by general Ziaudeen, the 12th Division Commander.

Detainee: You mean he promoted me?

Designated Military Officer: Yes.

Detainee: In the Karzai I held the same position. After the fall of Taliban until my capture I was working for the Government of Mr. Karzai as a deputy officer of personal at 3rd Corps. The commander of 3rd Corps, General Atiqulla Ludeen, was well trusted by Americans. Ziaudeen was the commander of 12th Division of Gardez. I personally did not have any connections or ties with Ziaudeen and my promotion and rank did not have anything to do with him. Because of Ziaudeen people would call us agents of Americans and look down on us. When the relations of Ziaudeen and the Ministry of Defense... there were some problems... the Ministry of Defense would not give us our salaries for a year and a half because of the relationship with Ziaudeen. Ziaudeen is in prison right now in Bagdad or Kabul.

Designated Military Officer: (3.a.4) Ziaudeen has been cited as being responsible for attacks in Gardez out of spite for being removed from his position in May 2003, and may be working with Taliban and al Qaida leaders against Afghanistan.

Detainee: I don't have any information about the attacks in Gardez and it does not have anything to do with me because I don't have any connections or ties with them and never did.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee was a Captain in the Afghani Army for 17 years. He had 6 months of military training at the Technical Military School in Kabul, Afghanistan.

Detainee: In 1986 I was promoted to Colonel and after 19 years I am still a Colonel. Which proves that I am innocent and don't belong to any political groups because I was deprived of my rights during promotion times. In spite of being an educated, experienced, and skilled man, who after 12 years of high school attended two years of Teachers Training Institute, and later 6 months of military courses in Kabul, I was not promoted to a higher rank or position, but instead I was deprived of my legal rights as well. [All of this happened] because I did not belong to any political organizations. On the other hand, the unqualified Taliban members and other political members had the privilege of being promoted to higher positions like General.

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Designated Military Officer: (3.c) Connections /Associations (3.c.1) The Detainee was captured at his residence by United States Forces, suspected of being a Hizb-I Islami Gulbuddin (HIG) member.

Detainee: I got arrested unlawfully from my home in my night-clothes without being at fault, and without any legitimate reason. I [have been] kept for such a long time because of false reports of local plotters. I have not committed any political or criminal activity and I am not a member of HIG or any other political party. I will never be because I hate all of them. HIG members looted my own house and drug store. Americans should research [information] when they are given a report on someone to find out if the information is true or not. It is becoming part of our culture and custom that people, due to their personal animosity; they will make up things just to sell people to Americans to make money. My house was located between [the] American Forces Camp and the market and the Americans would travel back and forth. I always helped the Americans and I always appreciated Americans and we had good relations. I would tell them that they left their country and traveled all the way over here to help rebuild our country and we will do anything for them to make their life comfortable. You can ask [the Americans that were there] during that time and they will agree, that they were passing through our village all the time and they were never attacked. In my village people would know me as an "American Agent" because I was working with [REDACTED]

Designated Military Officer: (3.c.2) A Hizb-I Islami Gulbuddin (HIG) identification card was found in the detainee's residence at the time of his capture.

Detainee: When I left my job and immigrated to Pakistan, in 1988, I received an ID card. That was not a membership card. It was only an ID card that was used for crossing through the Pakistani checkpoints. That was a common thing to do at that time and millions of Afghans had similar cards for the same reason. Again, I am not a member of any political party, in fact I hate them all, because of what they did to us. In 1988, at the time I received that card, Americans were supporting HIG and it was not a crime to have it.

Designated Military Officer: (3.c.3) The Hizb-I Islami Gulbuddin (HIG) was one of the major Mujahedin groups in the war against the Soviets. HIG has long-established ties with Bin Ladin. HIG has staged attacks in its attempt to force United States troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration (ATA) and established a fundamentalist state.

