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Summary of Administrative Review Board Proceedings for ISN 798

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 (AMO) was sworn.

The Presiding Officer asked the Detainee if he wished to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the 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.

Presiding Officer: Assisting Military Officer, please read your comments from the Assisting Military Officer's comment block.

Assisting Military Officer: The Detainee's ARB interview was conducted on 9 November 2005, and lasted 95 minutes. After reviewing the ARB's purpose and procedures, the Pashto translated Unclassified Summary of Evidence was read to the Detainee. 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 said he would like to attend and speak openly to the Board Members. The Detainee was very polite, attentive, and would like to respond to the Unclassified Summary of Evidence after each point is read. A copy of the translated Unclassified Summary of Evidence was given to the Detainee for his review.

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Presiding Officer: Haji Rohullah, was that statement [referring to the AMOs comments] accurate?

Detainee: Yes.

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

The Detainee chose to respond line by line to the Unclassified Summary of Evidence. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

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: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee is a member of the Jamaat al Dawa al Quran.

Detainee: Yes. I accept that I am a member of Jamaat al Dawa al Quran.

Board Member: Can you tell the Review Board about the organization?

Detainee: Yes. Jamaat al Dawa was organized 20 years ago to fight against the Soviet Union. When the Russians left Konar Province in 1988, Konar Province became free of invaders and was free. The organizational leader was Jalilurrahman. There is another organization in Konar. When this other organization formed, there was an election [in Konar]. After the election, Jalilurrahman became the leader [religious leader] of the Konar Organization. In all of Afghanistan, the Government was there. The only free province in Afghanistan was Konar. 1990: For three years Jalilurrahman was the leader of the Konar Province....

Board Member: I think we are going past the original question [in regards to the organization of Jamaat al Dawa].

Detainee: I will give you information regarding Jamaat al Dawa. You should know what Jamaat al Dawa is. Because you asked me if I was a member of Jamaat al Dawa, I have the right to explain to you what Jamaat al Dawa is. Your question to me was this, "Can you tell us about the Jamaat al Dawa organization". That is what I am trying to explain to you.

Board Member: I know what my question was.

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Detainee: Make me understand.

Board Member: Please just keep your answers short and specific.

Detainee: The short answer is this: Jamaat al Dawa is a group that was formed when Afghanistan became a free country. Jamaat al Dawa was [is] protected by the Northern Alliance. Since Jamaat al Dawa formed, they have always wanted peace and security in Afghanistan. I can provide you documents and relevant data about this. I told the interrogators about this matter. If you would like, I will tell you in detail.

Board Member: This statement is good enough.

Designated Military Officer: (3.a.2) The Detainee was actively involved in two Jamaat al Dawa al Quran training camps.

Detainee: Jamaat al Dawa does not have any training camps. In Afghanistan, there is the Government, people, and nothing is hidden. So, if they find it [al Dawa training camps] and prove it, I am here.

Designated Military Officer: (3.a.3) The Detainee attended a meeting with a Foreign Government Agency to develop a plan to conduct double agent operations against the United States.

Detainee: I did not make any plans with a Foreign Agency. The only thing I have done is to make plans with the Northern Alliance and the Eastern Assembly Members to fight against the Taliban and al Qaida. I worked with the Coalition Forces for six months....

Presiding Officer: Please stop for a moment. At this time, the Review Board would just like to know if the allegation/statement is true or false.

Detainee: No. Never. God willing, nobody can say that [I was a double agent].

Designated Military Officer: (3.a.4) A Foreign Government Agency provided the Detainee money to hire a group of men to fire a rocket from the Marawara region of Konar into a U.S compound near Asadabad.

Detainee: Regarding this matter I will give you a very short answer. Twenty-two hours before my arrest an Eastern Military responsible person, whose name is Hazrat Ali, was a guest in my home. Hazrat Ali was the Eastern Military individual in charge of four provinces: (1) Konar, (2) Ningalam, (3) Managai, and (4) Mengehar. We [Hazrat and the Detainee] had already talked about and made the decision that we will be very cooperative with the Coalition Forces and the current Government. We decided we would defend them [Coalition Forces and current Government].

