

Summary of Administrative Review Board Proceedings for ISN 1021

The Administrative Review Board was called to order.

The Detainee entered the proceedings.

Presiding Officer: Mr. Chaman Gul, I want to welcome you to this Administrative Review Board.

Detainee: (through translator) I am also happy to be here.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Designated Military Officer (DMO) was sworn.

The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were 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 Notification of the Decision of the Administrative Review Board 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 Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee's ARB interview was conducted on 15 June 2006. After reviewing the ARB's purpose and procedures, the Pashtu translated Unclassified Summary of Evidence was read to the detainee. When 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 he would attend the ARB, and wished to respond to each statement of information in the Unclassified Summary of Evidence after it is presented. The detainee was very cooperative, attentive and cordial throughout the course of the

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interview. Copies of both the English and Pashtu translated Unclassified Summary of Evidence was offered to the detainee and he elected to retain the Pashtu copy.

Assisting Military Officer read Additional comments.

Assisting Military Officer: The detainee appeared very anxious at times and wanted to respond to the statements contained in the Unclassified Summary of Evidence.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-4, 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 the Detainee.

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.

Designated Military Officer: (3.a.1) When the detainee was a teenager, the Russians invaded Afghanistan, destroyed his village, and forced him to flee to Pakistan, where he lived in a refugee camp. While living in the camp, he joined an Islamic party.

Detainee: *(through translator)* Yes Sir. At the time when the Russians invaded Afghanistan, I went to Pakistan as a refugee. I was not the only one--it was the entire village.

Presiding Officer: Did you join the Islamic party?

Detainee: *(through translator)* Yes Sir. The Islamic party was fighting against the Russians. I joined that party to fight against the Russians.

Designated Military Officer: (3.a.2) While the detainee was in the camp, the son of the leader of the Islamic party came to recruit men to fight the Russians. The detainee traveled to Afghanistan and learned to shoot a five-round bolt-action rifle. After training, the detainee went into Hazra, Afghanistan, for one or two months at a time to fight.

Detainee: *(through translator)* Yes Sir. I went there. Hazra is where we were living and I went to fight there.

Designated Military Officer: (3.a.3) Three groups existed during this time: the Harakat Inqlab, the Nejat Meli, and the Mahaz Meli. Together these groups formed the Itihad

Saygana. The detainee belonged to the Mahaz Meli but occasionally helped the Harakat Inqlab.

Detainee: *(through translator)* Yes Sir. The three groups were combined together and I was with Harakat Inqlab.

Designated Military Officer: (3.a.4) For the first few years of the fighting, the detainee was a simple soldier, but after a few years, he became a commander of about 15 fighters.

Detainee: *(through translator)* Yes Sir.

Designated Military Officer: (3.a.5) The detainee claims that his involvement with the Hezb-E-Islami Gulbuddin started in mid-1990 to early 1991. He joined the Hezb-E-Islami Gulbuddin for six months as a commander. During this period, the Hezb-E-Islami Gulbuddin was fighting the Northern Alliance.

Detainee: *(through translator)* After the Russians left the country, there was no more fighting. For many years I had a shop in Pakistan and I was just working. After six years, I went to the Gulbuddin and was with the party for only six months.

Presiding Officer: Did you fight the Northern Alliance during this period?

Detainee: *(through translator)* They sent me to Afghanistan, but I did not fight the Northern Alliance. The reason was because I did not like Gulbuddin, he was fighting against the Afghans. I did not like that.

Presiding Officer: Okay, thank you.

Designated Military Officer: (3.a.6) Hezb-E-Islami Gulbuddin has staged small attacks in it's attempt to force United States troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration, and establish a Fundamentalist Sate.

Detainee: *(through translator)* I have only spent six months and this was many years later that the United States forces came to Afghanistan and the Transitional Government came into power. At that time I was not with Gulbuddin and it was about 18 years ago. At that time, I was not with Gulbuddin anymore.

Presiding Officer: Do you agree with Gulbuddin's goal to establish a Fundamentalist State?

