

Summarized Administrative Review Board Detainee Statement

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood. When asked if he understood this process, the Detainee stated the following:

Detainee: I am not Jumma Jan, but I understand everything.

Presiding Officer: OK! Thank you.

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 and DMO-2, the FBI Redaction Certification to the Administrative Review Board and DMO-3, the Department of Homeland Security Terrorist Reference Guide.

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.

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 will be able to 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 sir.

The Assisting Military Officer presented Exhibit EC-C, five letters addressed to Zainulabudi.

The Presiding Officer accepted Exhibit EC-C as letters to the Detainee, but from the Detainee as evidence.

Presiding Officer: Are these statements on your behalf?

Detainee: Yes. He can talk [referring to the Assisting Military Officer].

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The Assisting Military Officer read the comments from Exhibit EC-B.

The Presiding Officer asks the Detainee if he wishes to make a statement.

Detainee: If you have any questions, I am willing to answer [them]. Then I want to briefly talk to you guys.

The Presiding Officer asked the Detainee if he will he take the Muslim oath.

The Detainee took the Muslim oath as Zainulabudin and not Jumma Jan.

Detainee: Under Allah's name, I [will] swear under [the name of] Zainulabudini. [I] can answer any questions that you [may] have. I promise to tell the truth.

Presiding Officer: I am going to refer to you as Jumma Jan. Jumma Jan you may begin with any statement you [may] have.

Detainee: If you have any question[s] I will answer your question[s] and I will talk to him [referring to the Assisting Military Officer].

Presiding Officer: I will come back to that comment towards the end and we'll proceed. Did the Assisting Military Officer provide the information [that] you wanted us to hear in his comments?

Detainee: Yes.

Presiding Officer: Assisting Military Officer do you have any questions for the detainee?

Assisting Military Officer: No sir.

Presiding Officer: Designated Military Officer do you have any questions for the detainee?

Designated Military Officer: No sir.

Presiding Officer: Do any Administrative Review Board Members have any questions for the detainee?

Board Members: Yes sir.

Administrative Review Board Member's questions:

Board Member: Jumma Jan, you said you were a driver for a Taliban leader, who did you drive for?

Detainee: Can I talk?

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Presiding Officer: Yes, you may.

Detainee: I was driving for [a] person [by the] name [of] Guli. He had ten people.

Board Member: Do you know what this [person] Guli did? What was his position in the Taliban?

Detainee: He was in the city all the time, from one police station to another police station. His job was security.

Presiding Officer: Are you referring to the double amputee that you drove around?

Detainee: Yes.

Board Member: Are you really referring to the double amputee?

Detainee: Yes, yes that's who it was.

Board Member: Yes?

Presiding Officer: Thank you.

Board Member: When were you a driver for this Taliban leader?

Detainee: I was driving for this man for ten months because I need[ed] [the] money for my treatment. It was before [they occupied the country, the] Coalition Forces.

Board Member: What city was this in?

Detainee: Mazar-e-Sharif.

Board Member: Do you know where your passport, ID and your driver's license are right now?

Detainee: The people who arrested me, they got it.

Board Member: I thought most people in Tajikistan spoke some Russian, is that wrong, is that not true?

Detainee: I want to go back to your first question and then I will answer you.

Board Member: Okay.

Detainee: Before I was arrested, I was arrested two times by the Afghani government. I was detained for twenty days, eighteen [or] sixteen days, whatever. They got my passport. I had my driving license and ID card on me.

Board Member: Where was your passport from, what country?

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Detainee: Tajikistan.

Board Member: Okay, now my next question, don't most Tajikistani speak some Russian, is that not true?

Detainee: Yeah. I [was] born in 1978. Yes, I moved to Afghanistan [at] the end of 1991 and close to 1992. After grade seven, when you enter into grade eight, the Russian language and [the] English language become[s] part of the school curriculum. [I am referring to] the last two years. After that we have to go to [the] military service [by force]. I didn't go to [a] University or [receive] higher education to speak those languages.