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Presiding Officer: Please wait a moment. The Review Board needs a *yes* or *no* answer to the allegation/statement [referring to allegation/statement 3.a.4]. The Review Board needs this answer first and then you may proceed with your explanation.

Detainee: No.

Presiding Officer: Thank you. Please proceed.

Detainee: I would like to tell you all the facts.

Presiding Officer: The Review Board is very interested in what you have to say. However, we first need to know where you are going with your answers and explanations. Please answer *yes* or *no* first. Then proceed with your story. It is much easier to follow that way.

Detainee: Very good.

Presiding Officer: Do you have any additional comments in regards to allegation/statement 3.a.4?

Detainee: You told me to give a short answer. I told you the answer to the questions is "No". If you want me to answer your questions "yes" or "no", I will do that.

Presiding Officer: The Board would like a "yes" or "no" answer first, and then you may provide a short explanation.

Detainee: Correct.

Designated Military Officer: (3.a.5) In December 2001, small groups of Arabs escaped from the Tora Bora and were initially resettled to the Konar Province village of Marah Warrah. The Detainee moved the Arabs for their safety.

Detainee: I am not aware of this. I did not do this. If you want more detailed information, I will give it to you.

Presiding Officer: Please do so.

Detainee: I just said my answer because you [referring to the Presiding Officer] told me I could talk later.

Presiding Officer: I believe you are misunderstanding what I am saying. First, the Board would like you to give a "*yes*" or "*no*" in regards to the allegation/statement. After you have answered "*yes*" or "*no*" you may then proceed to give the Board a short explanation in regards to your answer.

Detainee: In that case, I missed that in the last allegation/statement.

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Presiding Officer: You may go back and pick up wherever you would like.

Detainee: I will give you a short explanation in regards to the other one as well [referring to allegation/statement 3.a.4].

Presiding Officer: Very well.

Detainee: When we made the decision on that night [referring to the Detainee and Hazrat Ali to help the Coalition Forces fight the Taliban and al Qaida] Hazrat Ali went to talk with the Americans to tell them we wanted to help. I was the leader of my Tribe. I too made an appointment to talk with the Americans. I met with the Americans. When I was supposed to meet the Americans, I could not get to the meeting because I was in Kabul. I came back from Kabul and I got an appointment [to meet with the Americans]. I talked with the Americans. The Americans said they would come to my guesthouse and that they would meet me at my guesthouse. Around 11:00 or 12:00, the Americans sent a person to my guesthouse and told me to come to *their* guesthouse.

I went to the [American] guesthouse. When I got there, I met the American that was responsible [in charge]. I met with the big officer that was there. I told the officer I was unable to get to the first meeting because I had been in Kabul. I told him that I was now back and that I am here. I told the American he was welcome here and welcome to my province of Konar.

Were you [speaking to the Board] told about my meeting with the High Responsible American? Did the Commanders tell you about our meeting? I told the American I was the leader of my Tribe. I told the American I talked to my people and that we [the people of Konar] were ready to cooperate with them and help them. The American told me, "Yes, thank you very much". We [the Detainee and the American] had a meeting on Thursday and Saturday and told them I would be a guest in his house. When I went to see the Americans, they captured me and brought me here [to Guantanamo Bay, Cuba].

I am wondering. I went there to give them [the Americans] my support and cooperation. Why would I throw rockets at them or pay someone to throw rockets at them [the Americans].

Presiding Officer: The Review Board would like to give you as much latitude as possible to tell your story. However, you went way beyond the scope of the last question, allegation/statement.

Detainee: I have been here [Guantanamo Bay] for three years and two months. I just want to give you as much evidence as I can.

