

**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 Echo Charlie - Alpha, the Enemy Combatant Notification Form to the Administrative Review Board.*

*The Assisting Military Officer presented Exhibit Echo Charlie - Bravo, the Enemy Combatant Election Form to the Administrative Review Board.*

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

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

*The Administrative Review Board paused briefly to permit the Members to read the Unclassified Summary of Information.*

*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 for 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, the Detainee would like to make an oral statement; a written statement and I have some Assisting Military Officer's comments relating to the first interview that I had [with the detainee].

*The Assisting Military Officer presented Exhibit Echo Charlie -Charlie, the Translation of Detainee's Written Statement into English.*

Presiding Officer: Mohommad Zahir, do you want to make your statement under oath?

Detainee: Yes.

Presiding Officer: An oath is a promise to tell the truth and we have prepared a Muslim oath if you wish to use it. We do not require an oath.

Detainee: Yes.

*The Detainee takes the Muslim oath*

Presiding Officer: We will first hear the written statements provided by...[Presiding Officer motioned in the directions of the Assisting Military Officer].

Assisting Military Officer: Okay, sir, in my first interview with the Detainee, he was provided a translated copy of the Unclassified Summary to prepare a written statement. He opted to do this because he stated that all the statements were untrue. He stated that many of his people like him were given a choice to pay ten million Afghanis or be conscripted. He could not pay so he was conscripted as a cook. Obviously, he didn't have the money. He further suggested to me that he was being punished for his choice to open a regular school opposed to a Madrassa. The written statement that the Detainee provided to me, it was first translated from Pashtu into English, I later put it on the computer and it is in a direct response to the unclassified summary. In response to commitment [listed under primary factor favoring detention] he wrote, "In the name of Allah, the Most Compassionate, the Most Merciful". I had no knowledge of weapon caches. I didn't do anything against the coalition forces that I'm aware of. I'm not [a] Talib and had no affiliation with Taliban. I was a schoolteacher and I graduated from school. Taliban and Mulas used to call schoolteachers the son of English man. In clarification of this sir, it's basically, where he was from the community wanted him to open up a Muslim school. He decided to open up just a regular school where he could teach science and math and those types of things as opposed to purely religious content. In response to connections and associations [listed under primary factor favoring detention] he wrote, I never dealt with intelligence and I have never been a spy. God kept me away from it. Prior to Taliban occupation, I was a civil servant in the Province of Gazni, working for the police department. During the Taliban occupation, I left my job and when Karzai took power I resumed my old job. I was arrested in my home. It was early morning and my poor family was sleeping when they arrested me. The entire family was scared, but I knew that I was a teacher and not a criminal. I was the only one arrested at my home. No Chief of Logistics was living at my house. Since there was a severe civil war in Afghanistan and people were hurting and killing each other, I escaped to Iran and lived there for six months. When Karzai took power and his government was established, I returned back to my country and resumed the position I was holding prior to the Taliban. I did not have any faxed paper and still do not know what a fax is. This is the first time that I heard this name, "fax". Also, I do not know Qari Ahmadullah and I [have] never met this person. God is my witness that I'm not aware of these accusations. What happen was when I was living in Iran and the Taliban were defeated, a Taliban vehicle broke down from near my home and that was my home in Afghanistan, they packed up some of their belongings and ran away. However, they left some of their belongings next to my house and told my wife to hold onto them and they would come tomorrow to pick them up. It rained and got muddy and they never returned at all. When I came back to Afghanistan, I turned the belongings into

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the Governor. Some of [their] the papers were included. Just out of clarification sir, these are the papers, the faxes and all that kind of stuff that he said he had never seen before. The Governor told me that the Taliban was finished and we don't need their papers anymore and so I left them there. In response to intent [listed under primary factor favoring detention] he wrote, I never saw any maps and I never heard the name of the places. I have no knowledge of what was included in the Taliban papers. *[Detainee responded by stating, "As God [as] my witness, I don't know"]*. So this is a further reference, sir, to the fact that all of these papers, these documents came out of that car and those folks gave those papers to his wife, I guess in a box. He never looked at the stuff he just gave it to the Governor. At this point he reiterates the fact that the Taliban told me [the detainee] to pay ten million Afghans or they would conscribe me [the detainee] to work for them. Since I did not possess that much money, I worked for them as a cook for three months and I was treated very poorly. *[Detainee interjected and said, "They called me English man"]*. I am very proud that I never started hostilities against [the] Coalition Forces in the Afghanistan government. *[Detainee responded by stating, "God as my witness"]*. I opened an elementary school and faced criticism from the people. They called me, 'Son of Americans' and asked why I [had] opened up this type of school. They said I should have opened up a Madrassa, an Islamic School. I received many warnings from the community on this but I believed that I'm a teacher and my job is to teach and educate children. That concludes his written statement, sir.

