

UNCLASSIFIED//~~FOUO~~

Summary of Administrative Review Board Proceedings for ISN 954

*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 declined 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 Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's ARB interview occurred on 19 August 2005 and lasted for 20 minutes. After a review of the ARB's purpose and procedures, the Farsi translated Unclassified Summary of Evidence was read to the Detainee. When asked if he would like to attend the ARB, the Detainee stated he wishes to attend, and personally answer the allegations or statements in the Unclassified Summary of Evidence. The Detainee prefers to respond to the Unclassified Summary of Evidence after each allegation or statement is read during the ARB. The Detainee stated, "I may give an oral statement depending on how I feel on that day." He was very cooperative and polite during the interview. The Detainee elected to keep the Farsi translated Unclassified Summary of Evidence for his review.

ISN 954  
Enclosure (5)  
Page 1 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

*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 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.*

Detainee: There are some minor differences between the papers that I have right now and the ones that were read to me on Friday. The difference is not big, but there are some small differences.

Presiding Officer: When we get to those items you can clarify them at that time.

Detainee: Yes, I will respond to them when the allegation is read to me and then I will say what I have to say about them.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Connections/Associations (3.a.1) The Detainee was the former district officer for the Taliban in Zormat, and was part of the leadership for the Zormat district Taliban network under Saifullah Rahman Mansur.

Detainee: [The word] officer is a general term. I want to know from you what was my exact duty? What was my duty in Zormat with a group of the Taliban? What did I do there?

Designated Military Officer: There is no additional information.

Presiding Officer: It just says former district officer for the Taliban.

Detainee: What kind of an officer, what kind of duties, an officer in general is a big term and...

Presiding Officer: Maybe you can clarify it for us and tell us.

Detainee: According to the allegations they should tell me what my...

Board Member: The inference is that you represented the Taliban in Zormat.

ISN 954  
Enclosure (5)  
Page 2 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

**Detainee:** It is important that you tell me what my exact duties were in Zormat because there is an allegation about me [being] there as an officer. Sure I was there as an officer, but what charge are they accusing me of? That is very important.

**Presiding Officer:** Okay next item. We may ask you questions when it comes time to our question session. You are able to respond to these items now the best that you can. If we don't feel like you have answered enough we will ask you later.

**Detainee:** First I would like to finish this one and then move on to the next one.

**Presiding Officer:** You can finish it by clarifying what the board member pointed out to you. I thought he explained it quite well. If you can answer his question then we can move on. We are satisfied with your comments.

**Detainee:** When the interrogators ask questions that is different. They can ask any kind of question, they can make things up, they can say whatever they want to say, just to make us talk or get something out. But, when I come in front of the board, this prestigious board, the members of this board should do some homework to find out what kind of person I am and what I did. When you take an oath that you will do your job rightfully, to the best of your knowledge, and to the best of your ability, you should do that and find out exactly why I am here and what kind of charges they have for me. I don't have any complaints from the interrogators because they are young people and some of them are inexperienced and they just come here and want to do the job and get it done. But, you people are not young people. You are old enough adults and responsible people and this is not an easy matter because my life depends on this. I expect you guys to do your best to find out the truth about the allegations before you say them. In the first Tribunal (CSRT) I was very optimistic that they would find out the truth about the things that I said to them. Whether I am guilty or whether they have me here by mistake. I gave a complete and thorough explanation of all of the things about me to them and I was expecting them to make a sound judgment about me and what kind of person I am. If I was a guilty person, if I was someone who got here by mistake, or if this was a trap or something.

**Presiding Officer:** Let me just explain one thing. We are going to go through the Unclassified Summary and then you will have an opportunity to give us a statement and at that time you can bring this up. For now I would like to stick to the Primary Factors, any Other Relevant Data, and the Factors Favoring your Release or Transfer.

**Detainee:** Yes, you can read the allegations but we will talk about them point by point.

**Presiding Officer:** In this allegation it says that you were part of the leadership for the Zormat district as a former district officer for the Taliban. We do not know what your duties were. If you want to tell us what your duties were that is fine. We don't have [the duties] in this sentence so we cannot answer that question.

ISN 954  
Enclosure (5)  
Page 3 of 14

UNCLASSIFIED//~~FOUO~~

~~UNCLASSIFIED//FOUO~~

Detainee: It is important that the person who told you this allegation about me should have clarified it and told you what my position was there and what I did for them as an officer.