Presiding Officer: This Review Board is a two-part process. In the first part of the process we are going to go over the Unclassified Summary of Evidence. What the Review Board needs you to do is to give a "yes" or "no" answer to the allegation/statement along with a *short* explanation. In the second part of the process,

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you will be given an opportunity to make a personal statement. Following your personal statement, the Review Board will have some questions for you. Does that make sense?

Detainee: Yes.

Board Member: I would like to go back to allegation/statement 3.a.5. There were Arabs leaving Tora Bora and they were re-settling in your province [Konar].

Detainee: At that time, when Afghanistan became free from the Taliban, I was not in that province [Konar].

Board Member: In December of 2001, what was your position in the Konar Province?

Detainee: I was in Pakistan as a refugee.

Board Member: So you were not in Afghanistan in 2001?

Detainee: I was not in Konar [in 2001]. *After* the Tora Bora war I went to Konar.

Designated Military Officer: (3.a.6) The Detainee paid to have a radio antenna installed to facilitate the Arab's communication.

Detainee: I am not aware of this.

Designated Military Officer: (3.a.7) The Detainee was responsible for members of the Hezb-e-Islami Gulbuddin having access to a cache of light and heavy weapons in the Kamdesh district area.

Detainee: That is a lie. I am against the Hezb-e-Islami. I am not their friend. I am not aware of this [allegation/statement].

Designated Military Officer: (3.b) Training (3.b) The Detainee knows how to use an AK-47, pistols, and grenades.

Detainee: I know how to use a Kalashnikov and pistols. I do not know how to use the bomb [grenade].

Designated Military Officer: (3.c) Connections/Associations (3.c.1) The Detainee provided another man with money and instructions to smuggle the Arabs into Pakistan.

Detainee: No. I don't know about this. This is not true.

Designated Military Officer: (3.c.2) The Detainee is a member of an alliance between the Taliban, Hezb-e-Islami Gulbuddin, and Wahhabi to coordinate efforts to drive U.S. Forces from Afghanistan.

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Detainee: I am a member of the Northern Alliance. I have not been in an Alliance with the Gulbuddin or Wahhabi. Right now I am saying no. I will tell you more in detail later.

Presiding Officer: Please take the time right now to give us your explanation.

Detainee: I am against the Taliban and Gulbuddin. My animosity towards them [Taliban and Gulbuddin] started in 1990 or 1992. I will tell you in detail. They did very brutal things in Konar Province. Against the Gulbuddin, we had connections with Ahmad Shah Masood and Ustad Rabani [the Northern Alliance Leaders]. Even if the Taliban appears, my connection was with the Northern Alliance and the Eastern Assembly. I don't know any Wahhabi or any organization in the name of Wahhabi in Konar Province. Later, I can explain it in detail with evidence.

Presiding Officer: We are talking about this issue right now.

Detainee: Yes.

Presiding Officer: Do you have any additional statements in regards to this issue?

Detainee: I explained that I was a member of the Northern Alliance and the Eastern Assembly. You can ask them [Northern Alliance and Eastern Assembly] how much of a struggle I have had against the Taliban and Gulbuddin. Before the attack in Afghanistan by the Americans there was a meeting in Peshawar, Pakistan. I was at the meeting. I was talking to them about how to get the Taliban out of Afghanistan. [I was talking to the Coalition Forces, British and American]. We [the people of Konar] had already made the decision to help the Coalition Forces to get rid of the brutality and corruption of the Taliban. I have documents that state we were having and attending meetings in regards to getting rid of the Taliban.

Designated Military Officer: (3.c.3) The Detainee received weapons and supplies from al Qaida through the Nawa Pass.

Detainee: I didn't have any weapons. I do not belong to al Qaida. I had nothing to do with that.

Designated Military Officer: (3.d) Other Relevant Data (3.d.1.) The Detainee stated that the Jamaat al Dawa al Quran is a small organization interested in helping the Afghani people rebuild their lives. The original purpose of the Jamaat al Dawa al Quran was to repel the Russians from Afghanistan.

