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Summary of Administrative Review Board Proceedings for ISN 955

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 was sworn.

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.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-3, other unclassified information 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 and Detainee.

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 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.

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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 made a statement on the Detainee's behalf. The Detainee concurred.

Assisting Military Officer: The Detainee's initial Administrative Review Board interview occurred on 6 Jul 2005 and lasted for about 34 minutes. After a review of the Administrative Review Board purpose and procedures, the Pashtu translation of the Unclassified Summary of Evidence was read to the Detainee. The Detainee wanted to attend the Administrative Review Board to answer any questions that the board members might have for him, although he wished the Assisting Military Officer to read the Detainee's responses to the Unclassified Summary of Evidence. A follow up interview was conducted on 7 Jul 2005 and lasted 45 minutes. The Detainee was cooperative throughout both interviews, and asked how long the Administrative Review Board process would take.

The Assisting Military Officer read the following comments in response to information in the Unclassified Summary of Evidence:

Assisting Military Officer: In response to the allegation that the Detainee was suspected of involvement in rocket attacks against the United States or coalition forces and participation in the manufacturing of false visas, the Detainee laughed and said that he had not heard anything about this before. In response to the allegation that the Detainee was part of Saifulrahman Mansur's network in the Zormat District of Paktia Province, the Detainee said that he knew of this person, but does not know him personally. In response to the statement that Saifulrahman Mansur is an al Qaida exfil contact and former Commander of the Taliban's 8th Division in Kabul, Afghanistan, the Detainee said that he did not know this person or anyone who works for him. In response to the allegation that the Detainee met Noorullah, a member of Saifulrahman Mansur's network in November 2002, and that Noorullah has been identified as launching rockets at the United States forces in Gardez during November 2002, the Detainee said he did not know this person. Noorullah lives in the Detainee's neighborhood but they are not friends with each other. In response to the allegation that the Detainee was identified as Mullah Qasim, nicknamed "The Punisher," Chief of Investigations and Interrogations for the Taliban in Zormat, Afghanistan, the Detainee laughed and said that he did not know of any "Punisher". This allegation was wrong. The Detainee said that he worked for the Taliban in Zormat, but that he only worked in road construction. In response to the allegation that the Detainee was identified as being in charge of Hezb-e-Islami Gulbuddin operations in Jalalabad, Nangarhar Province, Afghanistan, and the Detainee said that he had no knowledge of this. He also said that he had never been to Jalalabad. He seemed momentarily surprised at the reading of this allegation. In response to the statement that the United States Department of Homeland Security has designated Hezb-e-Islami Gulbuddin as a terrorist organization, the Detainee said that he did not know about this, since he has nothing to do with Hezb-e-Islami Gulbuddin. In response to the statement

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that Gulbuddin Hekmatyar founded Hezb-e-Islami Gulbuddin as a faction of the Hezb-e-Islami Gulbuddin party in 1977, and that it was one of the major Mujahedin groups in the war against the Soviets; that the Hezb-e-Islami Gulbuddin has long established ties with Usama Bin Ladin; that Hezb-e-Islami Gulbuddin has staged small attacks in its attempt to force United States troops to withdraw from Afghanistan, overthrow the Afghanistan Transitional Administration, and establish a fundamentalist state, the Detainee said that he had nothing to with these people. In response to the allegation that on 9 August 2002, Mohammed Qasim attended a meeting in which tow arms of the Union of Mudjahedin were established; one arm would carry out clandestine attacks and the other guerilla style attacks, the Detainee responded that he had no knowledge of this. In response to the statement that the Union of the Mudjahedin of Afghanistan is newly formed and alleged to plan attacks against the United States and Afghanistan entities, the Detainee said that he did not know about this. In response to the statement that Jalaluddin Haqqani and Gulbuddin Hekmatyar provided the overall leadership for the Union of the Mudjahedin of Afghanistan with support, guidance, and funding provided by al Qaida, the Detainee said that he did not know these people. He knows the names, though. Even Afghani children know these names. In response to the allegation that in early August 2002, a meeting of the Union of the Mudjahedin of Afghanistan was held; that during this meeting Mohammed Qasim was named sub-commander for the District of Jajimaidan, the Detainee laughed and said that he had no knowledge of this. In response to the allegation that the Detainee was present at a December 2002 meeting during which members of the Hezb-e-Islami Gulbuddin and Taliban discussed waging jihad against United States military forces in Afghanistan, the Detainee said that he had never been there and had no knowledge of this. In response to the allegation that the Detainee was found and captured at a compound by United States and Afghanistan military forces, the Detainee said yes, he had been in his house when captured. In response to the allegation that the Detainee worked for the Taliban for five years, the Detainee said that this should be four or five months, not years. In response to the allegation that the Detainee admitted working for the Taliban as "an organizer" on road construction, the Detainee said yes, he was responsible for organizing the tools, equipment, used by road crews, sort of like a warehouse keeper. In response to the allegation that the Detainee had 18-20 Taliban soldiers working for him, the Detainee said that at various times there 80-90 people working on the road repair crews, and he was one of them. The roads always needed repair. In response to the statement that the Detainee denied getting weapons or explosives training at the Alizai refugee camp, the Detainee agreed that he had never received training at this camp. In response to the statement that the Detainee continues to deny committing any crimes or being involved with anyone who has, the Detainee stated that this is correct. In response to the statement that the Detainee denied owning any weapons and he did not have access to weapons of any kind or anywhere, the Detainee again asserted that he did not have access to weapons. In response to the statement that the Detainee insisted that he has had no involvement with anti-coalition actions, the Detainee said that this was correct. In response to the statement that the Detainee denied meeting Jalaluddin Haqqani, the Detainee said that this was correct, and he had never met this individual. In response to the statement that Detainee said his intentions if released were to go back to his country

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and work for a wage, the Detainee agreed and said that he wanted to live a simple life and return to a laboring job.

