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**Summary of Administrative Review Board Proceedings for ISN 826**

*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 wishes to make a statement under oath. (Muslim oath offered).*

*The Detainee accepted taking the Muslim oath.*

*The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.*

*The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.*

*The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.*

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's initial ARB interview occurred on 06 September 2005 and lasted 5 minutes. According to the language database, the detainee speaks Persian and Pashtu equally well at the basic understanding level. When the translator attempted to communicate with the Detainee, the Detainee gave us a puzzled look signaling that he did not understand Persian and repeated the word Pashtu several times. A follow-up interview was scheduled with a Pashtu linguist on 06 September 2005 and lasted 55 minutes. After a review of the ARB's purpose and procedures, the Pashtu translated Unclassified Summary of Evidence was read to the Detainee. When the Detainee was asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated, "I want to talk by my mouth

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orally to the board." When asked how he wanted to address the allegations or statements, the Detainee indicated that he wanted to address statements in the Unclassified Summary of Evidence as each point is presented. The Detainee requested a copy of the translated copy of the Unclassified Summary of Evidence for his record. A copy of the translated Unclassified Summary of Evidence was provided to the Joint Detention Group on 07 September 2005 for delivery to the Detainee and confirmation of delivery was received on 07 September 2005 at 1253 hours. A follow up interview was held on 08 September 2005 and lasted 10 minutes. The Detainee was polite and cooperative during the interviews. The Detainee elected not to submit written comments regarding the Unclassified Summary of Evidence.

***The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Memorandum, 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 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 to assist the Detainee with answering the statements.***

Designated Military Officer: (3) The following primary factors favor continued detention: (3.a) Detainee Actions and Statements (3.a.1) The Detainee's family owned hawallas (Money Exchange/Forwarding Business) in Bernal, Afghanistan; Miram Shah, Pakistan; an Al Amin, United Arab Emirates. The Detainee worked in the Afghanistan and Pakistan locations.

Detainee: That is true. I was responsible for Afghanistan and Pakistan stores.

Designated Military Officer: (3.a.2) The Detainee traveled between Afghanistan and Pakistan along routes where he was never asked for any identification or passport by either the Pakistanis or Afghans.

Detainee: Yes.

Designated Military Officer: (3.a.3) The Detainee traveled to Miram Shah, Pakistan to purchase a Kalashnikov weapon.

Detainee: Yes, I bought the Kalashnikov.

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Designated Military Officer: (3.b) Other Relevant Data: The Detainee was arrested in his shop by Afghan and United States soldiers.

Detainee: Yes.

Designated Military Officer: (4) The following primary factors favor release or transfer:  
(4.a) The Detainee stated he is an honest businessman and has never received money on behalf of the Taliban or al Qaida or any other groups. He stated that the money received was from families from outside that country trying to get money to support their families in Afghanistan.

Detainee: Yes.

Designated Military Officer: (4.b) The Detainee has no knowledge of money transfers outside the three hawallas owned by his family in the United Arab Emirates, Miram Shah, Pakistan, and Bermal, Afghanistan.

Detainee: Only in Bermal. That is the only three shops or businesses that money comes in. There are no other hawalla stores. If there are some other stores in...there is another hawalla store which a guy named Gulzar [runs] and another store that a guy named Jaho [runs]. I have not given [money] to any one except from the hawallas in Miram Shah and Bermal.

Designated Military Officer: (4.c) The Detainee claims all he and his brothers were trying to accomplish was to make an honest living and provide for their families.

Detainee: Yes.

*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.*

Presiding Officer: Assisting Military Officer does the Detainee want to present any information to this Administrative Review Board including a written statement, oral statement, witness statements prepared on his behalf, or for you to speak on his behalf?

Assisting Military Officer: Yes sir. The Detainee would like to make an oral statement.

Presiding Officer: You may begin your statement now.

*The Detainee made the following statement:*

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**Detainee:** What kind of statement?

**Presiding Officer:** You said that you would like to make a statement to the board. If there is anything that you would like to elaborate on in regards to the statements that were brought up or something else that you would like to present as a reason for your release or transfer this is the time to explain that to the board.