Presiding Officer: That is fine and we may go back and ask that individual, but right now you have the opportunity to clear it up and tell us what you know and then we can move on from there. If you don't want to then we can move to the next question.

Detainee: I would like to discuss this point in details if you will allow me. I am here in chains and I am under your control so if you will allow me [to discuss it in detail] that is fine and if not that is fine too. You have the authority and you are in power.

Presiding Officer: You can discuss it in detail, but we are not here to answer questions about what your duties were. We only have that sentence to go with.

Detainee: I want this to be different from the Tribunal (CSRT), not exactly the same as a Tribunal. In the Tribunal I lost hope in the high-ranking officer that [was] running that board because the questions they were asking were very simple questions. It was like the [questions] were given to them by somebody and they didn't have any idea about the questions they were asking me. Also, I don't want the same mistake to happen again. Yes, that is right I am a Detainee here and they have told me that I am an Enemy Combatant, but when I asked them why they chose me as an Enemy Combatant they could not give me a straight-forward answer. Just like what is happening here. I am asking you questions and you cannot give me a straight-forward answer.

Presiding Officer: Let me try to clarify...your status has already been determined by the CSRT to be an Enemy Combatant. We are here to determine whether you continue to pose a threat or are no longer a threat to the U.S. and its allies so that we can transfer you, release you, or continue to detain you. That is what we are going to do through this process, but I cannot answer questions that I don't have the answers to in front of me in this Unclassified Summary. With your cooperation, our listening, and our questions afterward we will answer any questions you have if we can. If you would allow us to, we are going to continue to number two, because I am not sure if there is anything we can add to question number one and you have answered it as much as you are willing to.

Detainee: Nothing is over and we have not talked about the first charge. They are saying that I and one of the Taliban officers were in Zormat. I asked what was my duty there, during what time and what year? The question should be an exact question and to the point.

Presiding Officer: It is not a question it is a statement being made by the Designated Military Officer. It is not a question. You can confirm it, deny it, or not respond at all.

Detainee: Anyway the charge should have read at this time, this place, and exactly what I was doing. Then it would have been a correct allegation. If you want to move on we can move on.

ISN 954  
Enclosure (5)  
Page 4 of 14

~~UNCLASSIFIED//FOUO~~

UNCLASSIFIED//~~FOUO~~

Presiding Officer: Yes, lets move on.

Detainee: Let me give an answer to this and then we will move on. I want to tell you that since the Taliban took control of Afghanistan and Kabul I did not work for them. Not for one day or one night and not from their arrival until the time I was sent here. From the time that I was captured and until now if they can prove that for even one day I worked for the Taliban I would say okay and accept the charges that they have for me. In the Tribunal they had this allegation too. The allegation that I was a commander for the Taliban in Zormat and I told them all it would take is a phone call. You can call anybody in Zormat and ask [him or her] if I had a commanding job with the Taliban in Zormat. In five minutes you can get an answer that I did not have anything to do with the Taliban or work with the Taliban. If you want to get to the truth of this matter you can call someone in Zormat. Now [the allegation] has [changed] from a commanding job to an officer job. Even now, if you want, you can call someone and ask him or her if I had anything to do with the Taliban or if I ever worked with the Taliban from the time that they were in power or the time I was arrested. Do you understand?

Presiding Officer: Yes, we understand.

Detainee: I want to tell you this truthfully. Every since the Taliban took control of Kabul or the country I did not have anything to do with them and I did not work with them up to the day I was arrested. There are a lot of allegations on Detainees that are far, far away from the truth. You are so far away from Afghanistan and you don't have any connections with the Detainees. They give you a file and in this file there are things written that are so far away or have big differences between the personality and the kind of person that I am.

Presiding Officer: Lets move on to the next one and you can give us this kind of statement at the end. Right now we would like to get through the Unclassified Summary. At the end you can give this kind of open statement to us.

Detainee: Will [you] allow me to tell you a little bit about myself, what I did, and what I do before we move on to the second point?

Presiding Officer: Again, I will be more than happy to listen to it just save it for the open statement. After your statement there will be time for us to ask you questions. That will be a more appropriate time. Please bear with us.

