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Summary of Administrative Review Board Proceedings for ISN 556

*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 declined 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 Administrative Review Board interview occurred on 31 August 2005 and lasted for 60 minutes. After a review of the Administrative Review Board's purpose and procedures, the Farsi translation of the Unclassified Summary of Evidence was read to the Detainee. The Detainee indicated that his native language is Uzbek, however, he agreed to have the interview and Administrative Review Board in his second language Farsi.

Detainee: I did explain that my first language is Uzbek language and I prefer to have an Uzbek translator.

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Presiding Officer: Do you think you can understand these proceedings if they were translated into Farsi?

Detainee: I repeat what I said during the interview. I do understand you (*translator*); you explain things slowly and clearly. I do understand you, but again it is not my native language, Uzbek is my native language, of course, I'd prefer to have Uzbek linguist.

Presiding Officer: This process is about being most fair for you. I need to make sure that the Farsi is going to allow you to understand the whole process and allow you to explain things as well. If you cannot do that in Farsi we will go in recess.

Detainee: With the help of God so far I understand this translator, if she speaks slowly and clearly, but I mention again during my initial interview and my Assisting Military Officer said please tell the board members that you do have problem, Farsi is your second language and you prefer to have an Uzbek linguist, but with the help of God, I will go ahead with this linguist in Farsi.

*The Administrative Review Board recessed until an Uzbek translator became available for the Assisting Military Officer and Detainee.*

*The Translator was sworn.*

*The Detainee entered the proceedings.*

*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 initial Administrative Review Board interview occurred on 31 August 2005 and lasted for 60 minutes. After a review of the Administrative Review Board's purpose and procedures, the Farsi translation of the Unclassified Summary of Evidence was read to the Detainee. The Detainee indicated that his native language is Uzbek. However, he agreed to have the Administrative Review Board interview in his second language Farsi. During the Administrative Review Board it was necessary to recess to make available an Uzbek linguist to translate for the Detainee. A follow up interview was conducted with the Uzbek linguist on 07 September 2005 and lasted for 45 minutes. When asked if he would like to attend the Administrative Review Board, comment on the Unclassified Summary of Evidence,

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provide a written statement, give an oral statement or provide the Assisting Military Officer comments to present on his behalf he stated, during his interviews with both the Farsi and Uzbek linguists, that he wished to attend and speak openly with the board members. The Detainee prefers to respond to the Summary of Evidence after each allegation is read during the Administrative Review Board. The Detainee stated that he did not want the Assisting Military Officer to take any written notes for him during the interview. The Detainee indicated that he had written to his uncle and the Imam of his Mosque, in hopes that he would have some written documents for the Assisting Military Officer to submit on his behalf. The Detainee was very polite during the interview. The Detainee stated that he could not read or write, however, he elected to keep the English, Farsi, and the Uzbek version of the Unclassified Summary of Evidence.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-3, 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.*

*The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.*

*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 fought for the Northern Alliance against the Russians.

Detainee: When [the] Russians entered Afghanistan they entered with huge power and with a huge force. As men of that country we were trying to defend ourselves. It [was] not only me, [but] the whole population [of] Afghanistan, people like me were united and tried to fight against the Russians. I believe at that time even the Americans and British government use to help us, provide us with some things. They were helping us to fight against the Russians. I'm wondering why Americans entered Afghanistan and what they are doing over there? Maybe you came to Afghanistan to defend yourselves, if somebody is trying to defend themselves or their home country I think that [it] is a natural thing to do. I don't think it's a bad thing to do and if it happens again we are going to defend our country again. If you think that it's wrong to do that than you're going to be wrong too.

Presiding Officer: We understand you were defending your country at that time.

Detainee: Yes, there is no other reason but that.

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Designated Military Officer: In 2001, the Detainee was arrested in Peshawar during a raid by local police and released when authorities determined he was not Arab.

Detainee: That's correct. I don't understand what is [the] point at that time.

