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Summary of Administrative Review Board Proceedings for ISN 888

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 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 occurred on 14 November 2005, and lasted 38 minutes. After a review of the ARBs purpose and procedures, the Pashto 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, he said he would attend the ARB and respond to each statement of information in the Unclassified Summary after each point was presented. The Detainee elected to submit one photograph to the board. A follow up interview was conducted on 15 November 2005, and lasted 35 minutes to allow the Detainee to bring the photograph. The Detainee was cooperative and polite

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throughout both interviews. The Detainee was given a copy of the Pashto translated Unclassified Summary of Evidence.

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 Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

The Detainee chose to respond to the Unclassified Summary of Evidence as each point was presented. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee admitted that he was a Taliban soldier and that he freely went to serve the Taliban because he had to.

Detainee: I did not go voluntarily. I was compelled to go and work for the Taliban because I had a market. The land that my market was on was public [land]. The Taliban told me they were taking over the land and that I had to evacuate [my market]. That is why I went to work for the Taliban. I wanted to save my property. The Taliban did not force me to come work for them, I just felt compelled to do it to save my property.

Designated Military Officer: (3.a.2) The Detainee has been a member of the Taliban since approximately 1997.

Detainee: I don't know the time.

Translator: I gave the Detainee a hint. I asked him if he worked for the Taliban around the time the Taliban captured Kabul [which was around 1996]. The Detainee said no, that is not the time frame I worked for the Taliban.

Detainee: No. That is not true. I worked for the Taliban around the time when Masood was assassinated [Masood was the leader of the Northern Alliance. Masood was assassinated on 9 Sep 01]. I quit the Taliban about two months before the assassination of Masood.

Board Member: How many years were you a member of the Taliban?

Detainee: Approximately one year.

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Designated Military Officer: (3.a.3) The Detainee stated during his approximate one-year term with the Taliban, he served as a guard for a checkpoint in Dara Sufe.

Detainee: Yes Sir.

Board Member: Did you perform any other duties besides a guard?

Detainee: No Sir.

Board Member: Did you ever receive any military training?

Detainee: No Sir.

Designated Military Officer: (3.a.4) The Detainee was a sub-Commander of some members of a 40-man unit. This unit fought at Tora Bora and escaped to Peshawar, Pakistan.

Detainee: No Sir. That is not true.

Board Member: Were you a member of the unit?

Detainee: There was a group that had 40 people in it. My group was in Darisu, which is in the North. Tora Bora is in the South. That is not true. We did not go to Tora Bora and we did not go to Pakistan. I went to Pakistan one time. I went to Pakistan with my family as a refugee.

Board Member: The purpose for you traveling to Pakistan was because you were a refugee.

Detainee: Yes. I went to Pakistan as a refugee. I sold a piece of my property and I took my family to Pakistan.

Board Member: Is the only time you have been to Pakistan?

Detainee: When I came back to Afghanistan I had my car.

Designated Military Officer: (3.a.5) This 40-man Taliban team was under the control of Commander Akhund Zada. The team was part of the front line against the Northern Alliance.

Detainee: Yes. I was there.

Board Member: You were a member of *this* unit?

Detainee: Yes.

Board Member: Did you have a leadership role?

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Detainee: I was a soldier.

Board Member: What was the purpose of this 40-man unit? What was its mission?

Detainee: There was a war with Dostum [the Northern Alliance].

Board Member: Just for clarification, were you fighting *against* the Northern Alliance? You were part of a unit fighting against the Northern Alliance?

Detainee: Yes.

Board Member: Were you involved in combat operations?

Detainee: I was a guard. I did not fight.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee said that his team carried AK-47s and the Taliban taught them how to use the weapons in Dara Sufe.

Detainee: I did not have any training for the Kalashnikov. However, prior to this [incident] I did know how to use a Kalashnikov.

Board Member: Did you ever fire the AK-47?

Detainee: Yes Sir.

Board Member: Under what circumstances did you fire the AK-47?

Detainee: I fired an AK-47 during a wedding party.

Board Member: So you never fired the AK-47 during a combat operation, is that correct?

Detainee: I did not fight.

Designated Military Officer: (3.b.2) The Detainee is a good driver and knows how to use rockets and heavy machine guns.