Designated Military Officer: (3.a.2) Saifur Rahman was the deputy commander of the Kargha garrison west of Kabul during the Taliban rule. He returned to his native Zurnat district in Paktia after the Taliban defeat.

Detainee: I have never heard of anyone by that name and I have no connections to him. There is another person named Saifur Rahman Mansur. What name do you have? Is it Saifullah Mansur or Saifur Rahman Mansur?

ISN 954  
Enclosure (5)  
Page 5 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Designated Military Officer: The name in this statement is Saifur Rahman and the one in the previous statement is Saifullah Rahman.

Board Member: Assume it is the same person.

Detainee: If he was a commander it has nothing to do with me. The thing that has a connection to me is I was working under him. Do you understand? The only part that has anything to do with me is just like in the first allegation that I worked under Saifur Rahman Mansur. Do you understand?

Presiding Officer: So, the first statement yes...Abdul worked under Saifullah Rahman Mansur. This [second] statement is tying Saifur Rahman as the deputy commander that returned to the Zormat district. If you have never heard of this that is fine. If you want to elaborate on it that is another story. It is just saying that this individual that Abdul worked under returned to his native Zormat district.

Detainee: I have heard of him, but in all my life, in the city of Gardez...I don't know him but I have heard of his name. I don't know him personally. You can review my file and get more information from there. From the time of my arrest eight years ago...when Rubanni was the president of Afghanistan, before the time the Taliban took over, one day I went to Gardez to buy some stuff for my home like rice and sugar. I was on one side of the street and I saw someone on the other side of the street being followed by two armed persons. It was a big street and on both sides there were shops. It was a two-way street. I heard from someone that he was Mansour's son. I saw that person and I asked someone and they told me he was the son of Mansour.

Presiding Officer: Sir, all it is saying is that Saifur Rahman returned to his native Zurmat district in Paktia after the Taliban defeat. It is not saying anything about Gardez. It is talking about Paktia. If you have no knowledge or comment on that, that is fine, but where his sons were does not answer the question.

Detainee: The person that we are talking about, the son of Saifur Rahman Mansour, people know him by his father's name, he is not a big person or anything. People know him by his father's name and that is why they got this confused. It is actually the son of Saifur Rahman and not himself. His father is known by the name Mansour and people say that he is the son of Mansur. Do you understand?

Board Members: Yes, we understand.

Detainee: I just want to prove the point that I saw this person one time and it was from far away. That is all. Before that I had never seen him. I don't know him, he is not related to me, he is not from my village, and I have no connections or ties with him. If I had any of these connections to him then you could say something. He's not from my village, he's not my relative, and he does not have any connections or ties with me.

Presiding Officer: Please continue.

ISN 954  
Enclosure (5)  
Page 6 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Designated Military Officer: (3.b) Detainee Actions and Statements (3.b.1) The Detainee was the commander of a group of 50 former Taliban in Neka, Paktika Province, Afghanistan. The group was part of Saifullah Rahman Mansour's troops.

Detainee: If Neka is somewhere in the Paktia province then I would say that yes, I am guilty. On the first day they told me it was in the city of Neka, but now it says in Neka in Paktika Province. They can refer to the map of Afghanistan or ask some other people if there is such a place in Paktika called Neka. Because of allegations like this, there is always misinformation given out.

Presiding Officer: We can agree with you there, but how about the beginning of the sentence where it says you were the commander of 50 former Taliban. Forget the town of Neka right now. Can you respond to that portion of the question?

Detainee: If there is no such place called Paktika Province called Neka, then how can I be a commander there? For example, your area commander in the city of Washington, but there is no city in America named Washington. Wouldn't that make this an incorrect statement if I said something like that?

Presiding Officer: We will look into Neka, but we don't want to dance around the sentence. Anything you can enlighten us with in regards to the comment that you were the commander of a group of 50 former Taliban in Paktika Province in Afghanistan would help. Take the word Neka out of there and is there any truth to that statement?

Detainee: Yes, if I were to say that there was such a place called Neka that existed there then I would say yes, that this allegation is completely true. You can make a phone call to the Afghanistan government from here and ask them if a place such as Neka existed in Paktika. If no such place existed by that name then how can I be a commander there?

Presiding Officer: Thank you.