Presiding Officer: Mohommad, did the Assisting Military Officers' statement provide the information [that] you wanted us to hear?

Detainee: Yes.

Presiding Officer: Mohommad, you said you have an oral statement to make.

Detainee: Yes.

Presiding Officer: Okay, you may begin.

Detainee: Whatever he [Assisting Military Officer] said, I absolutely agree with him. I am a teacher. I am not a criminal. My job is to teach children. I am a teacher. My job is teach people, make them [an] engineer, [a] doctor, [a] governor and this and that. I am a poor man. *[The Detainee emotionally continues his statement]*. I have ten children and two wives. I tell you [that] if [you have] anything [that] is proof against me, I give you permission to assassinate me, to kill me. I am a poor man, this was my house [pointing to his right] and that was my school [pointing to his left]. I [have] never went anywhere. I have no animosity with anybody. I am a poor person. I was minding my own business. I was sold for one hundred dollars. Somebody sold me. Somebody sold me to make one hundred dollars and they called me 'American Son'. I am surprised, they called me American Son, but American's arrested me. Yes, I was teaching but the income was not enough to feed my children. I was making [growing fruit] something to sell, fruit or something in the market or working on my own farm. Karzai always helped me and [ever] since Karzai came to the power I was in a great/good position. Americans helped me

[because] they give me some tapes to show [to] the children. They were always helping me. God as my witness, I don't know Qari [that was] mentioned in the paper. I don't know him, I [have] never seen him. I don't know [if] he [is] old, [or] young [or if] he had a beard [or] what kind of person he is. Also, I didn't know anything about Cuba, about Cuba's map or anything like that. You people [may] know about Cuba's map, but I don't know anything about this [Cuba's map]. I have pictures and I have a brother and my brother died recently. My children, I don't know if they are begging and how they are living. I don't know. Do you gentlemen know about human rights? I don't know...[he hung is head]...

Presiding Officer: Mohommad does that conclude your statement?

Detainee: This will help you with whatever you want to do, but I don't know anything about anything. God as my witness, the only thing they took from me, they took a student attendance book, some magazines and some books that belonged to the school, that's all.

Presiding Officer: Good, do you have anything else?

Detainee: No.

Presiding Officer: Assigned Military Officer, do you have any questions for the Detainee?

Assigned Military Officer: No, sir.

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

Designated Military Officer: Yes sir. You mentioned that you started an elementary school, do you have the name of the school and how many students did you teach?

Detainee: Mirzakhil [is the name of the school]. [He taught] four hundred students.

Designated Military Officer: Were there any other teachers teaching with him?

Detainee: [There were] another seven.

Designated Military Officer: Do you know their names?

Detainee: Yes.

Designated Military Officer: Can you name them?

Detainee: Abdul Ghani, Ghulam Sidik, Sadudin, Mohammad, the first name is Yasin, Yarkhan, Bakht Mohammad, Mohammad Younos, he was the head of teachers. I don't know if they are still there or not. Four of them were permanent teachers. The other three [teachers], they were contractors.

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Designated Military Officer: Thank you. Just a couple more [questions], when you worked for the police, what did you do for the police department?

Detainee: I was sending the file[s] to the court for the criminals, like thieves or some other criminals. I was the coordinator, between [the] court and [the] police department.

Designated Military Officer: So did you make any copies, any of the fax copies of those files to send to [the] court?

Detainee: There is nothing like that in Afghanistan. At that time we didn't have those things. We didn't even have paper. What is fax? Is it [a] car, is it [a] plane, what is it?

