

UNCLASSIFIED//~~FOUO~~

Summary of Administrative Review Board Proceedings for ISN 951

*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 ARB interview occurred on 22 August 2005 and lasted for 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 asked if he would like to attend the ARB, the Detainee said, "Yes". He wishes to attend and speak on his behalf with the board members. The Detainee prefers to respond to the Summary of Evidence after each allegation or statement is read during the ARB. He also wishes to give his oral statement. The Detainee elected to have the Assisting Military Officer submit letters to the board members. A follow up interview was conducted on 23 August 2005 and lasted for 20 minutes. This interview was necessary for the Detainee to bring his letters he wishes to give to the board members. The

ISN 951

Enclosure (6)

Page 1 of 7

21352

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Detainee was very cooperative and very polite during the interview. The Detainee stated he couldn't read or write therefore, he elected not to keep a copy of the Unclassified Summary of Evidence for his review.

Assisting Military Officer: This concludes my comments.

Presiding Officer: Thank you.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, the FBI Redaction Memorandum, DMO-2, and the Terrorist Organization Reference Guide, DMO-3, 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 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.*

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) Abu Faysal, former director of the Herat Wafa office, sent the Detainee to Herat, Afghanistan with money.

Detainee: I have never been to Herat. I have been to Kandahar and I have been to Kabul. I [completed] my mandatory military service in Kabul. That is all I know.

Designated Military Officer: (3.a.2) According to a foreign government service, the non-governmental organization "Wafa" was believed to have connections to Osama Bin Laden and Afghan Mujahideen.

Detainee: I don't know bin Laden and I don't know anybody else. I am a butcher and I have a shop in my village. My father...for generations we have been butchers.

Designated Military Officer: (3.a.3) The Detainee was to travel from Lebanon to Abidjan to assist in a planned attack against an Embassy.

Detainee: I have not even seen Kandahar [that much] how could I have seen [Lebanon]? I have not heard the name Abidjan until now.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee served two years in the Afghan military during King Zair Shaw's rule. He claims he only received basic military training, except for the Kalashnikov.

ISN 951  
Enclosure (6)  
Page 2 of 7

21353

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Detainee: Yes that is correct.

Designated Military Officer: (3.b.2) The Detainee said he was assigned to a transportation unit where he received driver's training and was responsible for the upkeep and maintenance of the vehicles.

Detainee: I worked in the kitchen and I maintained the vehicles.

Designated Military: (3.c) Connections/Associations (3.c.1) The Detainee is a representative in his local village and an assistant to Sher Agha.

Detainee: I told them in my interrogation that Sher Agha is a representative of our village during the time of the Karzai government. When I told them the first time they turned it around.

Designated Military Officer: (3.c.2) Sher Agha is a powerful Hizb-I Islami Gulbuddin commander from the time of the jihad against the Soviets.

Detainee: Sher Agha is a very wealthy man and the letters I am sending [back home] I send to him. He is my elder and he does not need Gulbuddin, mujahideen or these people. He is busy with his wealth and his land. He has not done jihad or been in a party member or anything else. I will give you Shah Agha's address, name, and all of his information and you can ask him what he was doing. He just joined the Karzai government.

Designated Military Officer: (3.c.3) Hizb-I Islami Gulbuddin has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration and establish a fundamentalist state.

Detainee: I swear I don't know Gulbuddin.

Designated Military Officer: (3.c.4) Haji Shah Zada had a dinner at his house the night prior to his arrest. He met an old acquaintance, Abdullah Khan, and asked him to his house for dinner.

Detainee: Yes, I was there too. [I] don't know Abdullah Khan he was Haji Shah Zada's guest not mine.

Designated Military Officer: (3.c.5) Shah Zada also invited Nasorllah, also know as Gano, to the dinner.

Detainee: My name is Nasorllah, my nickname is Gano, and Shah Zada is my friend of forty years.

Designated Military Officer: (3.c.6) Gano and Nasorllah Hussain are aliases of the Detainee.

ISN 951  
Enclosure (6)  
Page 3 of 7

21354

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

**Detainee:** Gano is me, Nasorllah is me, Hussain is my father's name, and I am his friend.

**Designated Military Officer:** (3.c.7) Abdullah Khan, aka Kheirullah, was visiting Haji Shah Zada. Abdullah Khan was the individual that two contacts said was a former commander at Bagram, Shindand, and Kandahar, Afghanistan airfields.

**Detainee:** I am not aware if he is Shah Zada's friend or guest or who he is.

**Designated Military Officer:** (3.c.8) Contacts said the Detainee worked as an intelligence agent for Kheirullah.

**Detainee:** If I have not heard of his name or know him, how could I be his agent?

**Designated Military Officer:** (3.c.9) Soldiers arrested the Detainee, Zada and two others at Zada's house.

**Detainee:** I am not aware of this I was captured alone.

**Designated Military Officer:** (3.d) Other Relevant Data: The Detainee has harassed guards verbally and non-verbally and occasionally has failed to obey rules.