Detainee: Whether Neka is a place or not, I am not a commander for one person or fifty people.

Presiding Officer: That is all we were looking for, just an honest answer.

Detainee: I just want to make a point as to the information that has been given to you. I do defend myself, because it is my duty to defend myself. I want to make a point that this is the kind of information that you have in my folder. There is no such place by the name of Neka in Paktika. And whether this place exist or not, I have not been a commander there for the Taliban and I was never a commander.

Presiding Officer: Next question.

Designated Military Officer: (3.b.2) In late July 2002, Mansour's group attacked locations in Gardez and Zormat including the United States' compound in Gardez.

ISN 954  
Enclosure (5)  
Page 7 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Detainee: I don't know anything about this. If he did this or did not do this that is up to him. It has nothing to do with me and I don't know that person. The other thing that I want to point out is the use of the months like January, February, March, and April, we don't go by these months in Afghanistan. Yes, some people may know them, but most people don't know them. When I write letters or get letters we write these dates down.

Presiding Officer: Yes, we understand that and you said you have no knowledge of the attack.

Detainee: I just want to tell you the truth that I have no knowledge about this.

Designated Military Officer: (3.b.3) On 07 Feb 03, when United States and Afghan Military Forces attempted to search the Detainee's home, the Detainee went to the roof and fired shots from his AK-47. United States and Afghan Military Forces returned fire.

Detainee: In my file there is a detailed explanation about this incident. Also, during the Tribunal I gave a detailed explanation about this. The truth is I have never fired anything towards the Americans. Something happened and it was at night and I was sleeping with my kids. When we heard a knocking sound from around the house and when I got out of the room and in the yard...if you want me to tell you I will tell you, but if not we can move on to the next one.

Presiding Officer: It is whatever response you want to make to the comment that was read to you.

Detainee: In my country the houses are like a big compound, like a big house, like a fortress. The walls are six meters high and one meter thick. Next to one of the walls is the room and when I got out of the room I heard someone knocking on the entrance door and I heard voices outside the compound. The females in the house got up and came outside too. The ladies went toward the door and we heard someone say open the door we are from the government and we are here to search the house. I told the ladies no that it was the middle of the night and they are [probably] thieves and robbers. We had a few incidents happen in my province like this. It happened a few times and the people wore clothing that the government people would wear. They would knock on peoples door and say that they were from the government and that they were here to search the house. I will tell you about an incident and you check with the government of Afghanistan. There is a place in our province called Azar Khil. During the night [someone] went to this house and presented themselves as government people. They said they just wanted to search the house. They got inside the compound and robbed them of jewelry, money and valuables and left. This is a true story and you can find out more information if you would like. Just recently it happened again in Mosawal. [A man there] had recently sold his land and had 150,000 Kaldar, Pakistani money...

Presiding Officer: Hold on. I am not sure how this connects to you being on the roof firing shots from your AK-47. This is leading away from the sentence that was read. It

ISN 954  
Enclosure (5)  
Page 8 of 14

UNCLASSIFIED//~~FOUO~~



UNCLASSIFIED//~~FOUO~~

was a nice story and I understand that thieves will wear the uniform and go around and steal from their neighbors, but that is not what this sentence is saying. I understand how the story correlates to you thinking maybe they were thieves, but the statement is you went to the roof and fired shots from your AK-47. That is the only explanation we are looking for.