Designated Military Officer: ...documents that he copied.

Detainee: The carbon paper. They used carbon paper in the middle. They put carbon paper...

*The linguist demonstrated by placing one of his hands above the other to show how the detainee made carbon copies of documents.*

Designated Military Officer: The governor, do you know his name? [The individual] that you handed all the documents over to?

Detainee: Qari Baba. I don't know if he is still there or not. I don't know who is the governor right now, but at that time, he was the governor. His name is Qari Baba. Thank you.

Designated Military Officer: Thank you Mr. Mohommad.

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

Board Members: Yes sir, I do, I have a couple of questions.

**Questions for the Detainee:**

Board Member: Mohommad Zahir, what is the name of the person that you worked for that was the Director of Intelligence for the Taliban?

Detainee: I never worked with them.

Board Member: When you went to Iran, when the Taliban was exiled, why did you go to Iran and did you take your family with you?

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Detainee: Yes, that was wartime and every ethnic group [was] fighting against each other and killing each other for no reason. I went to Iran alone until everything is settled down.

Board Member: Okay, one more question, what were items that you returned to the governor?

Detainee: There were two guns, one vehicle and [some] papers. I don't know anything about the papers, they brought it to my wife and my wife brought it inside the house, but I didn't open it.

Board Member: Early the Assisting Military Officer mentioned something about a box. Was there a box?

Detainee: Yes, there was a box and some other things were wrapped. They wrapped it with something and the police came and he took everything. I reported it to the Governor and the Governor said the police took everything to the Governor's office.

Board Member: So it was in an enclosed package of some sort where you couldn't see what the contents were?

Detainee: No, I didn't see it. I didn't see anything. That wasn't my business at all to see things. Yes, I was in the house.

Board Member: Okay, and one more, what items were left behind that were not returned, that had been left by the people with the vehicle?

Detainee: I didn't keep anything. Yes, I didn't take anything. I gave everything to the Governor.

Board Member: Thank you Mr. Zahir.

Board Member: Mr. Zahir, I was a teacher too, how old were the children that you taught?

Detainee: Eight, ten, twelve.

Board Member: What subjects did you teach?

Detainee: Farsi, Pashtu, Arithmetic, English and Algebra.

Board Member: Thank you.

Presiding Officer: Mohommad, [I] understand [that] you speak English?

Detainee: Very little. For the last twenty-five years, I never dealt with English. Before that, I was an interpreter.

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Presiding Officer: Interpreter of English?

Detainee: Whenever I was in school [I learned some English], I was in the school myself [a student]. When the Russians [invaded Afghanistan] they put me in jail, they tortured me [Therefore, he was unable to practice English because he was in jail]

Presiding Officer: When you went to Iran, why didn't you take your family?

Detainee: My financial situation wasn't good. I could not afford to take them.

Presiding Officer: Weren't they in danger also?

Detainee: Nobody had anything to do with the ladies or the children.

Assisting Military Officer: In a minute sir, I can clarify it. It looks like you may have a couple of questions there...the men were the ones that were in danger over there, not the women and children. That's why he left.

Presiding Officer: Okay, the people who dropped off the papers at your house, did your wife know any of them?

Detainee: No, [it is] customary that [when] somebody comes to your door and knock [on] your door, it doesn't matter who he is and he ask for some [type of] favor, you'll do it.

Presiding Officer: [You'll do it] for anyone?

Detainee: Yes, it was rain[ing] and they [the weather] were so bad. When somebody comes and knocks [on] your door and say please keep it [their belongings] until tomorrow, yes this is human nature. All Afghans, they will help.

Presiding Officer: So it was raining when they brought the papers there?

Detainee: Yes, it was rain[ing] because the car was stuck in the mud.

Presiding Officer: I thought it started raining afterwards?

Detainee: Yes, it was rain[ing]. When they came it was very bad. They knocked [on] the door and said, "Sister, please keep these until tomorrow because we can not take it, my car can not move, please help me".

Presiding Officer: You said one of them...one more question ...you said your teachers...you have some contractor[s] and some...who are the other four that...where are they from? Where were the contractors from?

Detainee: Yeah, they were from that area.

