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Summary of Administrative Review Board Proceedings for ISN 532

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 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 Detainee has declined the assistance of the Assisting Military Officer and opted to speak openly to the Administrative Review Board.

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

The Detainee accepted taking the (Muslim) oath.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2, other unclassified information 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.

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The Designated Military Officer read the Unclassified Summary of Evidence to the Administrative Review Board.

Designated Military Officer: The Detainee stated Nasser Khan conscripted him into the Taliban.

Detainee: Yes, this is true. This man kind of forced me. I was compelled to go and work for a while for them.

Designated Military Officer: The Detainee identified Abdul Nasser Khan as an intelligence officer for the Taliban with offices located in Mazar-e-Sharif.

Detainee: I just knew that he was working for Taliban. What kind of job he was doing, I wasn't aware of that?

Designated Military Officer: The Detainee stated that he was a Taliban security guard, cleaner, recruiter and soldier. He was last based in Konduz but also worked in Mazar-e-Sharif, Sheberghan, Sar-e-Pol and Imam Saheb.

Detainee: Yes, this is true. I was [a cleaner] and I also was a security guard for them. [I did not] recruit other people. I was forced to work for them. When you force somebody to work? You wouldn't trust them. They wouldn't trust me. I didn't have the authority...I didn't want [to.] I was looking for a way out, myself. How am I going to recruit other people into [the] Taliban organization, while they controlled me to work for them? I just [cleaned.] Yes, I [worked] in [those] other cities, [but] as a cleaner...or as a security guard.

Designated Military Officer: The Detainee stated that he had provided the Taliban with information regarding other village members.

Detainee: That's how it worked with the Taliban. Usually, Taliban would [come] to people's homes and force the young men or sons to go and join them. Somebody reported me; one of our neighbors reported me. They (*Taliban*) came and asked my father, "Do you have a son here young enough to join us?" They took me...they forced me out of my house. I just...in order to take revenge, I told them, I told the Taliban "Our neighbor has two sons, too. Why didn't you take theirs?" That was the only time, that I reported somebody to the Taliban. Other than that, I would never do that to any of the villagers.

Designated Military Officer: The Detainee has been identified as Sharif Uddin Sharif, the Taliban Intelligence Officer.

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Detainee: First of all, I wasn't any kind of officer and your talking about intelligence officer. Second, under this name, Sharif Uddin Sharif, nobody knows me [by that name]...not in the Mosque, not in the village, not in the government, nobody knows me under that name. During the interrogation, they asked me to [be] honest and truthful. I told them when I was a young boy, a little boy, and my father was the only one, that called me under this name, Sharif Uddin Sharif. No one in school, not in the village, not [anywhere], not in the mosque...nobody knows me under that name. Everybody knows me as Mohammed Sharif. I wasn't an intelligence officer of the Taliban. I was not.

Designated Military Officer: The Detainee has been identified as the intelligence chief at Mazar-e-Sharif.

Detainee: When somebody force[s] people to come and join them? I don't think they would trust that person to be a chief of intelligence officer. You know that! *Detainee referred to translator.* Especially in the northern part of Afghanistan; the Taliban doesn't trust people...or give them the authority of high jobs. I was forced to work for them and of course, they wouldn't trust me. It's not true [that] they gave me that high position.

Designated Military Officer: The intelligence chief at the Taliban Office of Intelligence in Mazar-e-Sharif reported to the secretary of intelligence in Kabul and was in charge of subordinate Intel services in seven cities. He was also in charge of at least 10 to 12 intelligence directorates, including the interrogation and espionage directorates.

Detainee: They usually wouldn't trust the people they would recruit or force them to join them. [The] people, who sold me to Americans, they had to make up these allegations against me...so that way they could make me look important and they would take dollars from Americans. That is why they sent me over here, because they made up all these lies. [The] Americans believed them. [In the] northern part of Afghanistan, [when] the Taliban took over a city, they would force people to work for them and join them. Usually, they wouldn't give a gun to a northern Afghan, because they didn't trust them. This is not true, I wasn't chief of intelligence officer.