Board Member: So you had moved to Afghanistan by the time [that] you were in the eighth grade?

Detainee: Yes, I was thirteen years old [when] I moved to Afghanistan. You could understand [that a] thirteen-year-old boy is not that smart to learn [a] foreign language. You can calculate it. [Do] you have a calculator with you? [If] you calculate it from 1991 to 2005 [you can figure out how old I am].

Board Member: How old were you when you had tuberculosis?

Detainee: Prior to com[ing] to Afghanistan I went to Pakistan. When I wanted to return back to Tajikistan there was no Tajikistan embassy near Afghanistan because [of the] government, so I couldn't go back to my country. I stayed in Afghanistan.

Board Member: And that's where you had tuberculosis?

Detainee: Pakistan.

Board Member: In Pakistan.

Detainee: Well, you will be my witness because [for the] four months [that] I was in Bagram, Afghanistan I had tuberculosis. I was under treatment. I vomited some blood and [for] six [or] seven months I [have] been under treatment here and taking medicine.

Board Member: What was the name [of] the Swedish company that you worked for?

Detainee: It is Swedish.

Board Member: Swedish only?

Detainee: They call it Swedish Committee and they provide medicine for Afghanis, free medicine.

Presiding Officer: They call it Swedish what?

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Detainee: Swedish Committee. Swedish Office.

Presiding Officer: Okay, Swedish Office, that's fine.

Board Member: The last written statement you made, you said my wife is Afghan, did you mean to say my fiancée is Afghan?

Detainee: Yes.

Board Member: It [was for] clarification, okay. [Speaking to the other Board Members].

Board Member: Jumma, did you say you received medical treatment here for tuberculosis?

Detainee: Yes, when I [was] transferred from Bagram to here, they took me to the clinic and when they diagnosed my disease they directly [took] me to the hospital. I was [kept for] forty-eight days in the hospital. I was in a private room and [a] mask was [placed on] my face. I couldn't go out.

Board Member: How long did they continue treating you after your release from the hospital?

Detainee: Approximately all together six months.

Board Member: Are you also a citizen of Afghanistan?

Detainee: Yes, I have an ID [card] from the country. Yes, I am a citizen of the county.

Board Member: Do you also have a passport from Afghanistan?

Detainee: No.

Board Member: So is an ID card from Afghanistan proof of citizenship?

Detainee: Yes.

Presiding Officer: Jumma Jan, in your comments that the Assisting Military Officer made for you, you asked, "How do they find these things out, they're killing you with extra questions and what not, they do not ask me." So I am going to ask you a couple [of questions] here. The commitment [referring to the unclassified summary of information] [the] detainee has fought with the Taliban under several commanders. Can you explain... why the detainee has also resided with several HIG commanders, Hezb-e-Islami commanders, could you explain that?

Detainee: This is unfair. For the last three years [that] I have been here they [have] called me Jumma Jan, but I am not Jumma Jan. Jumma Jan can answer your question because I am not Jumma Jan. Maybe he committed this problem, but I don't know.

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Presiding Officer: OK. Who is...it also said that you are associated with Qarim Boy. Do you know a Qarim Boy?

Detainee: No.

Presiding Officer: OK. Were you captured in Mazar-e Sharif?

Detainee: Yes.

Presiding Officer: Thank you. It says here [that] you were involved in training operatives and in the use of explosives and improvised explosive devices. Can you comment on that?

Detainee: I don't know anything about it because I am not that person.

Presiding Officer: OK. If you could just one more time clarify the languages that you do speak.

Detainee: Farsi and Pashtu. My fiancée speak[s] Pashtu that's why I speak Pashtu. [During] the time [that] I was in Pakistan I went to [a] Madrassa. Madrassa means [a] religious school. There I learned some Pashtu and also I learned some Urdu.

Presiding Officer: What was your last one [referring to the language he spoke]?

Detainee: Urdu, [it's a] Pakistani language.

Presiding Officer: Urdu yes, okay. Any English?

Detainee: I learned a few words here and [in] Bagram.