Detainee: *(through translator)* When Gulbuddin was fighting with Rabbani, I did not like it, so I went to Mazoud who was also fighting with other Muslim parties and I did not like that either. So I came to my home. I am very much against Gulbuddin.

Designated Military Officer: (3.a.7) The detainee was accepted into the Northern Alliance and instructed to remain in the Hezb-E-Islami Gulbuddin in order to report on their activities, movements, and operations.

Detainee: *(through translator)* I just went to my home, I did not go back to Gulbuddin's party.

Presiding Officer: This question is about you being accepted into the Northern Alliance. Were you accepted into the Northern Alliance?

Detainee: *(through translator)* I did go to the Northern Alliance, but when they asked me to fight I was on my own so I told them I did not want to fight. So I did not accept that offer.

Presiding Officer: So you did not accept the offer?

Detainee: *(through translator)* No.

Designated Military Officer: (3.a.8) The Hezb-E-Islami Gulbuddin had three of its members, the detainee and two others, working as intelligence collectors. They were operating in Kabul and collecting information about the Afghan Government and possibly United States forces. They used vehicles with Kabul Police Department license plates for traveling.

Detainee: *(through translator)* Like I said before it was 15 years ago. It was 15 years ago that I was with the Gulbuddin for six months. I have never met Gulbuddin again or been involved in Gulbuddin's plans. After the first six months, when I was involved with the party, I have never met anyone with the Gulbuddin party again.

Presiding Officer: Did you use vehicles with the Kabul Police license plates?

Detainee: *(through translator)* The Police is a Department that belonged to the Government, I could not use this kind of vehicle because I was not a Government official.

Designated Military Officer: (3.a.9) The Kabul Chief of Police has strong ties with weapons and drug smuggling activities. The detainee was also a major player in these operations.

Detainee: *(through translator)* These are false allegations, I have never met the Police. I am a poor man; I have never been involved with smuggling drugs and weapons. I have never met any Police Officer in my life. Can I reason with you about this?

Presiding Officer: Yes, go ahead.

Detainee: *(through translator)* I am very much against smuggling drugs. I am very much against the drugs. Unfortunately, there are tribal fights and animosities. They say lies about people. These are just false allegations. After the invasion of the Russians unfortunately the Afghans started killing each other because of the different parties. There is a lot of animosity in the country now. Many people are against each other, when someone goes to give information they will probably tell lies about that other person because it is his enemy. These allegations are all lies.

Designated Military Officer: (3.a.10) The detainee and two other Hezb-E-Islami Gulbuddin members were all well-known associates that were heavily involved in the drug trade and other illegal activity. One of these men is responsible for over 1,000 murders as a Hezb-E-Islami Gulbuddin leader.

Detainee: *(through translator)* During the interrogation they told me the name of this person, which I don't remember now. I told them that I have never heard this name and I don't know anything about this person who has killed over 1,000 people. These are just false allegations. I do not know anything about this. The interrogators told me the name and that he has killed more than 1,000 people. If he has killed 1,000 people, this is his responsibility, I do not know him, this has nothing to do with me. I have not killed anyone and I do not know him.

Designated Military Officer: (3.a.11) The detainee was a Hezb-E-Islami Gulbuddin field General.

Detainee: *(through translator)* I am illiterate. I cannot write my name, I don't even know what a General means. As an illiterate man I have seen soldiers, but this is a very high military rank. How can an illiterate man be a General when he cannot write his name? In Afghanistan someone can become a General, if he has had an education for 20 or 30 years like you gentlemen can be General's but not me with no education. These are allegations that only the Afghans can bring because a man that cannot write his name, a man who is hungry and cannot find enough food for his children how can he be a General? No one else would make such an allegation unless they are Afghans and they are used to telling such big lies.

Designated Military Officer: (3.a.12) The detainee worked as an intelligence informant for the Afghanistan Information Ministry. He was offered a job collecting information due to his personal relationships with Hezb-E-Islami Gulbuddin and Taliban commanders.