Detainee: The kind of position or reputation the HIG holds in the eye of Americans or the current government of Afghanistan has nothing to do with me. I hate HIG myself and condemn their activities like all other Afghans. Again, I would like to remind you, HIG looted my house and drug store. I wish you would capture all members of HIG and bring them to justice and put them in jail.

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Designated Military Officer: (3.c.4) It was reported that the detainee met with HIG leader Asadullah on 10 May 2003.

Detainee: The report that I have met Asadullah on May 2003 is absolutely not true. I don't know which Asadullah you are talking about and I told them that during the interrogations. There is an Asadullah who is a leader in the village, there is an Asadullah that is a shopkeeper, there are so many of them. I don't know any Asadullah that has been a leader of HIG. During the interrogation I asked if Asadullah was a bad person, then why not capture him? I was told that he was not, and they said they were talking about the one in Zurmat. I have only seen one guy 12 years ago named Asadullah and that was from far away. Someone told me that was his name. I told the interrogators to find him, his family, or his tribe and ask them if he knows me or has any ties to me.

Designated Military Officer: (3.c.5) Asadullah is an associate of former Taliban commander Saifullah Rahman Mansour and acts as a liaison between Mansour and the Hisb-I Islami Gulbuddin (HIG).

Detainee: I don't know anything about Asadullah. I don't know if he is alive or dead and don't have any ties with him. I heard he is from the county of Zurmat, why don't you ask the people of that village or that town and get information on him. I don't know him and he is not from my tribe. When the Taliban was in power [they would choose all of the powerful] people from the Zurmat area. None of the Gardez people had authority.

Designated Military Officer: (3.c.6) Detainee said the last time he met with Asadullah was in the early part of May 2003.

Detainee: 12 years ago I saw a person by the name of Asadullah in City of Gardez from far away, it was maybe in 1372, (1993). Since then I have not heard anything and do not have any information about Asadullah, and did not meet him in the May 2003, it might be a mistake in translation. The Asadullah that I saw was an ordinary person just walking down the street. He was not driving and did not have a car or anything. There are people walking in the city or village and just because I see them, that does not make me a criminal.

Designated Military Officer: (3.c.7) Detainee admitted to knowing the police chief of Gardez, Abdullah Mujahid.

Detainee: Abdullah Mujahid was the official police chief for the Province of Paktia at the time of the Karzai government; all Gardez people and I knew him. He is from Gardez and I am from Gardez, but we are from different villages. But I don't have any other connections with him.

Designated Military Officer: (3.c.8) Abdullah Mujahid was identified as being responsible for the attack on a Special Forces Detachment in the vicinity of Gardez City, Afghanistan.

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Detainee: I have no information about the attack on Gardez and it is not my business. [Abdullah Mujahid] is here in Cuba too. If he made a mistake, then he is being punished for that and it does not have anything to do with me. When I was captured and detained he was still working for the government.

Designated Military Officer: (3.c.9) The detainee was present at a 30 April 2003, Taliban leadership council meeting.

Detainee: I did not attend any Taliban meeting in April of 2003 and I never had any kind of meeting with their associates either, in fact Taliban would look down at educated people. The Americans should have asked the people that made up these reports for some proof like who and where. When the Taliban was in power I did not care about them. Now that the whole world hates them I hate them even more. The Taliban were known as Kandaharis. They were mainly from the left cities of Afghanistan like Kandahar, Zabul, Orzughan, and Helmand. These are the four main provinces that the Taliban came from. We didn't even have any Taliban people in Gardez. Even in the mosques or Imams they were from Logar or Wardak.

Designated Military Officer: (3.d) Other Relevant Data (3.d.1) The Detainee left Gardez and joined the Mujahedin in Zormat, Pakistan. He worked under CDR Mohammed Ghani for approximately three years and nine months.

