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Summary of Administrative Review Board Proceedings for ISN 440

*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.*

*The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.*

Assisting Military Officer: The detainee's ARB interview was conducted on 5 December 2005 and lasted one hour and 20 minutes. While walking to the detainee's cell, the guard advised the AMO that the detainee has been on a hunger strike. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. When asked by the AMO, the detainee stated he understood the difference between the CSRT and the ARB. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee was non-committal, and opined he was already prejudged. After the ARB process was thoroughly explained and the AMO affirmed the ARB was a fair proceeding, the detainee

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stated he would attend his ARB. The detainee stated he would speak at the ARB but he refused to decide when or how he would respond to the Unclassified Summary of Evidence. The detainee was very cordial, attentive, but he was very skeptical of the ARB based on his experience with the CSRT. Although the detainee spoke only in Arabic, he demonstrated a basic comprehension of English. At the conclusion of the interview, the detainee requested both the English and the Arabic translated copies of the Unclassified Summary of Evidence. These were then provided to the detainee, via his guards.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and Exhibit DMO-2 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 and Detainee.*

*The Presiding Officer noted from the Enemy Combatant Election Form that the detainee did not elect how he would respond to the Unclassified Summary.*

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

Designated Military Officer: The detainee met a man who suggested the detainee go to Afghanistan to receive religious instruction. This man gave the detainee \$150 U.S. dollars and helped him obtain an alias, a visa and airplane tickets.

Detainee: I would like to thank you all for taking the time to listen to my responses. After a long detention of five years [in] which I have been through the torturing. I have met the person in Afghanistan but he did not give me \$150. First of all the plane tickets were from my own expense and from my own money. I had withdrawn this amount of money from my own bank, which is called the United Islamic Bank. I withdrew \$1,000. That was my own money. I am not a beggar to ask him for \$150. This kind of money was my own money from my savings. I am from a very well known family in Yemen and we are well to do and we have money. We have businesses. My passport is an official passport. I obtained it officially and legally. Just the name was changed, that's all. I obtained it legally and officially.

*Presiding Officer noted that the detainee made an allegation of torture during confinement and asked the Assisting Military Officer to take the appropriate action.*

Detainee: I would like to state also that by being here I was forbidden to be with my family, my parents, and my friends. This is what I would like to emphasize on. For what reason was I detained here? What crime have I committed?

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Presiding Officer: Please remember that the purpose of this board is to make a recommendation for your continued detention, your transfer to another country or your release. Those are the recommendations that this board will be making.

Detainee: Excuse me. I have a question for you, President, Sir. During my capture in Afghanistan I was tortured and I was under a lot of abuse. I have suffered a lot. I had to say things that were not true but I was forced to say it. Would you consider this classified information against me, against my case? How would that be? How can I prove that? I can prove the physical abuse that was done to my physical body. I can show it to you.

Presiding Officer: The best way that you can help us make our recommendations is to respond to the factors that are going to be read to you. Later in the proceedings we will be asking you questions. Just respond truthfully to the questions that we ask.

Designated Military Officer: The same man provided the detainee with papers from a doctor stating he required medical treatment in Pakistan. The detainee was able to obtain a passport with these papers.

Detainee: In the past yes I was ill. I had [an] ulcer and I had surgery for the ulcer. Yes I was sick and I obtained these papers from a doctor to prove that I was ill. They did not give me the visa. I did not get the visa.

Designated Military Officer: The same man provided the detainee with a letter of introduction to the Khalden training camp in Afghanistan. When the detainee learned that camp was closed he attended the al Farouq training camp.

Detainee: First of all I never attended the [al] Farouq camp. This kind of talk I have spoken about it. I have talked about it with the Northern Alliance. I never attended the Farouq camps.

Presiding Officer: What I understand you're saying is that you told this information to the Northern Alliance but that's not really true. That is just something that you told the Northern Alliance.

Detainee: Under the torture I had to say this. By force I had to say this. Up to this day my skull is broken and it is fractured from the hitting on my head. I had to say stuff like that. In a previous board I told them what happened. When I went into Kandahar Mountains. There was air bombing and everyone got out and we went into this mountain. That's the only place I went to the mountain in Kandahar.

Designated Military Officer: While at al Farouq, the detainee stated he trained on rocket propelled grenades and the AK-47, M-16, G-3, Beka and Garanov machine guns.