Detainee: *(through translator)* I was against the Taliban they were trying to kill me and I was hiding from them. When Karzai came into power, I then got the courage to go back and they asked me to get the information. The Intelligence President whose name is Engineer Aarif sent for me and said that I should help the Government. He said they were going to send me to Pakistan with another man, I was supposed to help him get some information against the Taliban and I did. When I went to that department, I told

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Engineer Aarif that I was an illiterate man and I could not read or write. He told me that another person would read and write I would just help, be his guard since I have been in Pakistan for so long. The man who was designated to go with me name was Shaagha Haji. I helped him and he wrote the most important parts.

Presiding Officer: Did you have a personal relationship with Gulbuddin and Taliban Commanders?

Detainee: (*through translator*) I have never met Gulbuddin, I have seen him one time in my life, which was in a big crowd of people and he was speaking.

Presiding Officer: I am talking about the organization itself. Is that the reason why you were working with the intelligence because of your relationship with the Gulbuddin organization and the Taliban?

Detainee: (*through translator*) They knew that I was against the Taliban. When I was in the camp in Pakistan, everyone was from different parties. Some people belonged to the Hezb Gulbuddin and some people belonged to the Islami. People talk in Afghanistan. They knew that I was against the Taliban that is why they told me to go and get some information.

Board Member: What was the date that you began working for the Afghan Information Ministry?

Detainee: (*through translator*) Around two or three months after the Taliban.

Presiding Officer: Do you know the year?

Detainee: (*through translator*) I don't remember, because I am illiterate. After the Taliban was defeated for a few months it was Rabbani. It was at the time of Karzai maybe two or three months. I have never met any of the Taliban Commanders. The system was to ask people questions such as. "do you know him, is he at home, where is he?" The people would talk we kind of did it indirectly

Designated Military Officer: (3.a.13) While employed with the Afghan Information Ministry, the detainee was tasked with collecting information about Hezb-E-Islami Gulbuddin Commanders in various Afghan districts. He received his intelligence collection tasks from a deputy of the Afghan Information Ministry.

Detainee: (*through translator*) Myself and Haji Shaagha did not go many times. We only went into three areas, three times and we secretly asked people and got information.

Designated Military Officer: (3.a.14) The detainee commanded a unit of approximately 40 soldiers and held the rank of Brigade General during a three-month campaign fought against Taliban/al Qaida forces in Afghanistan during the spring of 2002.

Detainee: *(through translator)* There is a place in Paktia, Gardez, called Shari-e-Khot. There was a United States Commander who was also helping fight against the Taliban. They were involved in a long period of fighting before I went there. I joined them as just a simple man, I don't know what the Brigade General means, but I joined them to fight against the Taliban. Mr. Fahim was the Defense Minister for Karzai who also ordered the Militia to join the military people to fight. I was among them. The commanders name was Gulhider. He was one of the commanders for General Fahim who also gathered Militia people I was also among them. I did not have my own people. I was by myself with the other Commander fighting against the Taliban as a Militia. Our fight was not long. It was for three days because they were fighting long before I got there. After the three days the Taliban was defeated.

Designated Military Officer: (3.a.15) Al Qaida, Hezb-E-Islami Gulbuddin, and the Taliban held a meeting in Peshawar, Pakistan during February 2003 to discuss future plans on how the three groups could regain power in Afghanistan. During the meeting, many anti-United States and anti-Karzai conversations took place.

Detainee: *(through translator)* I got the information from the Afghanistan Government Intelligence office. They sent me the language; Haji Shaagha and I went together. The piece of paper had information about the three parties-Gulbuddin, Al Qaida and Inqlab. It said they would have a meeting. They told us to go and spy a little bit to get some information, so we went there. This is not the information that I gave to them. This is the information they gave to us and sent us there. I did not even go at that time because I was sick. I was supposed to go with Haji Shaagha, we got the information and we were supposed to go and get more information but the other person went.

Presiding Officer: Who sent you there?

Detainee: *(through translator)* The Afghan information center, Engineer Aarif. I was working with Engineer Aarif, he was an Assistant Chief there.