Presiding Officer: This is just going to build a story for us to discuss.

Detainee: At the time I [was] arrested, when they took me to the jail, one of your people actually had an interrogation with me. I gave them all information I had at that time. [When the] Pakistani government arrested me; I gave them all the information of where I was staying, what I was doing and what was the purpose of moving? They checked all the information I gave them and they determined that everything was correct. I was released after that.

Designated Military Officer: The Detainee was arrested along with two Arabs, Musa, a 25-28 year old Syrian, and Abdul Rashad, a 25-30 year old Saudi, during a raid of Musa's house.

Detainee: At that time when they actually came to that house, Abdul Rashad was not there. There were only two people there, Musa and I. That is not the correct information about Abdul Rashad.

Designated Military Officer: When the Detainee was captured, his hands tested positive for explosive residue. Authorities were looking for an explosives expert named Abdul Latif Al Turki.

Detainee: When I got arrested the second time, they tested my fingers for explosive [residue] at the jail and [informed] me that I tested positive. Since I know myself, I know I didn't touch any kind of explosives. I was wondering, how was that possible? This is not the correct information. This is all [a] lie. I never touched any kind of explosives after the Russians [left].

Designated Military Officer: The Detainee told Pakistani authorities his name was Abdullah Mohammed Khan, but he was identified as Abdul Latif Al Turki, the name printed on his Turkish passport.

Detainee: This [was a] forged passport. I only needed this passport to cross the border. The person who made the passport for me was named Abdul Latif Al Turki. The name on the passport shouldn't be Abdul Latif Al Turki, it should be a different name. Only the name of the person who made that passport for me [is] name[d] Abdul Latif Al Turki. So this is not correct information.

Designated Military Officer: The Detainee became good friends with Musa and would sometimes stay with Musa and his family at their house in Peshawar.

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Detainee: I first met him at the Mosque. We both started talking and he invited me to his house. I cannot say that we became very close good friends. It was not a very close friendly association with him, but it was just to talk with somebody. The only association I had with him was I just went to his house a few times, be a guest, and they prepared food and that was it.

Designated Military Officer: The Detainee was arrested in Musa's residence.

Detainee: That's correct.

Designated Military Officer: Musa (aka Abd Al-Hamid Al-Suri) is an al Qaida suspect.

Detainee: The only name I knew was Musa. I knew that person as Musa, but the second time I got arrested they told me that he goes by so and so name. That is only the second time I got arrested I knew about Al-Hamid. The only thing I knew about him was that sometimes he goes by Abd Al-Hamid, but that was his legal son's name and sometimes he used this name. You are saying that he is al Qaida suspect, but when I was associated with him, when I was talking with him, I never ever even suspected anything in that matter. He came from Turkey with his family, his wife, and kids and with his sister, who also had kids. They lived in Pakistan and the purpose for him to come to Pakistan was to have a treatment on his feet. He had some wounds on [his feet]. His feet were in very bad condition, he had to get that treatment, because of that he couldn't have a job and couldn't work. His little brothers and his relatives and close people to him they were helping him with money. He was a poor sick person, because of his feet. I don't think and I didn't see anything that [would make him an] al Qaida suspect.

Designated Military Officer: Musa (aka Abd Al-Hamid Al-Suri) is also known as Baha'Bin Mustafa Muhammad Jaghal, Musa Muhamat Julaq Augol, Abd Al-Hamid Al-Sharif, and Musa Uglo.

Detainee: I never heard all those names. The only name I've ever heard is Abd Al-Hamid.

Designated Military Officer: An al Qaida detainee identified the Detainee in a still photograph as Abdul Latif Al-Turki.

Detainee: I believe that is wrong information I never used this kind of name. I don't even know what kind of...I never associated with any Arab people and I can't see what kind of person can say that. Everybody who knows me, everybody who I associate with they do know me as Abdullah Mohammad Khan...everybody who knows me they will tell you that is my name. It's not going to be the correct information if you really showed somebody my picture and they told you that my name is Abdul Latif Al-Turki, he was lying.