Designated Military Officer: The Detainee claimed that he was simply an intelligence officer, not the chief.

Detainee: I never said this. I never mentioned that I was an officer...not intelligence...not any kind of officer. The Taliban would come and they would take people...young men from every village and we had to work for them a month or so and they would come and take other people. If you call that an officer, that's your choice, but I wasn't an officer for them. I never said that.

Designated Military Officer: As a soldier, the detainee was issued a Kalashnikov rifle and received training on the weapon.

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Detainee: There wasn't any need for me to get training, and the Taliban wouldn't do that. I was just a cleaning man. When I was working as a security guard I watched one room. It wasn't a big position and there was no need to train a cleaning man. That's not true.

Designated Military Officer: The Detainee claimed that he did not understand the meaning of jihad and added that his Imam never explained the meaning of jihad.

Detainee: Yes, that is true.

Designated Military Officer: The Detainee denied having any knowledge of the attacks in the U.S. prior to their execution on September 11th, and also denied knowledge of any rumors or plans of future attacks on the U.S. or U.S. interests.

Detainee: I wasn't aware of any attacks inside Afghanistan. How would I know if people attacked other countries, especially the United States?

Designated Military Officer: The Detainee claimed no allegiance to the Taliban.

Detainee: That's true. I wouldn't cooperate.

Designated Military Officer: The Detainee claimed to have no knowledge regarding Usama Bin Laden or al Qaida.

Detainee: The first time I heard about these names [was] when I was detained in Bagram. I asked the interrogator, "What does that mean?" They explained to me who Usama Bin Laden [was].

Designated Military Officer: The Detainee claimed that he was not "issued" a Kalashnikov, per se, but was shown where two to three were kept in case they were needed.

Detainee: Yes, they never gave an AK-47, Kalashnikov, to me, but they showed me [where they kept them]. [The people in the building were original members of the Taliban.] They told me that there were two or three of them for their use, but I was just doing my job, which was cleaning.

Designated Military Officer: The Detainee stated that he was never provided training/instruction for the weapons, nor was he provided with the opportunity to fire the weapons.

Detainee: Yes, I never had the weapon and I never shot at anything. Actually, I am a nomad. It is [not unusual] that we have a gun and I had a very old one...[a] long gun that would only shoot one bullet at a time. We [used it] for work or any wild animals...and we kept the gun for that reason. That was the only gun we had in our family. The gun

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belonged to my grandfather...not even my father...it was very old. It's just to save and protect our sheep from other animals.

Designated Military Officer: The Detainee denied all previous information that involved his duties as someone who gathered intelligence in Konduz, Sheberghan, and/or Mazar-e-Sharif.

Detainee: This is true, they would take me from one city to [an] other for 10 days or 15 days as a cleaning man, but I never did any kind of intelligence work.

Designated Military Officer: The Detainee stated that he had no intention of returning home to fight against the U.S. and that his only concerns were for his family.

Detainee: You're talking as if I [have] ever fought against the United States. No, I never fought against the United States. I didn't have any intentions to fight...now [or] in the future. Of course, I want to go and I want to see my family.

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 Assisting Military Officer had no further information to provide to the Administrative Review Board on behalf of the Detainee.

Administrative Review Board Member's questions:

Board Member: Mr. Sharif, if released, where would you live?

Detainee: You mean released from here?

Board Member: Yes, released from here. Do you have a home to return to? Family?

Detainee: Yes, I do have [a] home. Yes, I would like to return there.

Board Member: What would you do to support you and your family?

Detainee: This was my job in the past...my grandfather's...my father's job...that we have animals...and we are nomads...we come to the villages or to the cities for three months only and then most of our life we would live outside the cities and villages. We have a little piece of land too. That is how we work and that's how we support ourselves.