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 Detainee made the following statement:

Detainee: I have a question, but some of the answers I prepared against the allegation. I wanted to talk about that. I heard this name but I didn't have any relationship with that person (referring to Saifulrahman Mansur). I know that he was a Taliban member. I have no knowledge [of] how many people were working for him [or] what he was doing. I want to talk about Noorullah. Noorullah was my neighbor. I know him because I met him in a mosque...or in a market...or in the neighborhood. I don't know about his political involvement. I don't have a personal involvement with this person...I just meet him sometimes...once in a while...occasionally, in the market. You talk about [me] working for [the] Taliban. Yes, I admit, I worked for the Taliban in a special project...that project [had] 60 - 70 people working...like me. I wasn't the boss, or foreman, or something like that. I was a very simple worker. No one was working for me...nobody was reporting [to] me. I was working as a simple [laborer]. Another place that was mentioned...I [went] to work there to gain money. People [gain] money in different ways...but I mean...I'm working in a simple...to gain money in a simple, peaceful way. There were a lot of questions, but I don't remember everything. I want to tell whatever is not clear, but I don't remember them.

Presiding Officer: Was there anything that was incorrect in the statements read by the Assisting Military Officer?

Detainee: It's not clear...I don't want to twist it. I think people can twist it different ways, but I want it to [be] clear. I don't want to take your time, but one or two questions...(translator goes over the allegations with the Detainee)

Presiding Officer: Mr. Qasim, we will be asking questions, so perhaps it will clear up more. In the end if there is anything additional you would like to discuss we can open it back for you.

The Assisting Military Officer had the following questions:

Assisting Military Officer: Do you have any scars...significant scars on your body?

Detainee: Yes, many scars.

The Designated Military Officer had no further questions for the Detainee.

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Administrative Review Board Member's questions:

Board Member: Mr. Qasim, I'd like to ask you about your neighbor Noorullah. Did you know of him ever to attack coalition or U.S. forces?

Detainee: No, I don't know anything about that. I [do not] have much [of a relationship] with him. He was just our neighbor...he was living in our neighborhood.

Board Member: Did you know of any personal groups that attacked U.S. forces or coalition forces?

Detainee: No, I don't.

Board Member: Mr. Qasim, when you were in Pakistan did you attend a Madrasa?

Detainee: No, I went to school.

Board Member: Can you tell me about the refugee camp that you were in in Pakistan?

Detainee: They call it 'old camp'...number two camp.

Board Member: Can you explain what it was like there?

Detainee: Yes, there was a clinic...there was a school and people were living around there...and international aid was given to the refugees.

Board Member: Was everybody there [from] Afghanistan?

Detainee: Yes, everyone was [an] Afghani refugee.

Presiding Officer: At that camp was there any military training...any weapons training conducted at all at that camp?

Detainee: No, there were people's houses...a clinic and school.

Board Member: Mosque?

Detainee: A lot of mosques?

Board Member: How large...kilometers of the camp?

Detainee: Do you mean how many people lived there?

Board Member: Yes.

Detainee: Approximately, 2,000 to 3,000 people were living there.

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Board Member: You're from the Niknam village?

Presiding Officer: What village are you from?

Detainee: Niknam (*name of village*).

Board Member: How large was that?

Detainee: Approximately, 60...70 houses.

Board Member: Any stores...shops?

Detainee: Yes.

Board Member: What was it like there?

Detainee: Household items.

Board Member: What [is your] tribe?

Detainee: Mamuzi. Niknam (*name of village*) is a big a place and there's a lot of different tribes living there. My tribe's name is Mamuzi.

Board Member: Did your family with you in your village...did your parents and your brothers and sisters?

Detainee: My brothers...my mother...everybody was living with me.

Board Member: What did you do on the road construction? What was your job during road construction with the Taliban?

Detainee: Warehouse keeper.

Board Member: What was stored in the warehouse?

Detainee: Gas, equipment...like parts...tractor...and gardening tools.

Board Member: How far away was your village from Zormat?

Detainee: I worked in the city. The workplace was in the province.

Board Member: What other jobs have you held?

Detainee: [I've] always worked [in] labor. I was shopping for the family...I was keeping livestock...I was feeding livestock.

Board Member: You were captured at your home?

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Detainee: Yes.

Presiding Officer: The repair crews that you worked with, you said that sometimes as many as 70 or 80. Were those 70 or 80...were any of them Taliban soldiers?

Detainee: No, laborers.

Presiding Officer: The compound...was there anyone else arrested with him?

Detainee: Yes, at the time I was arrested, my uncle and my cousin was there.

Presiding Officer: Who arrested him?

Detainee: American and Afghani soldiers.

Presiding Officer: Do you have any other statement?

Detainee: If you don't mind, I have one comment to make. Yes...you asked me if I had a scars on your body, but you didn't tell me what kind of scar I have...because there is nothing. I believe you are asking me if I have an injury or something like that from the fighting or war like that. If you ask me I will tell you.

Presiding Officer: We understand that any injuries you have are not from warfare.

Detainee: If you want me...I will give you a lot of explanation.

Presiding Officer: We understand your statement.

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.


Captain, USN
Presiding Officer

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