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**Detainee:** During the air bombing I told you I went into this mountain in Kandahar. I saw everybody was armed, everybody had these kind of weapons. I'm a Yemeni, I am from Yemen and this is legal. Everybody in Yemen has or carries weapons. This is illogical. I am from Yemen and to just pass or travel, God knows how many kilometers, just to get trained in Afghanistan. What is the logic in this? Everybody, every individual in my family has his own weapon. From the youth to the elderly they have weapons. This is something normal. How could you tell me I came to Afghanistan just to get trained on these kinds of weapons? This is an opportunity for me in Yemen. I don't have to go to Afghanistan to get trained.

**Designated Military Officer:** The detainee stayed at a Taliban house in Quetta, Pakistan on the way to Afghanistan.

**Detainee:** This is true.

**Designated Military Officer:** The detainee stayed at the Said Center near Kabul where his recruiter provided him with three fatwas. These fatwas convinced the detainee to assist the Taliban and to join the fighting against the Northern Alliance in Afghanistan.

**Detainee:** Yes. I came to the Said center that is true. But I did not come to fight along with the Taliban or with the Northern Alliance. I came to Afghanistan to visit a friend of mine. His name is Mutech Bakliyan. I went to Afghanistan to visit this person. Yes, it's true that I went to the front line. I went there and I saw the Taliban. I saw the people there. I never fought with the Taliban or with the Northern Alliance. I went to an agency that was run by Abu Khalid who was from my hometown in Yemen. This person who had this agency or office service it was a service to help the Taliban in case they were fighting and they got injured. If the Taliban went in on a certain village, the people in that village would get out of it by force and they would go to this agency, which was run by Abu Khalid. Frankly, I saw the Taliban and I saw the villages and the places where they fought between each other but I never fought. Sometimes we visited the Taliban trenches with sheikh Abdul Waldud. We went there and I saw everything. This sheikh Abdul Waldud would question people [by] asking what are you fighting about? Do you know Allah? Do you know [if] Allah wanted you to fight this? What reason are you fighting for? What is the purpose of fighting?

**Designated Military Officer:** The detainee was identified as an al Qaida soldier seen at the Ashara guesthouse in Kabul.

**Detainee:** When I entered Kabul I entered [into] one, single Arabic place called Fahim Khana. It means guesthouse Fahim or home of Fahim. This house belongs to the Ministry of Defense of the Taliban, the Arabs that belong to the Taliban. I have entered this house one time.

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Designated Military Officer: The detainee traveled to the Bilal Center where he was issued an AK-47 and was subsequently wounded. After the detainee recovered he was stationed at Khwaja Ghar for about seven months.

Detainee: Yes I was injured. That's true. I didn't carry a 47 or 48. I didn't have any weapon. I went to the Bilal Center just to visit the grave of my friend that I mentioned previously. He was killed there. His name was Muteeh. He was killed there and I went to visit his grave.

Presiding Officer: Were you injured with a bullet or shrapnel?

Detainee: I have no idea how I got wounded. Whether it was a bullet or something else [all] I know is that I got wounded in my back.

Designated Military Officer: The detainee served in the Arab Taliban unit in the vicinity of Khwaja Ghar when the 11 September 2001 attacks occurred in the United States.

Detainee: When the September 11<sup>th</sup> attacks occurred I was in Taloqan, which is a city north of Afghanistan. I stayed in that city for three months way before the September 11<sup>th</sup> attacks. This is a very famous and big city. You can verify it and you could ask about this city. I could provide you with a lot of names that you can verify my being there with them. I never was in Khwaja Ghar.

Designated Military Officer: The detainee stayed in Afghanistan thinking that fighting would continue. He traveled to Taloqan, Afghanistan to join the fight between the Taliban and the Northern Alliance.

Detainee: This allegation contradicts the first allegation (3.a.1) that you said from the beginning. You're telling me [that] first I went to get religious instructions and now your telling me that I traveled to Taloqan to join the fighting between the Taliban and the Northern Alliance. I only went there to see my friend Abu Khalid, the one I mentioned. He is a friend of mine from my hometown [in] Yemen. He has a humanitarian agency there [and] I went to help him. I stayed for awhile with Abu Khalid and then after that I went to see another friend of mine. He's a sheikh and his name was Abu Walid al Palestine. I stayed there with him and he introduced me to Abdul Waldud to go with him to give some religious lessons in Taloqan in the north. In Taloqan there is this big, big legal center to give lessons about Islam.