Detainee: In August of 1988, and after the Russian withdrawal from Afghanistan, I left my job in the Army as a Logistic Director for the 502 Brigade. I left through the Zurmat county of Paktia Province and immigrated to Pakistan. During that time, for the purpose of travel, a man named Muhammad Ghani, in Zurmat County, issued an Identification Card to me. Once a year I would come home from Pakistan to the Zurmat area to visit my family. After the fall of Dr. Najibullah communist regime and victory of Mujahedin I returned to my country. It's been 3 years and 9 months since I left Pakistan and returned back to Afghanistan. Muhammad Ghani was killed in 1993. I did not have anything else to do with Muhammad Ghani. The only thing I got from him was that HIG I.D. card.

Designated Military Officer: (3.d.2) When the Taliban came to Gardez, the Detainee lived in a military division housing area in Kabul (Wazir Akbar Khan area) for free.

Detainee: When [the] Taliban took over Gardez I left for Kabul, which was still under the control of Burhanudin Rabani's government. Since I was out of money and did not have any place to live, I was forced to ask Sayed Ieshraq Hussein, who was from Gardez for help, and finally he gave me a note and sent me to one of his offices located in Wazir Akbar Khan, Kabul. In that office there were two captains on duty and I was hiding there for a while in fear of the Taliban. That house did not belong to the Taliban and Taliban were not in power in Kabul. The Taliban took over Gardez and I left Gardez and came to Kabul and lived in that house.

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Designated Military Officer: (3.d.3) The Detainee was given permission to stay at the government military division housing area in complex (Wazir Akbar Khan area) by Said Ishraq Hussein, the Under Secretary of Defense for Ahmad Shah Masoud and Under Secretary for the Ministry of Interior.

Detainee: At that time, Sayed Ishraq Hussein was the Chief of Publicity in the Defense Ministry, and Ahmad Shah Masoud was Defense Minister. Sayed Ishraq Hussein works as a Chief of Political Affairs in the internal Ministry of Mr. Karzai's government too. It wasn't an actual military compound it was more like an office. Since he was responsible for the Chief of Political Affairs in the internal Ministry they used that house to have meetings. I just stayed there a few nights. Since we were from the same tribe in Gardez, he gave me a place to stay for a while. I didn't know anyone in Kabul at that time. Said Ishraq Hussein is still working for the Karzai government.

Designated Military Officer: (3.d.4) The Detainee referenced his supervisor as the Taliban Modir for Gardez, Afghanistan, Mullah Mohammed Rahim.

Detainee: During the Taliban power in the 3rd Corps in Gardez there was a man by the name of Mullah Mohammed Rahim working as a Modir (which means Administrator) for the personnel office and I was working as a functionary clerk in the same office. The functionary positions or clerical jobs were very low paying jobs and the Taliban would not pay us any money and did not give us any authority. During that time the Taliban were uneducated, ignorant, and they would not respect anyone's rank. Even military officers of a higher rank had to work under the uneducated Taliban members. They would get paid less and they did not have any authority. Being an administrator, a Colonel, or a Captain did not mean anything because we did not have the authority that we deserved and our rank required. They would pay us about 800 kaldar, Pakistani money, which equals about \$15 U.S. dollars a month. That was not enough to buy food for our family. All of the luxury items like cars and houses belonged to the Taliban and they did not care about the rest of the country.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee said he was obligated to work for the Taliban, because they were the controlling government, and it was the only way he could support his family.

Detainee: This is true and I was compelled to work for them. I had to support my family and the Taliban would force you to work for them. They had the guns and the power and they were very cruel. They did not have any mercy for innocent people, so I had no choice but to work for them. The sad thing is that those cruel people are still after us and they are making up all of these allegations and putting us in this type of situation. All the workers that you see in the current government of Afghanistan worked for the Taliban too. It is not like the current government brought those new officers or educated people

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from somewhere else. They are the same educated Afghans that worked for the Taliban and now they are working for the current government.

Designated Military Officer: (4.b.) Detainee stated he registered with Hisb-I Islami Gulbuddin (HIG) despite not being an actual member. He explained that when the Soviets first invaded Afghanistan, the only way a person could enter Pakistan as a refugee, was to register with a political group.