**Detainee:** Do you ask me any questions about these allegations?

**Presiding Officer:** There will be a moment when the five of us can ask questions. That will be right after your statement. If you don't have anything to say that is fine and we can continue.

**Detainee:** I am an innocent man and I have not committed any crime. That is all that they captured me by.

**Presiding Officer:** Does that conclude your statement?

**Detainee:** Yes.

**Presiding Officer:** Thank you.

***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:** These business transactions in your hawallas, does most of the money flow from Pakistan to Afghanistan?

**Detainee:** If people were living in Miram Shah I was giving them a little of the money. Most of the money was going to Bermal, Afghanistan.

**Board Member:** How did the money move from Pakistan to Afghanistan?

**Detainee:** People that we knew would [transport] to our store. They would carry the money and give it to our store in Bermal, Afghanistan.

**Board Member:** Did you have to hand carry the money from Pakistan to Afghanistan?

**Detainee:** Yes. We would hand it to them and tell them to give it to our store in Bermal.

**Board Member:** When somebody gave you money in Pakistan to take to Afghanistan did you give that person some kind of receipt for the money or was a record kept of what money was given to you?

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**Detainee:** The money coming from Al-Amin was coming to Miram Shah and it was private going to the people.

**Board Member:** Does that person get a receipt when you give the money to them? Does he get some kind of record?

**Detainee:** We call our store by telephone and tell them that this man from our village, we know the village people; we gave him this much money to [transport].

**Board Member:** Were you alone when you were captured or arrested?

**Detainee:** Yes, I was alone in my store.

**Presiding Officer:** When you traveled between Afghanistan and Pakistan did you travel alone?

**Detainee:** Yes, I was alone. The vehicle was going back and forth and other people were on it.

**Presiding Officer:** But you traveled alone.

**Detainee:** Yes. Nobody was with us so we would go by ourselves. I had a cousin and he was going to Bermal and I was going to Miram Shah. We would switch back and forth. In one year we switched place two times.

**Board Member:** Have any of your family members or business associates been arrested by the United States?

**Detainee:** Yes, they captured my older brother. My older brother was with me.

**Presiding Officer:** Was he at the store?

**Detainee:** He was at home.

**Board Member:** Was it at the same time?

**Detainee:** Yes.

**Board Member:** Was he captured for the same reason?

**Detainee:** Yes. He was released and went back home.

**Board Member:** Released from here or Bagram?

**Detainee:** My cousin was with me and he was released from Cuba.

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Presiding Officer: Did you only make transfers between your three hawallas and no others?

Detainee: One was in Sorobi and one was in Orgoon. Their money was coming from other places. We were giving them our own money. They had their own store. They have their own hawallas, but they have to go through our store.

Board Member: Do you have a name for your business?

Detainee: We don't have a special kind of name, but outside the store it just has my brother's name, which was Osman Haji. Hawalla is the store, we don't write anything.

Presiding Officer: You mentioned that you have never received money on behalf of the Taliban or al Qaida. Do you know all of your customers as a member of the village, by name, or some kind of identification? If I came over to give you money to take over to another county, how do you know that I am not al Qaida?

Detainee: When money comes in we write down the village name, the person's name, their father's name, and the Waziri tribe. We were all Waziri tribe people and we would take their numbers.

Designated Military Officer: Do you know where your brother and cousin are now and what they are doing?

Detainee: They are in the village.

Designated Military Officer: Have you heard from them?

Detainee: Yes, I received a letter from them. My brother and my cousin are in my village.

Designated Military Officer: What do you think of the United States and Afghanistan and the Karzai government?

Detainee: I am happy about the government and the Americans. They bring peace and we need peace for our businesses.

Presiding Officer: Upon your return, should you be released or transferred, what are your intentions when you return to Afghanistan?

Detainee: I have had the shop in Miram Shah for 30 years. We have been doing this business for 15-16 years. I don't know any other thing. I will do the same business.

Presiding Officer: Thank you for your honest answers.

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

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*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. Marine Corps  
Presiding Officer

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