Presiding Officer: You were in Taloqan after the September 11<sup>th</sup> attacks?

Detainee: Before and after.

Designated Military Officer: In Taloqan, the detainee was welcomed to join an Afghani Taliban unit that was engaged in a fight with the Northern Alliance. The detainee and his unit fled to Konduz when Mazar-E-Sharif fell to Northern Alliance Forces.

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Detainee: The people I went there for, their ancestry is from [the] north. The name of the city is Badihshan. It is on the border of China. These people seek the sharia. They seek knowledge of Islam. They're refugees that came from their country to Taloqan. Taloqan used to be with the Taliban. Abu Khalid, my friend, and Abdul Waldud, the sheikh, they used to provide them places and humanities. When the Northern Alliance came in I was at this center. They are Afghan [and] I was with them.

Presiding Officer: With the Northern Alliance?

Detainee: No. They were students seeking education in Islam.

Presiding Officer: You were with the refugees that came down?

Detainee: Yes.

Designated Military Officer: The detainee surrendered to General Dostum's forces near Mazar-E-Sharif around 24 November 2001 after hearing radio announcements that any Taliban who surrendered and gave up their weapons would be allowed to return to their homes.

Detainee: First of all I did not surrender myself in Mazar-E-Sharif. When Taloqan fell to the Northern Alliance they came and got me from my house. They came to Konduz and they took me and told me they would like to investigate me and everything was normal with me. I did not surrender to anybody. I went with them. All we seek is humanitarian deeds. I have nothing to do with al Qaida. They wanted al Qaida. They were looking for people that belonged to al Qaida and the Taliban, but we are only people that seek humanitarian deeds. They were here to ask me simple questions so I went with them then they delivered me to the United Nations. I believed them. They took me to a prison. I stayed there for one week and then they transferred me to Mazar-E-Sharif.

Designated Military Officer: The detainee stated that he knew the Taliban and liked them.

Detainee: Yes, I've seen the Taliban and all I have for them is respect and love. They are not my enemies.

Designated Military Officer: The detainee attended Usama Bin Laden's daughter's wedding in Kandahar.

Detainee: I don't know what to tell you Sir. I really don't. I don't know if I attended his daughter's wedding or if I married his daughter. When I came to Mazar-E-Sharif they questioned me [and asked] if I was from al Qaida, if I was an Arab from al Qaida. They used to hit me physically until they broke my skull. I was nineteen years old then. Then I had to say yes I had met Usama Bin Laden, that I talked with the Taliban, that I knew

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about nuclear rockets, and that I know everything about what al Qaida is up to. I really put my signature there that I said this. Yes.

Presiding Officer: I know that Kandahar is a long way from Taloqan so would you agree that you have never been to Kandahar?

Detainee: When I first left Quetta I went straight to a city in Kandahar.

Designated Military Officer: Usama Bin Laden attended a funeral at al Farouq while the detainee was training there.

Detainee: Yes it's true that I have said all this but really actually this never occurred. I never saw Usama Bin Laden or anybody else. If they were questioning me at that time by asking me if I was on the plane when they tried to attack on September 11<sup>th</sup> I would have said yes.

Presiding Officer: I understand you would have said anything to make it stop.

Detainee: Even when I came to Kandahar and when they transferred me to the American Forces I stuck with what I said. Whatever I said in the past I stuck with it with the American Forces. Even the interrogator used to ask me to describe the place where I was at and she brought me maps to draw pictures on. Everything she asked I said yes, yes.

Designated Military Officer: The detainee and about 100 other soldiers from the front lines in Kabul, Afghanistan attended a speech given by Usama Bin Laden.

Detainee: Do you think Usama Bin Laden would come to the front lines to make a speech among all these people? Where is the logic in this? Yes, I have said all this but I was forced to say this. I didn't have any control. I wanted to tell them anything so they would stop.

Designated Military Officer: The detainee denied having any knowledge of the attacks in the U.S. prior to their execution on 11 September 2001.

Detainee: Yes that's true. I did not have prior knowledge about what was going to happen and if I did I would never stayed in Afghanistan.

Designated Military Officer: The detainee stated he didn't fight Americans before so he doesn't plan to fight Americans if released.

Detainee: I never fought with them until I start fighting with them now. Why would I want to fight the Americans? Give me a reason. What do I have against them? Have you ever seen anybody in your life fighting somebody for no reason? Why would I want to fight the Americans? I have never seen America before, only here in prison.