Detainee: As I told you before, Jamaat al Dawa was not an enforcing organization. Jamaat al Dawa did not have a military force. The organization formed at the time the Soviet Union was trying to invade. Jamaat al Dawa was against the Soviet Union. Now Jamaat al Dawa is trying to help the people of Afghanistan.

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Designated Military Officer: (3.d.2) The Detainee stated that he no longer fights and the Jamaat al Dawa al Quran does not represent his beliefs in any manner.

Detainee: I have told you before that I am not a fighter. I support the Northern Alliance and the Eastern Assembly. I have never fought. I was not a fighter before and I am not a fighter now, nor will I ever be a fighter. I am just a supporter of the Northern Alliance and the Eastern Assembly.

Presiding Officer: You were never a fighter?

Detainee: Twice when the Soviet Union invaded I went to fight, but I never fired or carried a weapon.

Presiding Officer: So you were not a fighter at this time [during the time of the Taliban and al Qaida].

Detainee: During this time I was *against* the Taliban, but I never carried or fired a weapon. During this time I was consulting the Coalition, but I did not *fight* for them/with them.

Board Member: Why were you arrested?

Detainee: That is my question to you. Why have I been arrested?

Board Member: I asked you first.

Detainee: That is why I have a document that states I have never fought. I have not done anything wrong. I was not captured in the war. I was invited to where the Americans were, I came in peace, and then they captured me. I am sorry for that. I met with the Americans six times, even at the Embassy. Then they captured me. You asked me why I was captured. In Afghanistan, I have political enemies. There are people there [Afghanistan] who don't like me, who don't like each other. Maybe my political enemies gave you the wrong information about me.

Presiding Officer: Are you saying that you believe false information was provided to the Americans?

Detainee: I can prove that they gave wrong information about me.

Presiding Officer: Enemies of yours.

Detainee: In Afghanistan, there are two kinds of animosity. One is political animosity and the other is personal animosity. I don't have personal enemies. I have political enemies.

Presiding Officer: Who is your political enemy?

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Detainee: I have enemies because I was the leader of my Tribe. Everyone wants to or was trying to get that job. I don't know *who* exactly because everyone was trying to get the leadership position.

Board Member: Was this in Konar Province?

Detainee: Yes.

Board Member: When was this? When were you the leader in the Konar Province?

Detainee: I have been a Representative of the Konar Province in the Eastern Assembly since 1993. When the Taliban came, I was still a Representative of Konar in the Eastern Assembly. When the Taliban was kicked out, I was still the Representative of the Konar Province in the National Assembly.

Board Member: Can you provide the Board with dates? When were you in a leadership role in the Konar Province?

Detainee: One position is a Tribe leader and one position is a Government leader. I was the Tribe leader of Konar. I am still the Tribe leader in Konar even though I am a prisoner here [at Guantanamo].

Presiding Officer: Please provide the Board with dates.

Board Member: Were you the Tribe leader in the Konar Province in 2001?

Detainee: In the time of the Taliban I was living in Pakistan. However, the people of Konar were against the Taliban and they made me their leader.

Board Member: Were you a leader in the Konar Province in 2001?

Detainee: After the fall of the Taliban I was a leader in Konar. In 2001, I was in Pakistan when the Taliban Government fell.

Designated Military Officer: (3.d.3) The Detainee traveled to the United Arab Emirates ten times from 1996 to 2002.

Detainee: Yes.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee fought Jihad against the Russians and fought against the Taliban and al Qaida at Tora Bora.

Detainee: Yes. I said that I was against the Soviet Union, the Russians. Like I said before I never fought. I never picked up or fired a weapon. I never personally fought. I was against them though. I was against the Taliban and I am still against the Taliban. In regards to the Tora Bora war: I talked with and had a meeting with the Americans and

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told them I was making a plan for Tora Bora [to fight against the Taliban] but I was not *personally* going to fight.