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Designated Military Officer: A Libyan Islamic Fighting Group member identified the Detainee in photo as Abdul Latif Al-Turki. The member said he saw the Detainee several times at the Al-Ansar guesthouse in Pakistan.

Detainee: This is also not correct information. I never ever spent any association with any Libyan Islamic Fighting Group. I never had any association with those kind of people and I [have] never been at that guesthouse, Al-Ansar guesthouse. Is that person you're talking about here?

Presiding Officer: We just have this information to go by.

Detainee: This is not the correct information. I never had any association with Arabs. Even if those groups are in Pakistan, I never had any association with them.

Designated Military Officer: An Iraqi detainee identified the Detainee in a photo and reported he had seen the Detainee at the Khana Gulam Bacha guesthouse on the Taliban front lines in Kabul, Afghanistan during late 1999-2000.

Detainee: Like I told you previously, when I was traveling from Pakistan to Kabul, I was passing through [many] the places. During that travel I actually stopped at some place, hotel or a little guesthouse or someplace where we could eat food or stay a night. At [the] time you don't actually think that it could be Taliban place or it's own[ed] by Taliban. You just go there and spend the night and you have food. I don't remember what the name of the hotel, but that could be the name and somebody could have seen me there. I know that there are lots of Iraqi people here at this camp and they don't like each other and they try to put bad information on [other people]. About two years ago, I was prepared to be released from here, at that point I lived with some Iraqi people and because they disliked me they were lying, they were throwing some allegations on me and that's why my process has stopped and that's why I have not been released.

Designated Military Officer: The Detainee interrupts and monopolizes the interpreter constantly to disrupt interrogations.

Detainee: Why do you have those kinds of comments?

Presiding Officer: These comments must come from your behavior in the camp.

Detainee: Well at some point when you are in the interrogation with the interrogator, [who] tells you that you did [something] and if it's not true of course I'm going to reply defens[ively]. If there is a purpose to actually break the conversation and say something as then as what it was at that time.

Designated Military Officer: The Detainee manipulates interrogations by using linguistic differences as his excuse.

Detainee: My own language?

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Presiding Officer: I think what they are saying is that you used language issues as an excuse not to answer questions.

Detainee: First of all, my native language is Uzbek language, but sometimes they will bring different interpreters and they brought a Uighur interpreter and there is of course a difference in languages. Of course, to understand what he is talking about I have to ask him to rephrase it several times or use some different words. Sometimes they bring the Persian or Arab linguist.

Presiding Officer: Today we have the Uzbek linguist.

Detainee: Of course the Arabic language I just learned it here at the camp. The Farsi language I still don't know, it's not complete, I don't understand it as much as I understand Uzbek, but that could be the only reason it happens. If I don't understand anything that is the only time I interrupt.

Presiding Officer: We understand we saw that last week. We understand.

Designated Military Officer: When the Detainee was arrested in January 2002, police confiscated his counterfeit passport, as well as numerous additional forged passports from the house that was raided.

Detainee: That's correct. I had only my passport in my hands, so it had been confiscated. The other passports I heard about afterwards.

Designated Military Officer: When the Detainee was arrested in January 2002, a compact disk (CD) containing 19 English-language manuals covering manufacture of improvised explosives, poisons, timers, firing devices and other bomb initiating/delivery systems were discovered on the hard drive of a computer during the raid of the safehouse where Detainee was arrested.

Detainee: I didn't have knowledge of that, but they told me afterwards that at Musa's house in the computer, he was using his house and all those things were found.

Designated Military Officer: When the Detainee was arrested in January 2002, a Kuwaiti telephone number was found, registered to a Pakistani national who transferred money from Kuwait to Pakistan for large numbers of Pakistanis. He had dealing with villagers of Peshawar.

Detainee: I don't think that is correct information. That should be all lies.