Board Member: Today, what are your feelings towards al Qaida?

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Detainee: During the interrogations, I told one of the interrogators that I didn't know who al Qaida was? I found out that the Americans called the Taliban and Usama Bin Laden, al Qaida. Nobody liked Taliban. I was forced to work for them and that is why they (Americans) think I am part of al Qaida too. Let me tell you that I know al Qaida and Taliban as very cruel people. They did lots of cruelty in our country and they tortured us. I don't like them. I want to tell you that, if the United States leaves Afghanistan...if you leave us alone...these people will come again and they will torture our people again. I'm telling you I never heard of al Qaida before, but now I know that they are known people who always destroy countries.

Board Member: Do you support the current Afghanistan government under President Karzai?

Detainee: I support any government, who brings peace in Afghanistan. I don't know about Hamid Karzai. One of the interrogators showed me on T.V. that there are good things happening in Afghanistan. I told them, "Yes, if this government is trying to bring peace to our country. I will support them, other than that, I am a poor man and I don't know much about the government or stuff like that."

Board Member: Why are you no longer a threat to the United States or it's allies?

Detainee: I cannot prove it verbally, to you, that I am not a threat to the United States. You can go and ask the villagers and the other Americans, who are in Afghanistan, in those northern areas. I'm sure that the Americans wouldn't have any problems with those people, because the northern cities of Afghanistan they've had a very bad experience with the Taliban and nobody likes them and everybody supports the United States. So, other than telling you to please go [back] and ask [those] people, those villagers, about me. I cannot prove to you, if you don't trust me. I cannot prove to you that I am not a threat to the United States and have never been one.

Board Member: Thank you, Mr. Sharif.

Detainee: God bless you.

Board Member: Mr. Sharif Mohammed, I have three questions for you. Two are in regards to your statements and one is an open-ended question. I want you tell me how you're thinking? First question, you stated that you did know Mr. Abdul Nasser Khan, but you do not know what he did?

Detainee: Yes, I saw him only once actually. I knew that he was working somewhere and he was somebody, but what kind of work and what kind of job he was doing...I didn't know.

Board Member: You said that when you were working with the Taliban, that you did not recruit, is this true?

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Detainee: All that time, I was looking for a way to get out and run away. I couldn't manage to runaway. I had an uncle, he was old, I was afraid Taliban might take him and torture him...or they would ask for money and I didn't have any money. I was a poor man. Now, how could I recruit other people, when I want to get out of that situation myself?

Board Member: So, is your answer you did not recruit?

Detainee: No, I did not recruit?

Board Member: My last question, you stated that you want to go home and be with your family and work in Afghanistan again. However, we know and you know that there are still very many bad people in Afghanistan, who want the United States. How will you handle if someone comes to you, like they did before, since they know that you have been in the United States and they have some interest in knowing more about us or wanting to hurt us? How will you deal with that situation? What will you do to avoid that or what would you do if they approach and they threaten your family if you don't help or they do some other things that cause you to be afraid of what they might do to you?

Detainee: In that case, I am a poor man. I cannot manage to runaway from Afghanistan. I would like to answer this way. Now we have a government in Afghanistan. If anybody approaches me, or threatens me, or try to recruit me to fight against the United States, I would go and file a petition to the governor of the city or other authority. Now, if the current government tries to recruit me to fight, whoever else, I'd probably wouldn't want to do that, but usually governments [will] force me...I have no choice, but to do that. Other than that, the way I heard...right now we have a government...we have somebody who can hear and if anybody ever approaches me and tries to recruit me to fight against the United States and government, I have somewhere to go and file a petition and or complain that these people are harassing me or forcing me to join them. Hopefully, they will listen. If the government forces me or recruits me to come and join them and fight other people, then I will have no other choice. I will have to join the current government.

Presiding Officer: Mr. Sharif does your family know where you are?

Detainee: I don't know, if they know or not.