Detainee: Yes, there is a connection. I would not waste your time for nothing. I will shed some light on the subject. This place I told you about, Mosawal, they went in, got the money, and killed the man of the house. Things like this happen in my province a lot. You can ask the government of Afghanistan if things like this happen there. When I heard them say they were from the government and they were there to search the house, I thought the same thing would happen to us. I was very afraid and I told the ladies to tell the people if they were from the government that this was not the time to operate because it was late at night. I told the ladies to tell them that there were no men in the house, only ladies and children, and that they could not open the door for them. Also, if they were really the government's people [they] should wait until the morning. [The people] said no, open the door we want to search the house. I did not talk to [the people]. I communicated to them through the ladies [all of the information I stated above]. They did not accept [that] and they tried to forcefully open the door. Back home the doors for the fortress entrance is very thick and very strong. When I saw that they were trying to open the door by force, I thought that they were thieves. I went back in the room and I got my Kalashnikov and I went to the roof and fired a few shots up in the air. I just did that to make them realize that there was a weapon in the house and they could not just force their way in. When I was firing shots I did it to scare them not to kill them or hurt them. Even if they were thieves I did not want to hit them. My compound is in the middle of the desert and it is far away from other houses. There are no other houses near us and we are in the valley. Even though I knew that they could be thieves, I did not want to shoot them because I knew there would be consequences. I just fired a few shots in the air just to scare them. As soon as I started firing shots I heard the people surrounding the house start to return fire. We were under fire from all different directions. I was dazed and amused by what was happening. When they returned fire I was kind of surprised. I was like what was happening because they were different kinds of weapons and [not the kind] that the thieves would have. It lasted for a long time until an airplane came by. Then a few jets came by and circled a few times. When the planes came by I realized that they were not thieves, they were the government. I got down from the roof and went to my mother's room and I told her I made a mistake and I fired on these people and they are from the government. We [decided] that I would go outside and talk to them and they could come in and search the house. During this process some time passed by and now we could see daylight. I asked permission from my mom to open the door and let the people from the government come inside. When I opened the door, I saw Americans far away and I signaled for them to come in the house. [The Americans] did not come at first, but the Afghans came [to me], then the Americans came and they handcuffed me. They tied my hands, put a hood on my head, took me to a car, and went inside the compound to search [it]. While I was inside the car they went in and searched the house and when they were done they took me to Gardez. This is the

ISN 954

Enclosure (5)

Page 9 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

story about firing shots. It was just a misunderstanding. I did not fire at Americans, I just fired a few rounds in the air because I thought they were thieves and I wanted to scare them off.

**Designated Military Officer:** (3.b.4) The Detainee's neighbor fired upon the forces and United States and Afghan Military Forces returned fire to both locations.

**Detainee:** I have no knowledge about that because my compound is very far away from the other compound that is close to me. If they did fire, I have no knowledge about that because I was preoccupied with myself. I could not get up and see what was going on.

**Designate Military Officer:** (3.b.5) After a firefight, United States forces negotiated with the Detainee to surrender.

**Detainee:** That is not true.

**Presiding Officer:** Please explain.

**Detainee:** When I got down from the roof I called the Americans myself so that they could come and search [the house].

**Designated Military Officer:** (3.c) Other Relevant Data: The Detainee denied having any position as a district officer in Zormat, though he was a leader at a time when the area was technically not a district.

**Detainee:** It is still not a province. Even now, today, it is still not a province.

**Presiding Officer:** No further comments?

**Detainee:** No I did not have [a position as district officer] and I did not work for the Taliban in Zormat. Zormat is not like a province it is just a smaller...Zormat is not a state or province by itself, but it has a connection to that like a county.

**Designated Military Officer:** (4) The following primary factors favor release or transfer: The Detainee stated the occupation by United States forces was very good because he felt safer with United States forces providing security.

**Detainee:** Like I said before there were thieves and car-jackers and since the Americans were there the place was kind of safe because they brought security to that area.

**Designated Military Officer:** This concludes the Unclassified Summary.

*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.*

ISN 954  
Enclosure (5)  
Page 10 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

*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: In response sir, only if he feels like making a statement.

Presiding Officer: [Detainee] you may begin your statement if you have one.

*The Detainee made the following statement:*

Detainee: I just want to tell you a little bit about my life and what I did. I had a small school for the children in my village. For eleven years I had a private school that I was teaching first, second, and third grade [up] until the time I was arrested. I did my duty as a teacher and I made a living doing that. I had some land [also] and after my teaching job I would go in the field and work the land and take care of the animals. My house is in the valley and there are ladies and children in the house. My mother is very old and weak and I try to take care of her as well. Sometimes her condition changes rapidly and her blood pressure will go up or down or she will have trouble breathing. I would take her to the doctor or I would bring a doctor to see her. Therefore, I cannot go to far away from my mother because I will not be there to help her. For the past ten years, this is what I have been doing. I have been teaching, working the land, and taking care of my family. This has been my duty for the past ten years. I could not go [anywhere] to far away because there was nobody else to take my place. I have letters from my family that say I was a teacher and that I did not do anything bad and maybe I am here because it is God's will. I have many letters like this in my possession. [My family] is surprised that I would have been here this long because they know that I would not do anything bad or work with bad people. I was just a teacher and I was working the land and they are kind of surprised.