Designated Military Officer: Detainee argues that he is innocent of all the charges brought before him other than he was associated with Musa (an al Qaida suspect) upon his capture.

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**Detainee:** That's correct. Again, I had some association with Musa and also I had a bad passport that's the only things that occurred.

**Designated Military Officer:** The Detainee stated he never owned a valid passport. His previous travels between Afghanistan and Pakistan only required a small bribe to the border guards to allow him to cross the borders.

**Detainee:** That's true. Everybody who travels between Pakistan and Afghanistan, they usually bribe the border guards and they never require any passports (inaudible). Everybody knows that, it goes both ways for traveling from Pakistan to Afghanistan and from Afghanistan to Pakistan. The only people who [may] use the passport are [people] who have a business in trading when they go from country to country. Some trading business[es] might use the passport, but people like me they can just bribe a little bit and just go on.

*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 Detainee made the following statement:*

**Detainee:** I'm going to deny all those allegations, which have been presented to me on the Unclassified information except those two, which is I really had a forged passport and I was associated with Musa. I never in my life, I didn't have anything against you and I never associated with people, who had anything against you. So I never had bad feelings about you. I'm just a regular person, I was studying in a madrassa in Pakistan and I had nothing against you and all of those allegations are not correct. I told you several times that I'm innocent and I don't have anything against America and I requested several times [to be] released. The first time I got arrested and they interrogated me I gave them all the information I had about where I live[d] and all the contacts and when they went back and check[ed] on it they saw that every thing was correct...they let me go. Every time I talk to you I tell you only the truth and nothing but the truth. Never, during the four years I have been detained here, I never had any bad behavior towards...every time you talk to me I know who I am, I'm a very truthful person. Every time I talk, [I tell] the truth, that's why the first time I got jailed they released me because...at that time they use to actually capture people and sell them to Americans for about \$5,000 and they are actually handing people to Americans they wouldn't tell them that they are just regular people. Of course, they want to sell it for a better price and they will tell them that he's a Taliban member. Of course at that time you never tell them that this is just a regular person. They are not going to buy you; they're not going to pay any money for them.

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That is why they have to actually investigate and find out what kind of people you have. Of course if somebody actually betrayed their own country or their own religion they are not going to be truthful to you. Those kinds of people who betray their religion they betray their trust and they're selling people for the money. I believe you probably have your own idea about what kind of people are there and what kind of people who are doing these kinds of trading. I believe there have been lots of people who have been released from this place because you have determined them as innocent or as enemy combatant and if that was the fact then you can understand that there is more innocent people here.

Presiding Officer: That is why you're here today.

Detainee: It has been four years since I have been here. I don't know how many interrogations I [have been] through. I don't know what's going on back at home and I don't even know what is happening with my father. You cannot even imagine, you cannot probably spend one day in my condition and you cannot even imagine how hard it has been for me to be here for four years that I'm losing my health. If you really care about me you can go to my home and town and check all the information I'm providing you, just check with my parents.

Presiding Officer: We'll get to some questions in just a few moments. Thank you very much for your statement. We understand everything you're saying.

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

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

*Administrative Review Board Member's questions:*

Board Member: What language did you use when you talked to Musa?

Detainee: We didn't have an opportunity to talk, like we [are] talk[ing] here right now. We talk[ed] in a little bit Farsi and a little bit Turkish and just a few words in Arabic. Every time we didn't understand each other, we tried to involve some other languages to try to make some connection.

Board Member: Did you ever speak English with him?

Detainee: No, I never spoke with him in English, because I didn't understand English. The only language we used is Turkish, because Turkish is kind of close with Uzbek, plus Arabic and Farsi.

Board Member: Did Musa speak English?

Detainee: I believe he did understand a little bit. I heard him talk a little bit in English while we were in the jail in Pakistan.

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Board Member: Did they find any explosives inside the house?

Detainee: I had been in his house several times as a guest. I never heard about those explosive things or never saw them with my eyes, but like you said here, you say that they found some explosives.