Detainee: I am a driver. I don't know how to use these heavy weapons. In fact, I am not really all that good of a driver. I am not a good driver. You should not give me a driver's job.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The Detainee's direct Taliban Commander was Akhund Zada.

Detainee: Yes.

Designated Military Officer: (3.c.2) The Detainee is also associated with another Taliban Commander. The Detainee admitted delivering a letter for this Taliban Commander to a

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person in the Oruzgan Province of Afghanistan. The Detainee later found out the person in Oruzgan Province was a top Taliban leader.

Detainee: I didn't know that he was a leader or a Commander of the Taliban, but I did deliver a letter. His name was Sangaryar [the Taliban Commander].

Board Member: Do you know why you were selected to deliver this letter?

Detainee: The reason I delivered the letter was because I told them I was on my way to Oruzgan to sell my car. He told me he would give me money for gas if I would deliver the letter for him.

Board Member: Who asked you to deliver the letter?

Detainee: His name is Abdul Razaq.

Designated Military Officer: (3.c.3) The Detainee was tasked to deliver four letters to a known Taliban leader from high-level Taliban leaders in hiding.

Detainee: No Sir.

Designated Military Officer: (3.c.4) The Detainee is associated with another detainee who admitted fighting against United States troops in Kandahar.

Detainee: I did not fight against United States Forces. If that guy [referring to the other detainee] says that, that is his problem, not mine. I reject that. I deny that allegation.

Designated Military Officer: (3.c.5) The Detainee is affiliated with an Egyptian terrorist and individuals who were backed by al Qaida and fought against United States troops.

Detainee: That is not true.

Designated Military Officer: (3.c.6) The Detainee was part of Usama Bin Ladin's main security detail assisting Usama Bin Ladin out of Afghanistan.

Detainee: That is not true Sir.

Board Member: Have you ever seen or met Usama Bin Ladin?

Detainee: No.

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

Detainee: I have seen his picture.

Board Member: No, your *feelings* about Usama Bin Ladin.

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Detainee: I don't know. All Muslims are having bad days now because of Usama Bin Ladin.

Board Member: Do you think Usama Bin Ladin is a good person or a bad person?

Detainee: I don't know. I have never seen him so I don't know if he is a good guy or a bad guy. The damage he [Usama Bin Ladin] has done, because of him, I am here [Guantanamo Bay, Cuba]. That is what I know.

Designated Military Officer: (3.d) Other Relevant Data. (3.d.1) Oruzgan authorities captured the Detainee just outside of Chenartoo, Afghanistan. The Governor of Oruzgan and his men arrested the Detainee.

Detainee: Yes Sir.

Designated Military Officer: (3.d.2) The Detainee had an AK-47 in his vehicle when Afghani soldiers captured him.

Detainee: Yes Sir. I had the AK-47 for my defense [protection].

Board Member: Did the Oruzgan authorities tell you why you were being arrested?

Detainee: The Governor and his people arrested me because I had a Kalashnikov. When the Governor arrested me, he asked me, "Where did you sleep (spend the night) last night?" The Governor mentioned Sangaryar and the letter I delivered. The Governor took me [and Sangaryar] to his home, he asked him questions, after that I don't know what happened to him [Sangaryar] and I was arrested.

Board Member: Why did you have the weapon [AK-47] in your vehicle?

Detainee: In our area there are a lot of thieves and crooks. It is hard to go from one place to another. I had the weapon for my security [protection]. There is no security in that area. Everybody has them [AK-47s].

Designated Military Officer: (3.d.3) The Detainee is a Taliban Commander and was issued a station wagon by the Taliban.

Detainee: The vehicle I had was my own car. I paid for the vehicle with my own money. I was not a Taliban Commander.

Designated Military Officer: (3.d.4) The Detainee joined the Taliban because he wanted the same rights as the others who lived in the Oruzgan area.

Detainee: I don't know about this.

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Designated Military Officer: (3.d.5) The Detainee and another man had planned to kidnap the Oruzgan Province Governor's son in exchange for releasing prisoners in Kandahar. The Detainee also talked about killing the Governor by bombing his office.

Detainee: That is not true Sir.

Designated Military Officer: (3.d.6) The Detainee primarily operated against the United States personnel in Oruzgan Province, Lashkar Gah, and Helmand. The intent was to bomb or strike soft targets using AK-47s.