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*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.*

*The Presiding Officer had the Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form, Exhibit EC-B.*

*The Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form.*

Assisting Military Officer: While the translator was reading the Unclassified Summary of Evidence, the detainee asked, "What is AK-47?" in reference to paragraph 3.c.4. The detainee laughed at paragraph 3.d.2 and asked if this meant he had married Usama Bin Laden's daughter. When the AMO asked if he would attend his ARB, the detainee replied, "If this board gives me the opportunity to defend myself, then yes. If it is like the CSRT; then no." After the AMO again explained the differences between the CSRT and the ARB, as well as the positive results from the previous ARBs, the detainee acknowledged by stating, "If you agree to say this is a fair proceeding, then yes, I will attend." The detainee repeatedly declined to choose between responding point-by-point or waiting until the Unclassified Summary was read in its entirety. He commented, "What's the big deal? I will decide this at the ARB." After the AMO asked if he wanted to present any written statements or other documents at the ARB, the detainee replied, "I had a briefcase with many documents...as well as a video camera with video tapes that proved my innocence. When I was captured in Konduz by the Northern Alliance, they took all my personal belongings. I was put into a prison near Mazar-E-Sharif, and about 14 to 16 days later, I was taken to see an American military officer. He pointed to my belongings and asked me if this was mine. I answered yes. This was the last time I saw my stuff." At the conclusion of the interview, the detainee stated he had no further comments or any questions. After the Unclassified Summaries were provided, the detainee was very concerned that his name was misspelled on the documents. When the AMO told him this was likely a simple clerical error, the detainee was reassured.

*The Detainee made the following statement:*

Detainee: First of all the videotapes that I had in my possession in my briefcase used to be about me. It can prove to you what I was doing there. How I was distributing the rice in the village. During Adhaa holiday I was distributing sheep. It can prove and tell you what I was doing there. I have inquired about these tapes in [the] CSRT process and they never got back with me. They never gave me an answer [about] what happened to these tapes. Secondly, when you say classified and unclassified, what are you talking about?

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If you consider the videotapes classified I have said everything I said. I stated everything. I told them under the torture and the abuse. What are you talking about the classified information? What do you have that I don't already know? How would I know [if] this is true or not true, classified and unclassified? If you would like to verify this, up to now in Taloqan we have people you can verify with what I was doing there. Some of the things that I have stated during the investigation I believe I said the truth. I did not change my statement in Mazar-E-Sharif or here. Even when I went into the hospital for hospitalization they made me say things and they taped the conversation between me and them and they taped my statement pertaining to my hospitalization here. I said the truth and they have it on tape. That's about it. Everything is on tape even the conversation when I went into the hospital. I would like to ask you a question. What is the act that I have committed or at least tried against the United States? Can you please tell me?

Presiding Officer: The answer to that question is not the purpose of this board. The CSRT has previously determined that you are an Enemy Combatant. The purpose of this board is just to determine you would be a threat to the United States or its allies if you were transferred or released.

*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: You went to Pakistan for treatment of your ulcer, is that correct?

Detainee: I went to the Pakistani Embassy to obtain a visa and I enquired of them a report or a statement saying that I have ulcer trouble[s] in my stomach. I didn't go to the embassy for that purpose. I went to enquire about a visa. Basically I went to Pakistan to obtain a visa to travel to Afghanistan. *(Translator clarifies what detainee is trying to say.)* I went to Pakistan to get to travel to Afghanistan and you don't require a visa to go to Afghanistan. You can just enter normally. I went to the Pakistani Embassy in Yemen to obtain a visa to go to Pakistan. It has nothing to do with any illness or anything. I asked for a statement that I am going to Pakistan for medical treatment, yes. I had the report from my own doctor. I just presented it to the embassy so they could give me a visa.

Board Member: You were using the medical condition, your ulcer, as a reason to get the visa to travel to Pakistan?

Detainee: Yes in order to obtain a visa. They won't give you a visa without a reason.

Board member: You mentioned that you got a passport officially [or] legitimately but that your name was changed on the passport. Why?

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**Detainee:** The only reason I did that is because they would ask me for permission from my parents because I was only eighteen years old at that time. They would ask me for a lot of information so I had to change my name. They probably would not have approved it. Plus, my grandfather was in some kind of trouble back in Yemen and I had to step in and witness for him. If they found out about my real name they probably wouldn't allow me to travel.