Presiding Officer: So, if you don't know that...they wouldn't know why you're here?

Detainee: Yes.

Presiding Officer: Mr. Sharif a crucial issue here and the main reason you are here is because your story, your history, doesn't run along the same lines all the time.

Detainee: I don't know exactly what you mean, because I, as you see, am the kind of person that never writes, never prepares myself for an interrogation. I never write a

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statement...I don't even think, because everything I've told you about myself is the truth and when you ask me questions I imagine my life and I tell you the truth. I never write or prepare for interrogation. So, that's my life and if you ask me [a] hundred years from now I will tell you the same thing.

Presiding Officer: I'm going to ask you today and I want to explain what I'm saying. One view of you is that you are a nomad with animals and the Taliban takes you to be a member. From your membership you move to be a cleaner or a guard, jobs like that. So you go from the nomad to the Taliban guard, cleaner. Someone who does a little bit of everything to help out the Taliban system, then others say you are much more than that. You are an intelligence chief. Now there is a long way from chief to cleaner. What we want to know is, what is the real story? Why does this story go up and down and have so many views when it could have one story all the way through?

Detainee: When I was detained in Bagram, I told the officers, "Don't take me to Cuba or anywhere farther. We are very close. You can go and ask the villagers who I am? I wasn't hiding from the United States. I wasn't in Qal'eh-ye Jangi or Mazar-e-Sharif fighting. I wasn't in prison. They didn't catch me in combat. I was in the market when they came and captured me. The interrogators actually told me that; "Yes it is very common that they sell people to Americans in Afghanistan." One of the interrogators told me we believe so-and-so Afghans because everything we had against them was false, baseless, and a lie because people made up these things against them and they make money out of it. This is something that usually [the] interrogators told me. I am telling you the truth. Now we are very far away and how am I going to prove that I wasn't against the United States and I didn't fight. You have no proof of that that I was with the Taliban. I'm telling you, that I being a chief of intelligence services, they're all made up stories. They wanted to make money and make me look important. They knew the more important I looked...the more money they would get more money from Americans.

Presiding Officer: Let's say that you were the intelligence chief and you still didn't fight against the United States or it's allies, then are you still a threat?

Detainee: First of all, I cannot suppose something that I wasn't. I cannot imagine or suppose if I was intelligence officer, because I wasn't an intelligence chief or officer. I told you I am a nomad, that is how we live...whichever government wouldn't bother us, wouldn't harass us, would let us live our lives peacefully...we support that government. Like my father says about King Zahir Shah...our king, he was a very good man and his government was very good. We live peacefully and do our work. If today's government wouldn't harass us...wouldn't force us to fight...then I will have no problem. I've never had a problem in the past with the United States and I'm not going to have one in the future.

Presiding Officer: You said that if the Taliban comes back into power, could they recruit you again...could they conscribe you to service?

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Detainee: I don't want to work for any government, because I have my own life, my own animals. We are a very free people as nomads. You're talking about the Taliban...I wouldn't even want to work for the current government. I have my own life and I enjoy it. I enjoy that kind of life. We had so many bad experiences [with the Taliban]. They committed so many atrocities and were cruel. Even if they were [to] kill me, I would probably prefer to die than work for them.

Presiding Officer: Your last four years of experience here have been a dynamic influence on you. If you were to return to Afghanistan, you would be held up higher in the view of others (*Taliban, al Qaida, etc.*), because of where you have been.

Detainee: If I get transferred and go back, sir, people would look at me with very good eyes. They would know that I was innocent and I didn't mean any harm to anybody and Americans found out about it and that is why they released me or transferred me. My own family and my own tribe...I'm sure they are thinking right now, what happened to him...why was he arrested...why [did] they take him away? They knew that I wasn't with anybody. I was forced to work a little for the Taliban and that's it. The others would understand that I was innocent and I wasn't with anybody, [which] is why they (*Americans*) released me.