Designated Military Officer: (3.a.16) The detainee was present at a meeting between members of al Qaida, the Taliban, and the Hezb-E-Islami Gulbuddin in Peshawar, Pakistan.

Detainee: *(through translator)* This is the same information that we got from Kabul when we were sent there, but I was sick, I did not go. The other person did get some information.

Presiding Officer: If you had gone you would have been undercover?

Detainee: *(through translator)* I was undercover. They gave us the names of commanders. We could not talk directly to them. We would just ask people information about them. If the Taliban caught me there, they would have killed me.

Board Member: You were working with Haji Shaagha?

Detainee: *(through translator)* He was the assistant to Engineer Aarif. Engineer Aarif said that Haji Shaagha was his fourth assistant.

Board Member: They used you because you were Pashtu and you could speak the language?

Detainee: *(through translator)* Haji Shaagha was from the Northern area and did not know Pashtu, I would speak and he would write. They used me because I was a Pashtoon countryman. The Taliban has killed a lot of my family members, I was the Taliban's enemy and happy to do anything against them.

Designated Military Officer: (3.a.17) Dyncorp hired the detainee and his men to guard shipments of equipment between Herat, Afghanistan, and Kabul, Afghanistan.

Detainee: *(through translator)* I did not have any people who were in the party with me. They contacted me when they needed trucks and I would hire people. They would then give me a little money for my activity that is all. I was not guarded like I am here, I was by myself. I knew the truck drivers. If they needed the trucks I would hire the trucks and the people for them. When I was with the intelligence, I was not permanent. Once every couple of months I would go there, they would use me for a day or two, and then I would go and work on my own land. I was not a Government official. I just helped them hire trucks and they would give me a little bit of money.

Designated Military Officer: (3.a.18) Site #1 was the housing and office compound for the Karzai Protection Detail. Site #3 was the Afghanistan communications center.

Designated Military Officer: (3.a.19) The detainee intended to place a bomb at Site #1 or Site #3 during the grand opening ceremony for the radio network station at Camp Serenity. The main target for this attack was President Karzai, the United States Ambassador to Afghanistan, and other high-ranking Afghani.

Detainee: *(through translator)* Can I speak a little more about this?

Presiding Officer: That is fine.

Detainee: *(through translator)* At the time Karzai assumed power it gave me great hope that along with the help of the United States things would now change and I trusted that. I lived in Pakistan for 20 years and I have 15 members of my family, I brought all my children and family from Pakistan in hope that it was secure enough and the opportunity of having a better life. I brought them back to Afghanistan after the Taliban was dismissed. If I were going to place a bomb and kill Karzai why would I transfer my whole family to Afghanistan? I like them. I like my children and my mother so much that I would not trade one son for the whole country. I was established in Pakistan. If I

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were going to kill Karzai, I would have kept my children safe in Pakistan. I brought them there with the hope of the United States helping Afghanistan to make it a prosperous country.

Presiding Officer: Why do you think you were identified with this allegation?

Detainee: *(through translator)* Unfortunately, with the Russian invasion, we now have different parties. In a family with two brothers they will belong to different parties and they will try to kill each other because of the parties. Unfortunately, it is in the country too much now, everybody has enemies.

Presiding Officer: Who would accuse you of doing this? Who would accuse you of making these plans?

Detainee: *(through translator)* If I would do such a bad thing then you would have at least caught me with something. I was not caught with a bomb, I don't even know what a bomb is and I would never do that it is a very nasty thing. I told you just the animosity of the people. I don't know who you got that information from, you know who they are I don't know them. They probably gave you all this information that I am such a bad man and I was trying to place a bomb. There is so much cruelty against me. The interrogator once showed me a picture and asked me if I knew this man. I told him yes, it was the same man in Iraq that I made a deal with him to transport and make a little bit of money. He said that I asked for a bribe, for money and I took the money from him. Then accusations started I became his enemy.