**Detainee:** Anything that I have seen I will tell [you]. That is the rules. I am telling you that I haven't...I cannot lie that I have not done it...I haven't looked at them, I haven't harassed them, I haven't disobeyed them. Not to the soldiers, not to the MPs, not to any of them...I have [not] done anything.

**Designated Military Officer:** (4.) The following factors favor release or transfer: The Detainee advised he and other men never talked about doing harm to the Americans during the card game the night before his arrest.

**Detainee:** Yes, I was playing cards. When we were playing cards [and] we were talking about the big fighting dogs that we have back home. We have small birds that we tame and make them fight [too]. We were talking about these [things] in our conversations. I was having a party...I had nothing to do with that night.

***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:** Yes sir, the Detainee wishes to make an oral statement and submit a couple of written letters from family members.

ISN 951  
Enclosure (6)  
Page 4 of 7

21355

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

*The Assisting Military Officer presented the written letters, Exhibits EC-C1 thru EC-C7, to the Administrative Review Board.*

*The Presiding Officer stated that the Exhibits should be Exhibit EC-C1 and EC-C2 and there are a total of seven pages.*

Presiding Officer: You may begin your statement and you may talk about the letters at this time too.

*The Detainee made the following statement:*

Detainee: All I want to say is that Americans did not come and pick me up the local people did. My family started crying and these things. I have nothing to do with the politics or the government. I am a butcher, my father was a butcher and I was just serving my family and my country. When Americans came I was happy about it because my children were going to school. Is that not good enough? [The Americans] helped us regarding the schools and that is a big deal. The night they captured me I borrowed 1,000 Afghanis to buy flour or wheat for my family. I had no money for them to live. I have a seven year old son and I left...I left the rest of them...seven or eight members of the family...I don't know what they will eat or how they will make it to survive. The letters that have been written to me say that I have been wrongfully accused. Would you like for me to read them to you?

Presiding Officer: He can read or you (referring to the linguist) can read it on his behalf since he is illiterate.

*The linguist read Exhibit EC-C1 and EC-C2 on behalf of the Detainee to the Administrative Review Board.*

*The Detainee made the following comments:*

Detainee: I am a mess you [Board Members] have to help me...I am really in bad shape.

Presiding Officer: Does that conclude your statement?

Detainee: I don't have any other [information].

*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: You said that you could give us the address of Shah Zada. Can you do that for us at this time?

Detainee: I said to Sher Agha.

ISN 951  
Enclosure (6)  
Page 5 of 7

21356

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Board Member: Do you have Sher Agha's address not Shah Zada?

Detainee: Yes, it is even written in the letters.

Presiding Officer: So, is one of these letters from Sher Agha?

Detainee: I send all of my letters to him. I can [give] the address to you right now.

Presiding Officer: These responses are from Sher Agha and he is assuring you that your family is okay and that kind of stuff.

Detainee: I am Sher Agha's cousins husband.

Board Member: Give us Sher Agha's address.

Detainee: Kandahar City, First...like each post office has a...like each mayor has a part of the city...First District. It is not written here (referring to the letter). Kandahar City, First District, Iman Barah, New Street, Kandahar Afghanistan.

Board Member: Do you have the address of the guy that you were playing cards with?

Detainee: They were the guests of Shah Zada and they left. I don't know [their addresses].

Board Member: [Did you] know any of the other guests that were there playing cards?

Detainee: We don't have the habit of asking who are you, where you come from, and these things. We just talk.

Board Member: The night you were arrested were you the only one arrested at the card game?

Detainee: I was not captured on that night I just got captured from my house. I don't have any idea about them.

Board Member: Were they all Afghani's that captured you or were any Americans involved in your capture?

Detainee: There were no Americans they were all Afghani.

Presiding Officer: You said that they turned around the story about how you described to them about being an assistant to Sher Agha.

Detainee: Sher Agha was the person that took part in the *Loya Jerga* (which means all tribes coming together to talk) that happened during the time that Karzai wanted to be elected president. He does not have any assistants or anybody and he does not have a party or anything. He just does his job.

ISN 951  
Enclosure (6)  
Page 6 of 7

21357

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Presiding Officer: When you say 'he' are you referring to yourself?

Detainee: [I am referring] to Sher Agha.

Presiding Officer: What is your association with Sher Agha?

Detainee: He is my countryman, he is older than me, and his cousin is my wife.

Presiding Officer: Thanks.

*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

ISN 951  
Enclosure (6)  
Page 7 of 7

21358

UNCLASSIFIED//~~FOUO~~

# UNCLASSIFIED

## CORRESPONDENCE SUBMITTED ON BEHALF OF ENEMY COMBATANT

ISN 951

Exhibit #	Date	Classification	Guantanamo#/ICRC Letter #
EC-C1	4/05/2005	UNCLASSIFIED	GUAN-2005-A01297/ICRC #8501
EC-C2	5/07/2005	UNCLASSIFIED	GUAN-2005-A01503/ICRC #8675

UNCLASSIFIED

21359

Enclosure (4)  
EC-C  
Page 1 of 1