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Summary of Administrative Review Board Proceedings for ISN 655

*The Administrative Review Board was called to order.*

*The Designated Military Officer 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 Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Certification, 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 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 gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board to assist the Detainee in answering the statements.*

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Designated Military Officer: (3) The following primary factors favor continued detention: (a.) Connections / Associations: (3.a.1.) The Detainee, who places himself in his late forties, states he has a brother, Zainullah, who is twelve years old.

Detainee: Yes [this is true].

Designated Military Officer: (3.a.2.) Zainullah is the name of a 35-year-old Taliban facilitator, who is suspected of conducting bombings and utilizing improvised explosive devices against U.S. Forces and the International Community of the Red Cross.

Detainee: My brother is very small. He can't eat the food...he is very small.

Designated Military Officer: (3.a.3.) The Detainee said he lived in Taryitmak Village, Deh Rawud District, Oruzgan Province Afghanistan. He said there were three houses in his village. The Detainee lived in one house and his cousin Abdul Khaliq owned the other two.

Detainee: Yes, this house is for Abdul Khaliq.

Designated Military Officer: (3.a.4.) Zainullah's associate in Deh Rawud District, Oruzgan Province was Abdul Khaliq.

Detainee: Abdul Khaliq lives so far from me, I never said that Abdul Khaliq is with me.

Designated Military Officer: (3.a.5.) Mullah Zainullah is the former Taliban district chief of Deh Rawud Village in Oruzgan Province. He is a known associate of Taliban commanders, including Mullah Mohammed Omar, the Taliban Supreme commander.

Detainee: I don't know about this person. I don't know who he is or where he is. I don't know about this person.

Designated Military Officer: (3.b.) Other Relevant Data. (3.b.1.) On 12 April 2002, the Detainee was captured by American forces at a compound utilized by Mullah Berader.

Detainee: I don't know [of] this name, Mullah Berader. I don't know where he is or who he is.

Designated Military Officer: (3.b.2.) Mullah Berader is a Taliban Commander who, along with another senior Taliban facilitator, plotted to kill the current Afghanistan President Hamid Karzai.

Detainee: I don't know...I am a farmer...I was a farmer...I do not know who [Mullah Berader] is.

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Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a.) The detainee denied having any knowledge of the attacks in the U.S. prior to their execution on September 11<sup>th</sup>. He also denied knowledge of any future attacks on the U.S. or its interest.

Detainee: I don't know anything.

Designated Military Officer: (4.b.) The Detainee has never been a member of any terrorist or mudjahidin organization.

Detainee: No, I am not with the terrorist or mudjahidin. I am a farmer.

Designated Military Officer: (4.c.) The detainee is a migrant farmer with no military experience.

Detainee: Yes, I am a farmer.

Designated Military Officer: (4.d.) According to the detainee, approximately 10 months before he was captured, the Taliban came to his village and attempted to recruit him to fight for the Taliban. When the detainee refused, he was tied up and beaten.

Detainee: Yes, the Taliban [came] and they [broke] into [my house]...my mom [came]...she [helped me get] released from the Taliban. My mom knew the Taliban [were] coming...they hit me and beat me...my mom [came] and she [helped get me] released from the Taliban.

Designated Military Officer: This concludes the Unclassified Summary.

Presiding Officer: That is all that is in the Unclassified Summary that the Designated Military Officer has to present.

Detainee: If you read this Administrative Review Board thing...I don't know about this anyway.

Presiding Officer: Khudai Dad, thank you for you cooperation.

***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 Detainee interrupts and makes the following statement.)***

Detainee: OK. I don't know anything...these people they brought me here...I don't know anything.

***The Presiding Officer acknowledged the request.***

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Presiding Officer: At this point in the hearing the Detainee will be able to present information to the Administrative Review Board. Assistant Military Officer does the Detainee want to submit any information to this Administrative Review Board? Including written statements, oral statements, or witness statements prepared on his behalf.

Detainee: If you go to Afghanistan and ask someone if they know me...yea I work with these people...it is ok, otherwise I did not know about anything. I was asleep and they took ...

Presiding Officer: Khudai Dad do you have anything else to present to this board?

Detainee: I don't have anything to say. I was asleep, they took me there...in the day time I was farming and that night I came...I have a lot of kids and I want to support my kids. I don't know about anything.

Presiding Officer: I appreciate your cooperation. Did the Assisting Military Officer provide all the information that you wanted us to hear?

Detainee: Yes.

*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: Do you have a brother by the name of Zainullah?

Detainee: Yes.

Board Member: How old is your brother?

Detainee: Twelve years old.

Board Member: Is this a real brother or a Muslim brother?

Detainee: A real brother.

Board Member: Do you have other brothers and sisters?

Detainee: I don't have any other brothers, but I have one sister.

Board Member: How many wives did your father have?

Detainee: Only one, my mother.

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Presiding Officer: Khudai Dad, Abdul Khaliq...it says here he is your cousin is that correct?

Detainee: Yes.

Presiding Officer: Does he own the other two houses in the village you live in?

Detainee: Yes.

Presiding Officer: Mullah Berader do you know whom this individual is at all?

Detainee: No, I heard his name and somebody showed me so far...no I don't know [him].

Presiding Officer: One last question; what are your plans when you return to Afghanistan?

Detainee: I want to go [back] to farming because I have a family. I want to support them. Right now, I don't know what they are doing...what they are eating...because I don't know.

Presiding Officer: Thank you.

*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, USMC  
Presiding Officer

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