Detainee: That is not true.

Designated Military Officer: (3.d.7) The Detainee had a satellite telephone to stay in contact with other unit commanders.

Detainee: No Sir.

Board Member: Did you have any type of phone?

Detainee: No Sir. I did not have a telephone.

Designated Military Officer: (3.d.8) The Detainee lived in a house in a neighborhood owned by the Taliban.

Detainee: That is not true.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee stated that he did not voluntarily work for the Taliban Military, but rather was forced to work for them if he wanted to stay in his house in Kandahar.

Detainee: I have told you before that I did not voluntarily work for the Taliban. Again, I was compelled to go to work for the Taliban in order to save my property. I did not want my property to be confiscated by the Taliban, so I agreed to work for them. If I had not served with them [Taliban] they would have taken my property away from me.

Designated Military Officer: (4.b) The Detainee stated he is not against the Americans and is not aware of any planned attacks against the Americans.

Detainee: That is true.

Designated Military Officer: (4.c) The Detainee denied knowing anything about Usama Bin Ladin or being part of a team that escorted Usama Bin Ladin out of Afghanistan.

Detainee: That is true. Yes Sir.

Designated Military Officer: (4.d) The Detainee denied ever having a satellite phone or driving a Taliban vehicle because only commanders had vehicles.

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Detainee: Yes Sir.

Designated Military Officer: (4.e) The Detainee denied having any knowledge of the attacks in the United States or United States interests.

Detainee: Yes Sir.

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 Assisting Military Officer presented Exhibit EC-1 to the Administrative Review Board.

The Detainee made the following statement:

Detainee: I will start my statement by telling you [the Board] that I did not fight against the United States Forces and I will never fight against the United States. From my side, I give you a guarantee that I did not do anything, nor will I do anything. I do not have that kind of talent to do those things [allegations in the Unclassified Summary] against the United States.

If you look at my picture, I was an Embroider. I did embroidery work. That is how I was and how I will be [how I made my living]. I had been doing that kind of work [embroidery] for over twenty years. If I am that kind of small guy, how could I have been associated with or been able to meet Usama Bin Ladin. How will I ever be able to meet Usama Bin Ladin when I am just a small person [embroider]? That is unrealistic.

My future is in your hands. You can ask questions about me to my fellow villagers, friends, and relatives. I lived there [Oruzgan Province] and they know me very well. If I were a Commander or if someone else were a Commander in Afghanistan, you guys [the United States] have a lot of opportunity, equipment, and people on the ground. The United States could easily find out if I had been a Taliban Commander. I am not a Taliban Commander and I was *never* a Taliban Commander.

All these allegations, like me being with Usama Bin Ladin, fighting against the United States Forces, or taking the Governor's son hostage, all these allegations are baseless and they are untrue. I don't know anything about these allegations. I don't know how these allegations got into my file.

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The United States Forces did not arrest me. The Governor of Oruzgan Province arrested me. After the Oruzgan authorities arrested me, they gave me to the United States Forces. Jan Mohammad, who was the Governor of Oruzgan, took my personal car, which was worth 200,000.00 Pakistani Rupees. In my opinion, the reason I was arrested, to the best of my knowledge, was for two reasons: (1) Jan Mohammad probably arrested me so he could confiscate my car and enjoy the use of my car, or (2) Sangaryar, I think he and Jan Mohammad had a disagreement from a long time ago. I had told Jan Mohammed that I had been with Sangaryar the night before. Then, Jan Mohammed arrested me. There was a written letter and he [Jan Mohammad] took my fingerprint [signature]. I thought they were going to send me to the local jail. Turns out they gave me over to the Americans and I found out I was coming here [Guantanamo].

Board Member: Why did the United States put you into detention [if you had not done anything wrong]?

Detainee: When the Governor [Jan Mohammed] handed me over, the United States took me. The United States believed what the Governor said about me.

Board Member: What was the Governor's charge against you other than having an AK-47 in your vehicle?

Detainee: The reason the Governor, Jan Mohammed, arrested me was because I told him the story about Abdul Razaq, and that Razaq had previously been a Commander of the Taliban. I told Jan Mohammed that I had a letter from Abdul Razaq addressed to Sangaryar, that I had delivered the letter to Sangaryar, and that I had stayed the night at Sangaryar's home. I had breakfast in Sangaryar's home the next morning and now here I am [at Guantanamo]. Jan Mohammed concluded that I was a thief or something. Jan Mohammad arrested us and gave us to the United States Forces.