**Board Member:** You don't need a visa to go from Pakistan to Afghanistan. Is that what you said?

**Detainee:** Anyone can enter Afghanistan without a visa. Many countries you can enter without a visa. Iraq, Syria, Jordan; you can enter them without a visa.

**Board Member:** Can you go directly to Afghanistan from Yemen without a visa?

**Detainee:** They don't have [an] airline to go straight to Afghanistan from Yemen.

**Board Member:** Ultimately your purpose [for] traveling to Afghanistan was humanitarian reasons, correct?

**Detainee:** Yes humanitarian reasons.

**Board Member:** I want you to understand looking at it from where I'm looking at it. We are already starting out under false pretenses. You really aren't going to Pakistan for a medical condition you are just using that as a reason and you are faking your name on your passport because of some problems. It just seems odd to me that we have a couple of things that aren't necessarily true in order for you to go to Afghanistan for humanitarian reasons.

**Detainee:** Why do you think it is odd? In what way? I'm not entitled to get a visa or passport without the permission of my parents. What is odd about this? How would I travel if I don't want to use my family's name? How is it strange?

**Board Member:** I guess you just don't travel.

**Detainee:** I was really, really excited to go.

**Board Member:** You were excited to go do humanitarian work. How are you qualified to do humanitarian work? What makes you qualified?

**Detainee:** First of all I have studied computer programming in Yemen. Abu Khalid that I have mentioned before had a humanitarian agency in Afghanistan. He had asked me if I could go and work with him.

**Board Member:** During your time in Pakistan you said that you stayed at the Taliban house in Quetta?

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**Detainee:** In a Taliban guesthouse, yes.

**Board Member:** What type of people did you meet or associate with at the Taliban house in Quetta?

**Detainee:** I only stayed for one day. Who welcomed us was an Afghani man and he spoke Arabic. We entered the room and we had some food and we mentioned that we were seeking Afghanistan and he said we will find you a car and somebody will take you to Afghanistan. We prayed and then we slept.

**Board Member:** Any idea what the people at the Taliban guesthouse were doing? Why they were there?

**Detainee:** I have no idea. I saw some wounded people and some people in wheelchairs, a lot of different types of people.

**Board Member:** Then from Quetta, Pakistan you said you went to Kandahar, Afghanistan?

**Detainee:** Yes.

**Board Member:** You went there to meet a friend who was on the frontlines with the Taliban?

**Detainee:** No that person, whose name was Mutech, he was at the guesthouse in Quetta. When I went to Afghanistan he was with me in the same car.

**Board Member:** You went to the front lines in Kandahar?

**Detainee:** Kandahar has no front lines.

**Board Member:** Where are the front lines that you went to?

**Detainee:** In Kabul. Not Kabul itself, but beyond Kabul.

**Board Member:** You went to the front lines in Kabul to visit a friend?

**Detainee:** Yes. I went to visit his grave. Mutech and Belad are the same person. In Afghanistan he was name Belad, but his true name was Mutech. He got killed and I went to visit his grave.

**Board Member:** Did you fight for the Taliban against the Northern Alliance at the front lines?

**Detainee:** No I did not fight. Not with the Taliban or the Northern Alliance.

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Presiding Officer: If you were close enough to get wounded, it is hard to believe that you would not want to fight to defend yourself.

Detainee: I will convince you now that I did not fight. I will tell you something to convince you. There are no front lines in Afghanistan. When a battle would happen it just would happen. There are no front lines. People are staying in their trenches or their holes underground and they fight. Even myself I thought it would be like a battlefield but it was not something like that.

Presiding Officer: I know Yemenis as boys have guns. Everybody owns guns in Yemen. Didn't you feel naked not having a gun with fighting going on around you?

Detainee: No I did not feel odd or strange if I did not have a weapon on me. There was no need for me to carry a weapon. In my own country it is part of feeling proud that you are carrying a weapon. There was no need in Afghanistan to do that. I'm a stranger there. My language, my appearance is truly different.

Board Member: Where were you when the bombing by the United States began in Afghanistan?

Detainee: I was in Taloqan.

Board Member: You fled to the mountains?

Detainee: No. I thought that they were bombing certain locations and that was it.

Board Member: So you stayed in Taloqan?

Detainee: They did not hit Taloqan. I stayed there.

Board Member: You admitted to a number of things because you were being tortured.

Detainee: Yes.