Board Member: You mention several times that if the authorities, the United States authorities, would contact friends, family or villagers. They would tell us certain things to confirm your story. I'm curious have you given the authorities any information on how they contact those folks?

Detainee: Yes, I gave information to the interrogators and also the Red Cross. One of the Red Cross workers told me that they have offices in Mazar-e-Sharif and Konduz. They would transfer my information to those offices and they would go and find my family or village. In the beginning, they told me that there were still fighting between Hazara's, General Dustum's forces, and Uzbeks. Things are not so good and many people have been misplaced and have left their homes. They cannot find my family and they cannot trace my request. The second and third time the Red Cross came they said that, "Things are better and we will try and locate your family."

Board Member: So, you have given them names and locations of your family?

Detainee: I gave my family name; my father's name, my village name, my province name. I gave all the names and addresses.

Presiding Officer: Were you asked to take a lie detector test?

Detainee: I think they took me three times over there. Two times they were typing everything I said and the third time...I think...I believe...it was only one time, when they explained to me that there was a machine that would find out whether I was lying.

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Presiding Officer: Did they hook you up to the machine?

Detainee: Yes, they did. I don't know anything about it, but they explained to me that this was the machine. They told me to answer "yes" or "no" to the questions they asked.

Presiding Officer: The last piece is about your behavior on this installation.

Detainee: Do you want me to talk about my behavior?

Presiding Officer: Briefly

Detainee: I have no problems with anybody here. Every time I ask for anything they bring it to me. If I get sick they bring a doctor or they take me to the doctor. When I ask for anything they provide it. They take care of us like guest. They treat us very nice. I am obeying the laws of the prison. I have no problems with anybody. They bring our clothes...they wash our clothes. They give us food on time. Anything you want medication...they take care of us very well.

Presiding Officer: Mr. Mohammed Sharif does this conclude your statement.

The Detainee made the following statement:

Detainee: The only thing that I want to know is every time they interrogate me, they haven't interrogated me since Ramadan...a long time...but in the past ...and in the first tribunal...I asked the officers to please to find out whether I am lying or I am telling the truth. You need to somehow show me the evidence. What did I do wrong? What did I do against the United States? If you make the decision for me to live here another hundred years, of course, I'm going to obey your law and your decision. Justice hasn't been served, even during tribunal, because they wouldn't show me any evidence or prove all the allegations. They wouldn't believe me. I'm just requesting you to go through everything or contact my village, my people, and ask them all before you make your decision.

Presiding Officer: We are going to leave here in a matter of minutes now. What would you like us to remember about you and your freedom?

Detainee: I want you to think of me as an ordinary person, like an Afghan, like every other Afghan, who has been forced to work for the Taliban...who has been through atrocities, tortures, and cruelty of the Taliban. They did to many, many Afghans, to many, many people other than that I want you to think of me as a person, who just wants to get busy with his own job...whatever it is...and his own family.

Presiding Officer: There is no chance of you being a threat to the United States and its allies?

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Detainee: I haven't seen it with my own eyes, but I have heard the current government in Afghanistan is fixing things and trying to bring peace to the people. If it's true, what I have heard, I believe that the current government is not able to do that...is not capable of doing that without the help of the Americans. Anybody, who would fight against the Americans...they would be a true enemy of themselves, their family, and the whole country. Why would I want to hurt myself, or my tribe, or my country and fight against the United States? The way I heard, I haven't seen it, but the way I heard after everything the Afghans have been through...the stuff that this government and the Americans are doing. The way they (Karzai government) serve their country, no other government in the past...they never served the country as much as they (Karzai government) does. So, why should I be a threat?

Presiding Officer: You can look at us and say that you're not going to be a threat?

Detainee: Yes, I never have been a threat in the past. I am not a threat right now and I won't be a threat in the future. The only thing is, I gave all the details about myself to interrogators and I would like you to do a follow-up on that and see about my history.

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

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

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.

Colonel, USA
Presiding Officer

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