Designated Military Officer: (4.b) The Detainee supported the Northern Alliance in their efforts to defeat the Taliban, al Qaida, and Usama Bin Ladin.

Detainee: Yes. I say it now and I have said it before.

Designated Military Officer: (4.c) In 1997 or 1998, the Detainee traveled to Mazar-e-Sharif to visit with Massoud.

Detainee: Yes. I met with Masood and Rabani.

Designated Military Officer: (4.d) The Detainee traveled twice to Tajikistan in 1998 in connection with Masood and the Northern Alliance.

Detainee: Yes. I went to Tajikistan twice.

Designated Military Officer: (4.e) The Detainee traveled to Cyprus three times in 1999 to attend international conferences organized by influential expatriate Afghans to increase resistance to the Taliban.

Detainee: I have been to Cyprus three times.

Designated Military Officer: (4.f) The Detainee states that he never worked with the Arabs or against the Americans.

Detainee: Yes. I cooperated with the Americans. I have a document that proves I have worked with and cooperated with the Americans. I have never worked with or for the Arabs.

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.

Assisting Military Officer: Sir, the Detainee wishes to make an oral statement. In addition, I have some Detainee comments from the ARB interview I would like to present.

Presiding Officer: Assisting Military Officer, please read your additional Detainee comments.

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Assisting Military Officer: The Detainee stated that he is concerned about important information that is not being presented at his ARB interview. The Detainee will tell the Review Board Members about this information when he gives his oral statement at the ARB. The Detainee stated that the information is important regarding his future. The Detainee stated that it was important for the Review Board to know that twenty-eight representatives (people) voted for him to be the senator of Konar Province and that the document that proves this fact was given to the members at his last board. The Detainee also said that Karzai told them to go home and that he would call them back. When they got home, that is when they were arrested.

The Detainee made the following statement:

Detainee: May I have permission to talk now?

Presiding Officer: The floor is yours.

Detainee: Thank you very much. I Haji Rohullah, son of Muhammad Wakil, from the Konar Province, in the name of the District Government of Peech, and the district of Marangi, of the villages Ningalam, in 1998 I became a refugee because of the Russians. I was a refugee in Pakistan. My family is still there [in Pakistan]. When I was in Pakistan, my business was trading and that kind of thing. I was working in the Jewel business. I was serving other refugees from my own country.

Presiding Officers: What kind of jewels were you working with?

Detainee: Beruge.

Presiding Officer: What kind of jewel is that?

Detainee: It is like a rock. We call it Beruge.

Presiding Officer: What does it look like?

Detainee: It had three kinds of color. They are red, green, and yellow. Another name for the jewel is Konzet. I was doing business with these rocks [jewels].

Presiding Officer: Do you find these rocks [jewels] in Afghanistan and then export them?

Detainee: People were bringing these rocks [jewels] from Afghanistan. I bought these jewels and sold them in Pakistan. These rocks [jewels] actually came from the Konar Province.

Presiding Officer: How much money would you get for these rocks? How much money would you make in a year?

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Detainee: It would depend on the year. Some years I would make big money. Some years I would not make big money.

Presiding Officer: Please give me an example of how much money you would make.

Detainee: The last year I worked in this business I made ten to fifteen hundred thousand Rupees. That was not a lot of money, but it was good enough to provide for my family.

Presiding Officer: Did you deal in rough stones or polished stones?

Detainee: Rough stones.

Board Member: Did you have another job aside from dealing in jewels?

Detainee: I am getting to that point if you will let me continue.

Presiding Officer: Please continue.

Detainee: Back to what I was saying earlier. I was doing business and serving other refugees while I was in Pakistan. Arabs killed my uncle in 1990. My uncle was the leader of Jamaat al Dawa. A terrorist killed my uncle. After the death of my uncle, I joined Jamaat al Dawa. I joined, talked with, and met with Ustad Rabani about fighting against Gulbuddin because he [the Gulbuddin] was doing bad things in Konar.