Detainee: Yes, that is true. I worked for a communist government for ten years and they were cruel too. You had to have their card too. When we used to work for the communist we had to get their card and when you wanted to leave Afghanistan and go to Pakistan, each Afghan had to have an I.D. card from one of those Mujahedin groups otherwise, the Pakistani police would not let you cross the border. I am not the only person who has one of these cards. The whole...every Afghan that passed the border between Afghanistan and Pakistan had to get one of those cards. I was not the only one.

Designated Military Officer: (4.c) Witnesses testified that the Detainee was a lower level clerk or functionary within the Taliban and/or Afghan military.

Detainee: There is nothing lower than a functional level worker and that statement is true.

Designated Military Officer: (4.d) Detainee stated he feels 9/11 was a crime against humanity, a crime against the world.

Detainee: Yes, it was a disaster for the world and a crime against humanity. Those people that committed the 9/11 attacks are enemies of the whole world. Personally, I was for all civilized countries because they can help rebuild my own country.

Designated Military Officer: (4.e) Detainee stated he would support the new government if released because a stable government is the only means to achieve peace within the country.

Detainee: Yes, that is what I was hoping, after 20 years of darkness, that we would see the peace and be a stable country. Then the rest of the world would help rebuild my country, build hospitals, and schools. Finally, we got rid of the Taliban and other cruel Islamic parties.

Designated Military Officer: (4.f) Detainee stated he would go back home and attempt recruitment back into the Afghani Army if released from custody.

Detainee: Yes, I honestly support this government and I would like to help this government. I hate the name of all of those Islamic parties like the Taliban or HIG. They cannot fool us again. They cannot fool the country of Afghanistan again because they committed so many atrocities and cruelty [toward Afghans] that nobody likes them anymore. Under the name of Taliban, mujahedin, and Islam they destroyed our nation

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and our country. Before the mujahedin came we could see the government building the schools and the roads and we were happier, but they destroyed everything. Other prisoners are even punishing me in this prison. When I first came here they did not want to talk to me because I worked for the current government. They would call me an agent of America and agent of Karzi's government. Three days ago I was in the hospital and I saw one of the other Arab detainees and he said hello and wanted to talk to me. I knew they did not like me because I worked for the current government. He asked my name and I told them and they cursed me and called habiz, which means devil. They did that just because I worked for the government of Afghanistan.

Designated Military Officer: (4.g) Detainee also stated that if released he would like to return to his village in Gardez to rejoin his wife and children and work at his pharmacy in order to provide for them.

Detainee: Yes, that is true.

Designated Military Officer: (4.h) Detainee stated he would be willing to undergo a polygraph examination to prove his innocence as well as his loyalty to President Karzi and the Americans.

Detainee: Yes, I am willing and I am ready for the polygraph.

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.

Assisting Military Officer: Yes sir, the Detainee would like to submit and read his written statement.

The Assisting Military Officer presented the Detainee Written Statement, Exhibit EC-C, to the Administrative Review Board.

The Detainee made the following statement:

I, Mohammad Aman, son of Haji Ramazan, from the village of Malik Khil, city of Gardez Province of Paktia, Afghanistan would like to enlighten you with the following information about myself. After two decades of war and brothers killing each other, which nearly destroyed our every existence in our country and took the country years back from civilization and progress, now with regime change the sun of peace and prosperity has risen in our country. The national democratic government, under the skillful leadership of his Excellency Mr. Karzai, who is a real symbol of peace, has