Presiding Officer: Thank you. Does that conclude your statement?

Detainee: The only thing that I am not [in agreement] with is the classified information that you have. If you have any information about me you should just bring it out into the open and tell me about it.

Presiding Officer: I am sorry, but we can not. The classified information is not available for your review.

Detainee: I am not a big person; I am just a poor person. I don't know what kind of information you have on me but I am telling you it is not true.

Presiding Officer: Just as an explanation classified information is information that the owning government agency has decided that could cause damage to our national security if released. This board does not have the authority to change that decision.

Detainee: I am not that kind of person and I am not a threat to you or America. I just wanted to find out [about the classified information].

ISN 954  
Enclosure (5)  
Page 11 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

*The Assisting Military Officer had no further questions for the Detainee.*

*The Designated Military Officer had further questions for the Detainee.*

*Administrative Review Board Member's questions:*

Board Member: When the soldiers came to your home and identified themselves, did they do it in your native language?

Detainee: Yes, they were speaking Pashtu.

Board Member: Did they say they were Americans?

Detainee: No, they were mostly Afghans, but there were Americans with them. The Afghans knocked on the door and were communicating with the ladies.

Board Member: They did not indicate that there were Americans outside?

Detainee: No. When it was dawn and I opened the door I saw the Americans far away, I motioned for them to come [to the house].

Board Member: How many weapons were confiscated from your house?

Detainee: One.

Board Member: Were you the only one that fired the weapon?

Detainee: Yes. I was the only one because the government people and Americans surrounded my house.

Board Member: Is the only weapon you had your Kalashnikov?

Detainee: Yes, it belonged to my father and now I have it.

Board Member: That is all I have.

Detainee: In Paktia almost everyone has a Kalashnikov or a weapon for protection. The [Kalashnikov] was from a long, long time ago. It is a common thing [to have a weapon] and the government does not mind either.

Board Member: Was anyone injured in the firefight?

Detainee: No, because I was just shooting in the air to scare the thieves away and...

Board Member: When the soldiers fired into your compound did they hurt anybody?

Detainee: No.

ISN 954  
Enclosure (5)  
Page 12 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Board Member: Were you the only one taken away that night?

Detainee: Yes.

Presiding Officer: How about your neighbors?

Board Member: What happened to your neighbors?

Detainee: I don't know. When they cuffed me and put me in the car, I sat there until they took me to Gardez.

Board Member: How many women were in the compound?

Detainee: Four adult women [were in the compound], my mother, my wife, my sister and my sister-in-law.

Board Member: How many men were in the compound?

Detainee: Just myself. I have four sons and one daughter.

Presiding Officer: Could you have commanded the 50 former Taliban members during the time that the Soviets were invading Afghanistan?

Detainee: Like I said before, there is no such place as Neka, I was never a commander for 50 people, and I was never a commander for the Taliban and I did not work for them. If you want to ask about the time of the Russians I can answer more questions about that.

Presiding Officer: I just thought when they made that comment that maybe during the time of the Russians that you were the commander of 50 people.

Detainee: No, I was not a commander during the Russian jihad. I was in Pakistan during that time. At that time my father was ill and old and I was helping him in Pakistan.

Presiding Officer: When you return to Afghanistan, should you return, be transferred, or released back, what will you do?

Detainee: I will do the things that I did before. I will teach, take care of the children, the land, and my family.

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

*(The Detainee interrupts with the following questions:)*

Detainee: When will I be notified [of the outcome]?

ISN 954  
Enclosure (5)  
Page 13 of 14

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Presiding Officer: No date or time has been decided and I cannot give you one at this time.

Detainee: Months, weeks?

Presiding Officer: The Designated Civilian Official has not made his decision. This means the date has not been set yet. After a date is set you will be notified.

Detainee: Okay. I have tried very hard in front of the officers and military people and now the decision is going to be made by the Designated Civilian Officials in D.C.

Presiding Officer: We will make a recommendation to him and he will come to a final decision.

Detainee: Please give good comments about me.

Presiding Officer: Very well.

*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 954  
Enclosure (5)  
Page 14 of 14

UNCLASSIFIED//~~FOUO~~