Board Member: No, I didn't say there were explosives found, but they said that there was explosive residue on your hands?

Detainee: I'm going to be answering a question with a question, again how is that possible, if somebody never touch[es] explosive devices how is it possible to get positive...that is not correct?

Board Member: What do you think was on your hands?

Detainee: Nobody told me what tested positive [on] my fingers [except] explosive residue, but I never touched it...how is that possible? That is not correct information. There are also several other accusations against me, which is not true. Like I told them before there is a mountain, which is named Tora Bora. I'm going to try to explain the truth of it. They told me that you've been with Arabs at Tora Bora and you were fighting against the Americans. They told me that when I was tested it was positive for an explosive [residue] after that. I told them at that time I was actually in jail and it could not be possible...[to be] over there. If somebody is in jail how is it possible for him to be in Tora Bora.

Board Member: I'm not asking about Tora Bora. I just want to get back to when you were arrested; you said they didn't find any explosives there. You don't know what it was on your hands that they thought might be explosives. You don't have any idea what it might have been?

Detainee: I didn't touch any explosive devices at that time. Just in order to prove to themselves that I had the devices, that I had explosive devices. They told me that I was at Tora Bora, that's why I had [explosive residue]. They were actually pushing those allegations on me and they were trying to put those allegations on me that I was at Tora Bora.

Board Member: Did you know Abdul Latif Al-Turki?

Detainee: Only way I knew about that person, because he made the passport for me and I knew him through Musa and he was Musa's friend and he made the passport.

Board Member: Did you meet the individual?

Detainee: He came to Musa's house and that is how I met him over there. He introduced himself as [from] Turkey and he said he was a student in [an] Islamic University and he

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was studying over there in (inaudible). I never knew him before I met him through that demand of [a] passport.

Board Member: I'm going to ask some questions, but I want short answers. Why did you have a passport for Turkey?

Detainee: So I could go there and find [a] job.

Board Member: Why were you in Pakistan?

Detainee: I stayed in Pakistan so I could study in madrassa and do some work and collect some money. There are a lot of refugees who came from Afghanistan. They live in Pakistan. They live in [a] very plain kind of lifestyle.

Board Member: Were you mujahidin against Russians?

Detainee: Yes, I did fight against Russians.

Board Member: You knew about explosives then?

Detainee: I saw the explosives at that time, but I never had any education on it and I knew it was dangerous and there were special people for that. I don't have any reason to use them.

Board Member: Are you a member of al Qaida?

Detainee: No.

Presiding Officer: I just have a few questions and I just want short answers. Did you say you are illiterate?

Detainee: Yes, I didn't go to school.

Presiding Officer: But I thought you were studying in a madrassa?

Detainee: In the madrassa we were studying only Koran. It's not so hard to read the Koran, everybody can actually do that, but you need to understand [that] to write Koran is very difficult.

Presiding Officer: So you can read or write a little?

Detainee: Just very little. A little bit Arabic and a little bit Farsi.

Presiding Officer: At Musa's house did you see other people there? Were there other people that were visiting Musa's house?

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**Detainee:** I was at his house several times and I never saw any other people except his wife, his kids, his sister and his sister had daughters.

**Presiding Officer:** What was wrong with Musa's feet?

**Detainee:** He was a mujahed in Afghanistan and he fought and he was wounded. I believe it was back in 93, 94.

**Presiding Officer:** So he got wounded by the Russians?

**Detainee:** I believe it wasn't the Russians at that time, but the Hezb-e Islami Gulbuddin government. That is what I heard from him, but if there is something else I don't know.

**Presiding Officer:** You are not married?

**Detainee:** No.

**Presiding Officer:** Just a father is your only family?

**Detainee:** Only my father, mother and siblings.

**Presiding Officer:** Where do they live?

**Detainee:** There is a city in Afghanistan, which is named Takhar.

**Presiding Officer:** Thank you very much. Thank you for your answers and all the information that you have provided today.

*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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