In 1992, the Kabul Régime fell and Rabani went for the Government. He became the President [of Afghanistan]. I went with Rabani to Afghanistan. At that time, the leader of Jamaat al Dawa was named Maulawi-Samiullah. He [Samiullah] was the Minister for the current Government. I became a representative of the Konar Province in 1993.

There were four provinces that made up an Assembly. At that time I was doing my own business, my trade. Additionally, I was, according to the rules of the Government; I was helping my own people. I was keeping connections with other companies to help the Konar people. Based on that, I contacted the United Nations and other organizations. With the guidance of our leadership, we were going to build up some schools in the Konar Province. About twenty to twenty-five schools have already been built in the Konar Province. We got an order from Rabani to build one hundred and fifty schools for girls and boys.

Presiding Officer: Please stop for a moment. The Review Board is interested in factors pertaining to why this Review Board should release you or transfer you. The building of schools is a wonderful thing. However, it is not going to help the Review Board decide to release you. The Review Board would like to hear reasons and factors as to why you feel you should be released or transferred. Tell the Review Board why you [the Detainee] do not belong here [Guantanamo Bay, Cuba]. Focus on that point.

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Detainee: I should let you know all the factors about my life. I keep trying to tell you who I am and what I am doing.

Presiding Officer: You are really digressing.

Detainee: I will make it short.

Presiding Officer: The Review Board does not want a short answer. The Review Board would like for you to tell us or give us reasons as to why you should be released or transferred. The Review Board just wants to know about *you*. We will sit here all day long, so long as we are talking about *you*.

Detainee: Ok, I will tell you short. I am very very sorry and disappointed that the Military Tribunal called me an Enemy Combatant. I am a member of the Northern Alliance. The Northern Alliance is a friend of the United States. I am a member of the Eastern Assembly. The Eastern Assembly along with the Coalition Forces wanted to help fight al Qaida. I am a member of a National Unity, which is located in Peshawar, Pakistan. I was a friend of Pir-Said-Ahmed-Gilani and Sebghatullah-Mujadidi.

The leadership of these mentioned people [Gilani and Mujadidi] were meeting at the United Nations. The meeting was about fighting against al Qaida and the Taliban. I have been a friend with these people since 1990. I am a friend of the Afghan University with the men and the women who attend the University. I was serving them. I was a member of the Cyprus meeting, who wanted a peaceful and good Government in Afghanistan. I was in the Cyprus meeting. In this meeting we were talking about fighting against the Taliban. I was talking to one of the Coalition Forces members. He was a British Coalition member. His name was Jim. I was a member of one of the Committees who were talking to Coalition Forces against narcotics. You have the evidence to these facts.

Board Member: When was this all happening?

Detainee: This was happening in 2002. The Coalition Forces were talking about narcotics and I joined them in their efforts against narcotics. I am a friend of Kaown Kakar, who is a United Nations representative.

Presiding Officer: Is that a place or a person [referring to Kaown Kakar]?

Detainee: A person. Kaown Kakar lives in the United States.

Board Member: Did you say earlier you were dealing with someone from the British Forces? Someone named Jim.

Detainee: Yes.

Board Member: What kind of position were you holding at this time?

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Detainee: I was a member of the Eastern Assembly.

Board Member: This was in 2002?

Detainee: The Assembly was formed against the Taliban in the Eastern Province [of Afghanistan].

Board Member: Did you receive money/pay for doing all these things you have been talking about?

Detainee: Nobody had a salary or money. Nobody paid me.

Presiding Officer: Let me see if I understand all of what you have been saying. You [the Detainee] were a representative.

Detainee: Yes.

Presiding Officer: You were a member of the Assembly.

Detainee: Yes.