That man became a prisoner with the United States forces in Afghanistan. It was the same man that I saw in Iraq. It probably made me look suspicious since I had a deal with him and he was probably a bad guy. In Bagram they showed me him. I said I think if that man has an allegation against me, let me see him. If he has an allegation he should tell me straight. He came here and was shy. He couldn't look at me or say anything when we were in Bagram. I was in Bagram for 14 days as a prisoner, then they brought me here. I saw this man here also. He was accused of stealing a computer from the United States military people. I told him I did not have any connection with you and he told me no I did not.

Presiding Officer: You are denying these allegations?

Detainee: *(through translator)* Yes.

Designated Military Officer: (3.a.20) On 16 February 2003, an important Hezb-E-Islami Gulbuddin member gave explosives and instructions for their use to the detainee and another Hezb-E-Islami member. The two planned to organize attacks on vehicles used by foreigners on the road from Kabul, Afghanistan, to Jalalabad, Afghanistan.

Detainee: *(through translator)* This is just a false allegation. I was not caught with anything it is the same people with the same stories. No one touched me, no one contacted me I have never gotten any explosives. This is something that I have heard here. If I would do something of that nature then they should have arrested me there, I was not arrested and the Government has not touched me. I have not been involved in this; this is a false allegation.

Designated Military Officer: (3.a.21) The detainee was captured on 10 April 2003.

Detainee: *(through translator)* Yes.

Presiding Officer: Who captured you?

Detainee: *(through translator)* Engineer Aarif, the Chief of the Intelligence of Afghanistan, asked for me, then showed me the picture of the man and asked me if I knew the man. I told him yes, of course I knew him, and he was in Iraq as a translator for the company and asked me for some trucks. He then kept me for four days as a prisoner and then involved in that case.

Presiding Officer: Did they tell you why they arrested you? Was the only reason that they arrested you because of the picture?

Detainee: *(through translator)* They told me that he stole the computer and I tried to get the computer from him. I told them I did not know anything about the computer. He stole the computer and I was accused of him giving it to me after that these other allegations came about bomb threats. The man that stole the computer is still here I believe in your justice ask that man if I was ever in contact with him to ask for a computer.

Presiding Officer: You were arrested because of these bomb plots from allegation 19 and 20.

Detainee: *(through translator)* They did not catch me with a bomb and I don't know about the bomb at all. I had my family over there I told you.

Presiding Officer: I am trying to find out if that was the reason the Afghan Government arrested you.

Detainee: *(through translator)* It was only because of the picture of the man who stole the computer.

Presiding Officer: Was that the only reason?

Detainee: *(through translator)* After being here six months then I heard the allegations about the bomb it was not there before.

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Designated Military Officer: (3.b.1) Hezb-E-Islami Gulbuddin was founded as a fraction of the Hezb-E-Islami party in 1977. Hezb-E-Islami Gulbuddin has long established ties with Usama bin Laden. In the early 1990's Hezb-E-Islami Gulbuddin's founder ran several terrorist training camps in Afghanistan. He offered to shelter Usama bin Laden after he later fled Sudan in 1996.

Detainee: *(through translator)* I don't even know the name very well I knew Laden but not Usama bin Laden. I did not hear his name in Afghanistan I heard it here from the other prisoners.

Designated Military Officer: (3.b.2) The Hezb-E-Islami Gulbuddin founder traveled to Iraq to meet with Saddam Hussein. The two discussed issues involving the planning of Hezb-E-Islami Gulbuddin attacks against United States forces in Afghanistan and abroad.

Detainee: *(through translator)* Is Iraq in Afghanistan?

Presiding Officer: This is general information.

Designated Military Officer: (3.b.3) The detainee was a personal friend of Hezb-E-Islami Gulbuddin's founder.

Detainee: *(through translator)* I only knew Gulbuddin from his pictures at the time the Russians invaded Afghanistan. These parties were all together like Gulbuddin and Rabbani. Gulbuddin's pictures were everywhere I only saw him in the pictures and I saw him once speaking to the public. I have never met him.