Board Member: And that you continued to tell that same lie even after you got transferred to U.S. custody?

Detainee: No I didn't resume lying. I was forced to say this.

Board Member: In U.S. custody interrogators were asking you questions that you continued to say the same information, right?

Detainee: I did not change anything that I said back then. Yes I said the same thing because people can torture you here also. During 2001-2002 there was a lot of abuse here. I stuck with the same thing that I said before. I used to read about the FBI reports and about the intelligence report about what's going on here in Guantanamo Bay.

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Board Member: What does your family do back in Yemen?

Detainee: They are group leaders for certain groups.

Board Member: What business?

Detainee: We have a business that deals with cellular [phones], computers, and electronics. One of my brothers in Saudi Arabia owns a supermarket.

Board Member: Do you think you are a threat to the United States?

Detainee: I don't pose a threat to the United States nor to the surface of the ground, nor to the ozone surface.

Presiding Officer: Are your parents alive?

Detainee: My father just passed away.

Presiding Officer: How many brothers do you have?

Detainee: I have six other brothers and I am the seventh.

Presiding Officer: So you are the youngest son in the family?

Detainee: I'm in the middle.

Presiding Officer: If you are transferred or released what will you do in the first six months you are home?

Detainee: I want to get married.

Presiding Officer: Do you have a fiancée?

Detainee: No I don't have a specific person in mind but in our culture I would be picked for a second or third cousin of mine.

Presiding Officer: Do you feel like you have a responsibility to your family to make money and support your extended family?

Detainee: This is something normal. I would want to help my own mother.

Presiding Officer: Why are you on a hunger strike?

Detainee: I have a medical problem and I have talked to the interrogators and I told them [that] I have problems in my stomach. My stomach hurts me all the time. I have asked them to be on [a] vegetarian type diet. I would eat honey [or] some kind of black seed

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that you would boil into a cup of tea. I have been asking them for the past four months to provide me some kind of herbal treatment, natural healing. They have not provided this yet.

Presiding Officer: Is this something you are willing to die for?

Detainee: No that's not true. How did you know that I have intentions to die? I don't want to die.

Presiding Officer: Because you look very thin and you do not look healthy.

Detainee: In the first place I am considered skinny. I only lost sixteen pounds. I'm not considered really fat or husky. I am skinny to begin with.

Presiding Officer: So you are not protesting anything, you just don't want to eat the food provided?

Detainee: I am on a hunger strike because I have asked them to let me go to see my family and let me go home. I want to go home to start this herbal treatment. They are not going to provide me with this. I am asking for specific medical treatment and they cannot provide me with that. I want to go home and to see my family. I have problems in my stomach. I think I am 24 years old by now and I would like to go back home and get some education, go to my family, be with them, enjoy them, and go to school. These are my intentions.

Presiding Officer: I have a question about you doing humanitarian work on the front lines. You told us that the Taliban let you and your friends go and talk to the soldiers and tell them about Allah and explain to them why fighting is not good.

Detainee: I did not say it in that sense. All I said [was] we used to tell the Taliban fighters before you start fighting do you know what Allah is all about? Do you know what Allah wants you to do before you even carry a weapon and go fight? That's what I said. Religion is not all about fighting. Religion is what you know about your own religion. What kind of steps you should take. What kind of methods or principles.

Presiding Officer: Do you think that those Taliban fighters were on a jihad against General Massoud?

Detainee: Yes. The majority of the Taliban were illiterate and amateurs. They would take them from their houses and took them there to fight. Most of them were ignorant and illiterate.

Presiding Officer: I know that you say you are not al Qaida and are not a fighter for al Qaida but did you know Arab fighters that fought the Northern Alliance?

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**Detainee:** If I don't know anybody from al Qaida [then] how would I know anybody else, any Arab, is on that list? There are so many different types of Arabs in Afghanistan. I don't know.

**Presiding Officer:** What does jihad mean to you?

**Detainee:** Do you want me to give you an introduction about jihad or to identify jihad? What do you want me to do?

**Presiding Officer:** I know what jihad means. I want you to explain to me what you think jihad means.

**Detainee:** In what way? The word jihad means struggle so in what way do you want me to explain? The word jihad, to me is work hard and struggle.

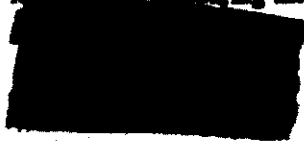
*The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.*

*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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