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established some progress. I deeply and whole heartedly support the current people's government and with abundant interest will serve the government and support the humanitarian help of International Coalition Forces, and especially the USA who defeated al Qaida and Taliban. I welcome and support the USA in their assistance of reestablishment of security and the rebuilding of our war torn country. I hope that complete security and total control of our national government will prevent us from bloodshed in Afghanistan. I see our democratic government as a point of hope to free our country from poverty, ignorance, and fanaticism. I see democracy as a source of progress and development in Afghanistan. In addition, I see the assistance of Coalition Forces, especially the USA's, support of the central government profitable for our people and I totally agree with it. I see the happiness of my country under the shadow of peace and security and all the suffering and torment in the war and bloodshed. Therefore, I find the existence of Coalition Forces in Afghanistan to establish a central government and bring peace a necessity. Unfortunately, as a result of some false reports and plots of local fanatics, I have been detained innocently and excluded from serving my country. It is obvious that the current government needs to get rid of the warlords and replace unqualified people with capable and educated people like myself. In the two years that I have been wrongfully detained here, I have had a good relationship with the people at the camp. I have never been punished and it's been over a year that I was transferred to camp four, which is a comfortable place. I have good memories from those in charge of it and the caretakers. Not only am I not a threat to America, but also I see America as a friendly country that is going to help us with reconstruction and maintaining the peace. Therefore, I will defend and support such a country. We, the poor people from Gardez, who in the past twenty years have seen and faced a lot of damages and problems see only the central democratic government of Afghanistan as our hope and happiness. There is no proof that I should be detained. I am an educated, innocent, patriotic, none political soldier who has no ties with any political agency, and who is being punished instead of being appreciated. When I am released I will faithfully join and serve the military of Afghanistan, support and defend the central government's decisions over the tribes and live a comfortable life with my family in light of democracy. People from Gardez live in a city and we like civilization. We like progress and we know that we can achieve those only under the control of a central government and with peace. The majority of us are educated and we appreciate and understand the meaning of progress and civilization and we are different than those people who think democracy is against our religion. They have killed 3,000 people in Gardez just because they were anti-Taliban. Let me clarify something. During the communist regime the majority of Gardez people did not want to go to Pakistan and become immigrants. That is why the mujahedin would shoot rockets at us and kill all innocent people of Gardez. They killed 3,000 people during that time not during the Taliban time. I would like your deepest attention in regards to my case and your consideration in reviewing my defense during the tribunal and my petition for the Civilian Court in order to find the truth, which will set me free. There is a need to remind you not to compare the condition of Afghanistan with other civilized countries and also keep these other factors such as problems, prejudice, customs and traditions of each country and government under your consideration in order to make a just decision on my case. I will not forget your good memories and kindness. Thank you.

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Presiding Officer: Mohammed Aman thank you.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Were you ever promoted to Colonel?

Detainee: In Afghanistan in the Army there are so many ranks that we call Captain. I did become a Colonel, but I was stuck in that rank for 19 years and never got promoted. That shows that I was not with the Taliban or any other group. That is why I didn't get promoted after that. You start from soldier and go higher. My position was a Colonel for 17 years. During the Karzi government I did file a petition and ask for my promotion and they were working on it, but I got arrested.

Board Member: When you went to Pakistan in 1988 you were issued a HIG card and you kept that card until 2003?

Detainee: In Afghanistan people use a wedding invitation card for 30 years. That card was expired and did not mean anything and I kept it with my clothes. We did not have many items in our house that we would need to get rid of certain things. Especially if it is a card, wedding invitation, or whatever we would keep it for years. The HIG card was expired and did not mean anything.

Board Member: If you had been promoted, what rank would you be?

Detainee: It usually depends on the Army and the government. I think I should have been a General by now, but in Afghanistan in order to become a General President Karzi has to approve that and you have to be active duty. You cannot be an administrator in the Army to become a General. You have to be a Chief or Commander and that way only the president can make you a General. I think that was my right. Now in Afghanistan there are a lot of uneducated Generals. Every warlord would use their own fighters and commanders and they get promoted. Here in Cuba, we have prisoners that have been a General, but they do not know how to read and write. We teach them how to read and write.

Board Member: Were you alone when you were arrested or captured?

Detainee: They arrested six people, my father, my brother, my son, and two cousins.

Board Member: Where are they right now?

Detainee: They have been released.

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Board Member: Were they in your house when you were arrested?

Detainee: Yes, that is how we live. We usually have a big back yard and everyone has his or her own separate room.