Presiding Officer: Thank you. One last thing, you had mentioned the Swedish company and again your fiancée and family and the delegation. Do any of these letters that have been presented to us, are they from any of those people?

Detainee: What delegation?

Presiding Officer: The Tajik.

Detainee: No, [the] Tajik delegation, they just asked me some questions. They didn't give me any papers, any letters or anything.

Presiding Officer: And how about the Swedish company [that] you worked for?

Detainee: I have only [a] fiancée. I don't have anybody in Afghanistan to send me that kind of document and I don't have a lawyer. So how can I obtain that document?

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Presiding Officer: OK. Since you referenced the company, the delegation from Tajik and of course your fiancée, I would encourage you [that] should you be detained here any longer that you [would] try to get the delegation and that company you worked for to provide letters of support.

Detainee: How do I obtain papers from the Tajik delegation?

Presiding Officer: You...the ICRC can help you in putting together a letter.

Detainee: Well, I don't know what kind of document [that] I should provide. What I have in my letters are my parent's letter, my brother's letter and my fiancée father's letter, my father-in-law. What type of paper [do] you need from the Tajik delegation to prove my innocence and help my release?

Presiding Officer: Okay, now it's just a suggestion...if they would be able to help you, then I am just...I am just making that suggestion. You do not have to do anything.

Detainee: Yes, I understand. I want to know what type of document [will] help my release. That is why I will try to find that kind of document. The delegation met with your people not with me. They just met with the military.

Presiding Officer: Thank you. Can I ask you one more question in regards to this letter here? Do you know why any of it is blackened out?

Detainee: I should ask you guys why they scratched this paper.

Presiding Officer: So it was provided to you that way?

Detainee: Yes.

Presiding Officer: Thank you.

Detainee: We have no right to put a line in our letters. If you do it, it's a criminal offense. This is a Red Cross paper. If it comes to us, we can't touch it.

Presiding Officer: So that's how you received it.

Detainee: Yeah, whatever is there, I didn't touch it.

Presiding Officer: Thank you. [Are there] any other questions?

Board Members: No sir.

Presiding Officer: We have no further questions for you. You had mentioned that you wanted to make a comment.

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Detainee: For the last two years I have been detained under the name of Jumma Jan. I wanted to know what is the reason and what is the proof of people calling me Jumma Jan. First they called me Uzbek and if I am from Uzbekistan. Why [are] the letters coming for me from Tajikistan? Since I [have been here] in Cuba, they [have] just interrogated me for less than twenty minutes, once, only once. I don't know how these accusations [have] come about. I [have been] here for one and a-half years and [only] one time [have] they interrogated me. [On] a weekly basis, I always insist for [an] interrogation, but nobody [will] take me. Well, the world and everybody [is] hoping [that] America is a great country and [that] they are helping to vanish the terrorist and provide justice. I don't know why they [keep] call[ing] me a different name and [why] they are putting [so many] accusation[s] against me. They should have proof. Tajikistan people, they are hoping [that the] Coalition Force[s] or Americans should come and control them because they need stability. But this kind of stability, I don't know. Well when I moved from Pakistan to Afghanistan there was not [an] embassy from Tajikistan there. Also, my parents or my family were not there, so I needed money for treatment. I was vomiting blood and I was in a very bad shape so what was I suppose to do? The Taliban government was not a recognized government, so anyway I worked in order to get some money to buy the treatment for myself. Well thank you very much for listening to me. This is all I have.

Presiding Officer: Thank you. Jumma Jan does that conclude your statement?

Detainee: Yes.

The Presiding Officer reads the post-Administrative Board instructions to the Detainee.

Presiding Officer: Jumma Jan, just so you'll know, for the record, Zainulabudin, it will be recorded that you are telling us that is your name and not Jumma Jan. But I referred to you [by] that [name, Jumma Jan] because that is what we are given.

The Detainee nodded.

The Presiding Officer adjourns the open session of the Board.

AUTHENTICATION

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


Colonel, USMC
Administrative Review Board Presiding Officer

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