Designated Military Officer: (3.b.4) The detainee and the Hezb-E-Islami Gulbuddin founder's friendship ended when he later became Vice President of Afghanistan and refused to allow the detainee to become the Governor of Logar Province, Afghanistan. As a result the detainee stated that he secretly joined forces with the Northern Alliance while still maintaining membership within the Hezb-E-Islami Gulbuddin.

Detainee: *(through translator)* To become the Governor, it means that you are a little bit lower than the King. It's a very big position. I am just an illiterate poor man. This is just a stupid allegation. I am against Gulbuddin. Like it says here, but how can I dare think of such a thing as to become a Governor while I am a peasant.

Designated Military Officer: (3.b.5) The detainee was the assistant to the direct subordinate of the Hezb-E-Islami Gulbuddin's founder. The Afghan Minister of Defense indirectly gave money to the detainee in exchange for information on the Hezb-E-Islami Gulbuddin's founder. The direct subordinate of Hezb-E-Islami Gulbuddin's founder was not aware that the detainee was betraying the Hezb-E-Islami Gulbuddin.

Detainee: *(through translator)* I don't know anything about this allegation. Here you say that the big man of the Gulbuddin picked me this is like a Kings man. I was a poor man

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no one would believe this. I confess that I have done two things and that is that I got some information against the Taliban, I have never killed a man in my life. I have collected a little bit of information about Gulbuddin, which I did not like because he was a cruel man. This is all that I have done. The Taliban has killed members of my family I did not have the power to go and fight against them so I collected a little bit of information against them.

Presiding Officer: Were you an informant for the Ministry of Defense?

Detainee: *(through translator)* Except Engineer Aarif, I have never been in touch with any other person with the Ministry of Defense.

Designated Military Officer: (3.b.6) The field commander for al Qaida terrorists located in Muzaffarabad, Pakistan, personally showed the detainee bombs devised by al Qaida terrorists that use a white powdered explosive packed in Pepsi cans. The detainee visited the field commander on numerous occasions.

Detainee: *(through translator)* Engineer Aarif gave us the information from the piece of paper that the al Qaida people were making bombs and wanted to send us to Pakistan. Since I was sick I did not go, but Haji Shaagha did go. Engineer Aarif asked for us I went there they gave a piece of paper to Haji Shaagha and told us to go to a place where they had information about an al Qaida Commander making bombs from a white powder which was packed in Pepsi. I was sick I did not go.

Presiding Officer: You have never visited with this field commander?

Detainee: *(through translator)* No.

Designated Military Officer: (3.b.7) Hezb-E-Islami Gulbuddin and al Qaida were responsible for a suicide car bomb attack in Kabul, Afghanistan, on 7 June 2003 against the United States Embassy, International Security Assistance Forces, the United Nations Headquarters, and a shopping area used heavily by foreigners. The leader of the group involved was a Hezb-E-Islami Gulbudin Commander.

Detainee: *(through translator)* When I was in Afghanistan I never heard of such a bomb. I have no information.

Designated Military Officer: (3.b.8) The Hezb-E-Islami Gulbuddin Commander was the detainee's assistant.

Presiding Officer: They are saying what happened in allegation number seven was done by your assistant.

Detainee: *(through translator)* How could he be my assistant when I did not have one person behind me? I was by myself. A person who has an assistant has connections and a

party of people. I was one man. Even now the Taliban has certain types of cars for explosives. I am here. If you go and ask people, they will probably make these allegations against me if they don't know that I am a prisoner here. If you send someone to Afghanistan and ask, they will say yes, I am involved in it while I am here as a prisoner. My main concern is the hunger of my children over there, I am a poor man these are allegations.

Designated Military Officer read the following primary factors favor release or transfer of the detainee.

Detainee: *(through translator)* As Americans you are still involved in Afghanistan. For God's sake don't believe in what the Afghans say. You take the information for yourself don't trust them. I am against the Taliban. I am a prisoner here. If there is an allegation they will say it is me while I am here as a prisoner. It is cruel against me, my family, my sons, my wives are there while I am innocent and here.

Presiding Officer: Sir, you will get a chance at the end to make an oral statement before we conclude.

