

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 Detainee is asked to speak up in order to be heard, however, the Detainee stated that he was unable to do so. The Presiding Officer stated for the record that due to the Detainee's lack of ability to speak up, the translator, who was sitting next to him and could hear him, would answer verbally for him.

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

The AMO 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 for the Detainee to present information with the assistance of the Assisting Military Officer.

Presiding Officer: 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: During my interview with the Detainee, he indicated he wanted to address several pieces of the information in the evidence statements that were listed in the unclassified summary during the Administrative Review Board. I transcribed some notes of our conversation as we ran through the unclassified summary. I would like to read those notes now for the board and at the conclusion of my briefing; I request we ask the Detainee if he wants to add anything to my comments. First the Detainee denies engaging in hostilities against the United States or its coalition partners. He also stated that the author of paragraph 3.d of the unclassified summary was trying to incriminate him. In regard to paragraph 3.c, he stated that he did go to Afghanistan but not to fight against the Jews or Christians, instead he went to fight against the Shiites. In relation to paragraph

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3.d, he admits spitting on the guards but denies hitting him. He stated he only refused to eat on one occasion and that was because he wasn't feeling well. He stated he stopped taking his medications after the medical personnel told him he was crazy. He stated that the medical personnel insist [that] he takes his medicine even when he doesn't want to. He stated he does not have any psychological problems. In relation to paragraph 4.2, he stated he does not require assisted living accommodations and only needs physical therapy training in a hospital. In response to paragraph 4.b he stated he did not fight against the United States, and that he was not wounded in Castle Jenki while fighting the United States but was wounded in a fight against General Dostum's forces. That concludes my summary of his statement to me.

Presiding Officer: Mishal Alhabiri, good morning.

Detainee: *(Detainee is inaudible, translator is the only one heard)* Good morning to you.

Presiding Officer: Would you like to make an oral statement?

Assisting Military Officer: I have nothing to say further.

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

Assigned Military Officer: No, sir.

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.

Board Member: The Designated Military Officer stated that you said that you were incriminated by someone concerning some of the issues that were related by the Assigned Military Officer, specifically, paragraph 3b. [Which states] he denies engaging in hostilities against the United States or its coalition partners. You stated that the author of that was trying to incriminate you. Can you comment on who your incriminator was?

Detainee: Whoever wrote these allegations against me is the one trying to put me down.

Board Member: You don't know who that is?

Detainee: No I don't. [It is] whoever wrote these allegations. It is not true.

Board Member: You do not dispute your commitment to the Taliban and Jihad. I would like to know if he is released, what his intentions are with regard to returning to the fight.

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Detainee: I don't know. I want to go to Saudi Arabia. I want to go to my parents.

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

After the Presiding Officer reads the posts Administrative Board instructions to the Detainee and attempts to adjourn the open session of the Board, the Detainee interrupts stating the following:

Detainee: You did not mention that I was hit and I suffered.

The Presiding Officer takes a moment to review his notes.

Presiding Officer: I don't have this information. When and where did this happen?

Detainee: It was in the hospital, [about] a month ago. They hit me in my mouth and my tooth flew. They really hit me hard on my mouth and I could not eat. They broke my tooth.

Presiding Officer: Assisting Military Officer, do you know of this?

Assisting Military Officer: No sir, during our initial interview there was no mention made of any maltreatment in the Detainees (inaudible).

Detainee: Yes, I did not mention this.

Presiding Officer: I will make a report of this and pass it up my chain of command.

Detainee: Yes.

The Presiding Officer re-adjourned the open session of the Board.

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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