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Presiding Officer: All from the area?

Detainee: Yes, same area.

Assisting Military Officer: Were they part-time teachers?

Detainee: No, full time.

Presiding Officer: You owned the school, correct?

Detainee: In the Mujahidin time, the school was bombed. They build a school there, the school was bombed and the building and everything was destroyed. When we reopened it, some of the students were sitting under the tree and some of the students under the tent. The government promised to help.

Presiding Officer: How was the school financed?

Detainee: The Ministry of Education.

Presiding Officer: And you had a salary?

Detainee: Yes, the Karzai government.

Presiding Officer: Are there any other questions [looking in both directions of the Board Members]?

*There was a negative response.*

*The Designated Military Officer and the Assigned Military Officer have no other information to present to this Administrative Review Board.*

*The Presiding Officer reading the post-Administrative Board instructions to the Detainee and the Detainee interjected by stating the following:*

Detainee: What do you mean by third country?

Presiding Officer: If your country does not want you back, the United States will make arrangements with another country that may be willing to take you.

Detainee: He will transfer me too?

Presiding Officer: I do not know the answer to that.

*The Presiding Officer continued to read the post Administrative Board instructions to the Detainee.*

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*The open session of the Administrative Review Board was adjourned.*

**AUTHENTICATION**

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



Captain, USN  
Administrative Review Board Presiding Officer

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01Apr05

From: Mohommad Zahir

To: Presiding Officer

Via: Assisting Military Officer

Subject: Translation of Detainee's Written Statement Submitted by Mohommad Zahir (ISN # 1103) on 1 Apr 05 by OARDEC Linguist OL-22.

1. The detainee's written responses below coincide with the unclassified summary.
2. In response to commitment, he wrote, "In the name of Allah, the Most Compassionate, the Most Merciful"
  - a. I had no knowledge of weapon caches. I didn't do anything against the coalition forces that I'm aware of.
  - b. I'm not Talib and had no affiliation with Taliban. I was a schoolteacher and I graduated from school. Taliban and Mulas used to call schoolteachers the son of English man.
3. In response to connections/associations, he wrote:
  - a. I never dealt with intelligence and I have never been a spy. God kept me away from it.
  - b. Prior to Taliban occupation, I was a civil servant in the Province of Gazni, working for the police department. During the Taliban I left my job and when Karzai took power I resumed my old job.
  - c. I was arrested in my home. It was early morning and my poor family was sleeping when they arrested me. The entire family (wife and children) was scared. I know that I am a teacher not a criminal.
  - d. I was the only one arrested at my home. No Chief of Logistics was living at my house.
  - e. Since there was a severe civil war in Afghanistan and people were hurting and killing each other, I escaped to Iran and lived there for six months. When Karzai took power and his government was established, I returned back to my country and resumed the position I was holding prior to the Taliban.
  - f. I did not have any faxed paper and still do not know what a fax is. This is the first time that I heard this name (fax). And also I don't know Qari Ahmadullah and I never met this person. God is my witness that I'm not aware of these accusations. When I was still living in Iran, the Taliban were defeated. A Taliban vehicle got stuck in the mud near my house in Afghanistan and packed up some of their belongings and ran away and they left some of their belongings next to my house. They asked my wife to hold on to them and they would come tomorrow to pick them up. It continued to rain and got muddier and they did not return at all. I turned the belongings into the government (governor). There were papers included. The Governor told me that the Taliban was finished and we don't need their papers anymore.
4. In response to intent, he wrote: *[The papers mentioned below were part of those papers mentioned in 3.f. above.]*
  - a. I never saw any maps and I never heard the name of the places. I have no knowledge of what was included in the Taliban papers.

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- b. The Taliban told me to pay 10 million Afghanis or they would conscribe me to work for them. Since I did not possess that much money, I worked for them as a cook for 3 months and I was treated very poorly.
- c. I am very proud that I never started hostilities against coalition forces and the Afghanistan government. I opened an elementary school and faced criticism from the people. They called me 'Son of Americans' and asked why I opened up this type of school. They said I should have opened up a Madrasa (Islamic School). I received many warnings from the community. But I believe that I'm a teacher and my job is to teach and educate children.

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