Presiding Officer: Please continue with your statement.

Detainee: What else would you like me say?

Presiding Officer: Do you anything more you would like to say to the Review Board?

Detainee: I will answer questions if you [the Board] have any.

Presiding Officer: Does that conclude your statement then?

Detainee: These allegations in my file are dirty words. I'll never do anything like that nor have I ever done anything like that. I was doing Embroidery and I would do that again if I were released. If you believe me, that is what I did. I am not saying that I never worked for the Taliban. I did work for the Taliban for one year.

Presiding Officer: Does that conclude your statement?

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Detainee: Yes Sir.

The Assisting Military Officer did not have anything further to present to the Administrative Review Board.

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: Mr. Ismat Ullah, from what you have told the Review Board today, would you consider yourself a victim of circumstance to preserve your way of life? You joined the Taliban because you did not want to lose your market and your home. Is that correct?

Detainee: Yes Sir. Construction [homes, markets, etc] was very old in my area. There was not enough room for more people. Each soldier who was serving with the Taliban, they had the guns and the power. They would come in and say, "this land is not yours, it is public land", and "why do you think you should live here, I should live here". The reason I joined the Taliban: I had to. That was the only way I could save my property for myself and for my family.

Board Member: What are your feelings concerning the United States intervention into Afghanistan?

Detainee: The reason the United States went into Afghanistan was because Usama Bin Ladin had attacked them. They [the United States] should have come to Afghanistan and gone after Usama Bin Ladin.

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

Detainee: I don't know. I have not benefited from the Karzai Government. I was detained before he came to power. I don't know anything about Karzai's Government. I don't know if I like it or don't like it because I have not lived there [in Afghanistan] since Karzai has become the President. I have been here [Guantanamo].

Board Members: Are you in contact with your family?

Detainee: Yes Sir.

Board Member: You have a home to return to if you are released?

Detainee: Yes Sir. The market I had, I sold it.

Board Member: I was just getting ready to ask you if you still had the market.

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Detainee: When I was in Pakistan I was paying rent and I did embroidery work.

Board Member: If released, would you be able to support yourself?

Detainee: Yes Sir.

Presiding Officer: So, you have heard from your family.

Detainee: Yes Sir. I get letters.

Presiding Officer: That is good that you have heard from your family. As we had mentioned before earlier in this process, if your family had written letters on your behalf, the Review Board would have accepted those letters for review with regards to your case.

Detainee: My family did not write me letters and tell me that I am a bad guy. My family writes that I am a good guy. I did not see anything in the letters I received that said I was a bad guy.

Presiding Officer: That is fine.

Detainee: I am modest. I am not a good guy I am not a bad guy.

Presiding Officer: The Unclassified Summary stated that you operated a vehicle. What has happened to that vehicle?

Detainee: The government of Afghanistan, the Governor of Oruzgan took the vehicle. When I was here [at Guantanamo] I sent him [the Governor] a letter and asked him what happened to my car.

Board Member: Can you tell me the date of the photograph that you presented to the Review Board?

Detainee: I would be a liar if I said I could remember [the date].

Board Member: I only ask because there has been an obvious change in your appearance.

Detainee: I didn't even recognize myself when I saw the photograph.

Board Member: Nor did I.

Detainee: After a couple of minutes I realized it was I.

Board Member: what drives the change in your appearance?

Detainee: I don't have a mirror.

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Presiding Officer: When you were operating the vehicle, how much were you paying to keep it up? What were you using the vehicle for?

Detainee: How much I was making?

Presiding Officer: How much you were making and how much were you paying [for the upkeep of the vehicle]. I thought you indicated you were going to use the vehicle for something else. I thought you were going to use the vehicle for business.

Detainee: No.

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, United States Air Force
Presiding Officer

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**CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY
COMBATANT**

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Exhibit #	Date	Classification	Guantanamo/ICRC Letter #
EC-C1	Unknown	UNCLASSIFIED	N/A (Photograph)



Description: Photograph of detainee holding his niece

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**Enclosure
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