Board Member: Who arrested you?

Detainee: It was 11:00 p.m. and we were sleeping. Americans and the current government people arrested me. When they knocked on the door I was not going to open it because of the situation we had in our country. Since I was a government worker, for security reasons we would not open the door. When I saw American Soldiers there, I opened the door. The reason [you had to be careful opening the door] is because people would wear government or Army clothes and they would actually be thieves and they would come and loot people. That is why I did not want to open it for Afghans, but when I saw Americans I thought things were safe.

Board Member: Were they Afghani Army or Police?

Detainee: They were Army and they just started building the Army in Afghanistan and they were working with the Americans.

Presiding Officer: Initially you said you had some health problems, what kind of health problems?

Detainee: I have a few problems...I went through surgery here for hemorrhoids.

Presiding Officer: What kind of health problems did you have that would not allow you to fight?

Detainee: Swollen legs and they are weak. I had active Tuberculosis at that time. They treated me and the rules were you could not fight. They wrote a letter that said I should not be a combatant soldier.

Presiding Officer: In training it mentions you were a Captain in the Afghani Army for 17 years, but you said you were promoted to Colonel in 1986, is that statement incorrect?

Detainee: In the spring of 1980 I finished the training classes and became a sergeant. Then in I got promoted again 1981, 1982, and again in 1985.

Presiding Officer: All to the ranks of sergeant? Was one to First Sergeant?

Detainee: Yes, we go to First, Second, Third Sergeant and then we go to the higher ranks.

Presiding Officer: In 1986 you were promoted to Colonel is that correct?

Detainee: Yes, that is correct.

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Presiding Officer: I am curious as to why you said the HIG was being supported by the United States in 1988?

Detainee: Yes, because the Russians were in Afghanistan. During that time the Russians were in Afghanistan and they withdrew their troops, but their military advisors were still there.

Presiding Officer: Mohammad Aman thank you for your honest answers to our questions.

Detainee: Thank you.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

Detainee: When will you notify me of the result of this ARB?

Presiding Officer: The date for notification has not been set. After it is set he will be notified. Do you have any other questions?

Detainee: In our country no matter what kind of crime you commit, the court will always give you a date. I am just being held innocently and [it has been] such a long time. I respect your law, but I want to know what kind of law you have that you cannot give me a date.


Presiding Officer: Once the Designated Civilian Authority makes a decision you will be notified.

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.



Colonel, USMC
Presiding Officer

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11 August 2005

From: Mohammed Aman

To: Presiding Officer

Via: Assisting Military Officer

Subject: Translation of Detainee's Written Statement Submitted by Mohammed Aman (ISN 1074) on 11 Aug 05 by OARDEC Linguist OL-11.

1. To respectful members of the ARB

I, Mohammad Aman son of Haji Ramazan from the village of Malik Khil city of Gardez Province of Paktia, Afghanistan would like to enlighten you with the following information about myself. After two decades of war and brothers killing each other, this nearly destroyed every existence in our country and took the country years back from civilization and progress. Now with regime change the sun of peace and prosperity rose in our country, and the national democratic government, under the skillful leadership of his Excellency Mr. Karzai who is a real symbol of peace, and progress have been established.

I deeply with all my heart support the current people's government and with the abundant interest will serve the government and support the humanitarian help of international coalition forces and especially the USA who defeated Al Qaida and Taliban. I welcome and support USA in their assistance of reestablishment of security and rebuilding of our war torn country. I hope that complete security and total control of our national government will prevent us from bloodshed in Afghanistan. I see our democratic government as a point of hope to free our country from poverty, ignorance, and fanaticism and I see democracy as a source of progress and development in Afghanistan. In addition I see the assistance of coalition forces especially the USA's support of the central government profitable for our people and I totally agree with it. I see the happiness of my country under the shadow of peace and security and all the suffering and