Presiding Officer: You support Karzai.

Detainee: Yes.

Presiding Officer: You do not like the Taliban or al Qaida.

Detainee: That is correct.

Presiding Officer: You believe your political enemies set you up to get rid of you.

Detainee: Yes. I am sure my political enemies set me up.

Presiding Officer: I understand your position.

Detainee: I need to tell you the rest of my story. After I became a representative of my area [Konar Province] I went to Kabul. I gave a statement at the National Assembly as a representative of Konar Province. In front of fifteen hundred people at the National Assembly I gave a statement and was speaking against al Qaida, against the Taliban, and against narcotics. I spoke to them[members of the Assembly] about smugglers [of narcotics] who were in Afghanistan, hurting Afghani people. They were hurting the economy and hurting the trees. I told them they should elect Karzai as the President. This Assembly was made up of the first 158 people who told Karzai that we accept him as our President.

Presiding Officer: I am going to ask one more time. You are digressing from what the Review Board needs to know. You need to focus on reasons as to why the Review Board

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should release you. The Review Board is very impressed with your history. The Review Board has been provided with a complete history of your background. The Review Board already knows all of what you are saying. The Review Board knows that you were a very distinguished politician. We can understand why a political attack would be made against you. However, the history you are relaying to the Review Board does not help or aide in our decision to release or transfer you. That is what the Review Board must decide: to (1) release you, (2) transfer you, or (3) detain you. Do you have any other specific facts that directly pertain to release, detain, or transfer that the Review Board should know about?

Detainee: I do not have anything else. Those are my people; my Government, my friends, and those who are in power in Afghanistan are my friends.

Presiding Officer: Ok. I would like to compliment you on making a very eloquent statement this afternoon. Thank you.

Detainee: Thank you very much.

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: You said you became a refugee in Pakistan in 1998.

Detainee: No, it was 1980.

Board Member: Were you a refugee in Pakistan in 2001?

Detainee: Yes.

Board Member: Have you ever heard of or known of any movement of people across the Afghan/Pakistani border in Konar Province?

Detainee: What kind of people? People of Konar?

Board Member: Arabs leaving Afghanistan in December in 2001, due mostly to the American bombings. Do you know anything about the movement of those people across the border [in Konar Province]?

Detainee: I am not aware of that.

Board Member: Could people be moved across the border without the knowledge or assistance of the Tribal leaders of that province?

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Detainee: Before the Taliban, when I was there [in Konar Province] people were moving back and forth across the border. After the Taliban, I am not aware.

Presiding Officer: [To the Translator] What question did you just ask the Detainee?

Translator: I am asking the Detainee, during the time of Tora Bora, when the bombing was occurring, were there people going back and forth across the border.

Board Member: The people were mostly traveling in one direction. It was the Arabs fleeing Afghanistan to Pakistan.

Detainee: I am not aware of anything like this.

Board Member: But if someone wanted to cross the border, they could not do it without the knowledge and assistance of the Tribal leaders of the provinces.

Detainee: The border is a very long border.

Board Member: What are your feelings concerning Usama Bin Ladin?

Detainee: The whole world knows that he is a terrorist. I am against him. I was never on his side. We are all against him.

Board Member: Is your family still in Afghanistan or are they in Pakistan?

Detainee: My family is still in Pakistan.

Board Member: So, if you were released or transferred, would you go back to Afghanistan? Do you have family to return to?

Detainee: If I am released, I will go to my home country.

Board Member: Do you still have a family business? Do you have a way to support yourself?

Detainee: My job is very clear. I will do my own job. In my village, my Government, and my people. If I leave right now, I will be a representative of my people.

Board Member: In the Karzai Government?

Detainee: Yes. We built that Government. I put a lot of effort into building that Government.

Board Member: I just cannot help but ask. Why are you here?

Detainee: I will trust in my God and one day the truth will come out.

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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, U.S. Army
Presiding Officer

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