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torment in the war and bloodshed, therefore; I find the existence of coalition forces in Afghanistan to establish a central government, and bring peace a necessity. Unfortunately as a result of some false reports and plots of local fanatics I have been detained innocently, excluded from serving my country. It is obvious that the current government needs to get rid of the warlords, and replace unqualified people with capable and educated people like myself. In the two years that I have been wrongfully detained, here I have had a good relationship with the people at the camp, never been punished and it's been over a year, that I was transferred to camp four, which is a comfortable place. I have good memories from those in charge of it and the caretakers. Not only that I am not a threat to America but I see America as a friendly country who is going to help us with the reconstruction and maintaining peace; therefore, I will defend and support such a country. We the poor people from Gardez who in the past twenty years have seen and faced a lot of damages and problems see only the central democratic government of Afghanistan as our hope and happiness; and there is no proof that I should be detained. I am an educated, innocent, patriotic, non-political soldier who has no ties with any political agency, who is being punished instead of being appreciated. When I am released I will faithfully join and serve the military of Afghanistan, support and defend the central government's decisions over the tribes and live a comfortable life with my family in light of democracy. I would like your deepest attention in regards to my case and your consideration in reviewing my defense during the tribunal and my petition for the Civilian Court in order to find the truth, which will set me free. There is a need to remind you not to compare the condition of Afghanistan with other civilized countries, and also keep these other factors such as problems, prejudice, customs, and traditions of each country and government under your consideration in

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Order to make a just decision on my case so I would not forget your good memories and kindness.

Sincerely

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بہارِ حقیت و حقیقت اور اسی اتحاد و توحید کے لئے

~~Detainee's Signature~~

11 Aug 05
Date

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[illegible]

[Handwritten signature]

Detailed Signature

ENCLOSURE (4)

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در این مدت بیشتر از دوازده سال که بنده در این محسن بماندم با این که این گوی بر خوردم
 و اهل حق نیست در شرف و آن اکنون هیچ نوع عزای ندیده ام و رضا خیر از یکدیگر من بود که در ملک دارم
 که جای آتش نشانی شد زندگی درم و زحمه منو کین و کار دکان ظاهر نیست درم . من به هیچ وجه
 خطر برای امریکا نبوده بلکه امریکا را بحیث کشور دوست و حامی ملت مادر آمریکا همین صلح و زاری
 و رضای بزرگ زنی کشور را در داشته و در این صورت که جانیت کامل میمانیم همینان ما این مردم بیاد
 گردید که در این بیست سال گذشته انواع ضلالت و مشکلات را متحمل شده ایم اکنون فقط حکومت
 ملی و حاکم کرمانی را و شایسته است و خوشبختی خوشی میداریم و هیچ عامل وجود ندارد که من زبانی باشم
 من یک دفتر تحصیل یافته مسلکی و غیرت است و غیرت است بوده که به هیچ مانده استی ارتباط ندارم و بی
 بدو شتم و اما متأسفانه عوض مکافات مجازات شدم و در صدر تنگ از او شوم آگاه هر نوع خدمت در
 اردوی ملی افتادند و این شتم و زنی نام فیصله های دولت مرکزی در بین اقوام دفاع و حمایت خودم
 و زنی آرام خیرین را در بر تو دیکو کرمانی با فایده پنج خوشین سپری خودم کرد
 خودم محمد در همه دوستی بنده غرور و تیر بر خورم با بنده فرموده و دفاعی که در محله اولی شهر در شرف بودم
 و هم عرفی که به محله ملکی امریکا نموده ام دقیقاً همانا نموده تا به و اوقعت بر ریتان ثابت شده
 و حکم بر از ادوی بنده ها در فراموشی دارند به و ادوی است که وضعیت رفقا نسبت به سایر
 کشور های متحدان ما نیست نشود و همه مشکلات و تعصبات و تنگی ها در دولتی هر
 منفعت را در نظر گرفته و فیصله عادلانه صادر نمایند تا ظاهر نیست تا من فراموش نگردد
 بعد از کشف آن بخورده بعد با اصرار