Detainee: *(through translator)* Yes Sir, I am sorry.

Presiding Officer: That is fine.

Designated Military Officer: (4.a.) The detainee stated that the Taliban and the Hezb-E-Islami Gulbuddin's founder were his sworn enemies.

Detainee: *(through translator)* Yes Sir.

Designated Military Officer: (4.b) The detainee stated that he liked the United States and he fully supported the United States and the Karzai Government in Afghanistan.

Detainee: *(through translator)* I am for the prosperity of my country and I will always have that idea. I like the Americans and the present Government I am all for it.

Designated Military Officer: (4.c) The detainee stated that he did not and would not help the Hezb-E-Islami Gulbuddin.

Detainee: *(through translator)* I am not helping Hezb-E-Islami Gulbuddin, I will never help. I am very much against it. If any other person follows Gulbuddin I am very much against them.

Designated Military Officer: (4.d) The detainee stated that the United States was the reason why he moved back to Afghanistan after 20 years and he hopes the United States stays long enough to stop the tribal wars.

Detainee: *(through translator)* After the Taliban Rabbani was there for some days and I would never bring my family, I did not bring my family because I did not trust them. It was only when Karzai came into power and I saw that the Americans were supporting him I brought my children.

Presiding Officer: You brought your family to Afghanistan after Karzai assumed power?

Detainee: *(through translator)* 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.

Detainee: *(through translator)* In Afghanistan I was accused of stealing a computer, the person who stole that computer is here. You can investigate him. I absolutely was not involved. These allegations of me putting a bomb somewhere in Afghanistan I heard after being here for six months and these other allegations that I am accused of. I am an innocent man, God knows it. I am a prisoner here and there are still allegations coming up about me. These allegations are baseless and my children are still hungry. The Afghans have made me a very big person from these allegations, you know and you can get information that I am nothing. I am just a poor illiterate man. If released I will try my best to work hard and make a living for my children.

The Presiding Officer had the Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form, Exhibit EC-B.

The Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form.

Assisting Military Officer: The detainee was asked if he had any questions or would like to make any statements, the detainee made the following statements:

These are all baseless allegations. The persons who made these allegations have lied.

Whatever I have been accused of only God knows the truth. I am innocent, so I will attend the ARB proceeding. Only the Taliban and al Qaida don't come to these boards because they are guilty.

I do not cause any trouble and have a good record. I did not have anything to with the problems in Camp 4 last month, but they moved me anyways to another place.

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I have been separated from my two wives and ten children because of this. I brought them all back to Afghanistan after the Karzai Government assumed power because I thought the future of Afghanistan looked so bright with the U.S. support.

If released, I plan to return to Afghanistan and work on a farm, possibly work buying and selling cars, which I like to do. My main concerns now are for making a living for my families and to put my children into school.

My American lawyer visited here about a month and a half ago. He said that he has sent three letters to the ARB on my behalf.

Assisting Military Officer noted for the record.

Assisting Military Officer: Mr. Presiding Officer at this time I would like the record to reflect that during the 15 June interview the detainee stated he had letters to present to the ARB. In this case it would be written statements to be presented to the Board under Exhibits EC-C. Due to circumstances beyond our control, we have yet to obtain these written statements and will present them to the Board at a later date.

Presiding Officer: Noted. When we receive these letters we will reconvene and make them a part of the record.

Detainee: *(through translator)* I have written the dates if you need it.

Presiding Officer: We don't need the dates. We will have the AMO retrieve these letters and make them part of the package.

Detainee: *(through translator)* I have never been impolite with the soldiers here and I was not part of the struggle but they took me from Camp 4 which I was living a little bit better.

Presiding Officer: Mr. Gul, this is the time if you wish to make an oral statement.

Detainee: *(through translator)* May I speak about the camps and why they moved me to this other place? I was a little bit more comfortable.

Presiding Officer: You can make an oral statement.

The Detainee made the following statement:

Detainee: *(through translator)* Two Afghans were quarreling and some of the detainees took sides with them. I told them I was not with them. The translator told me to sit on my bed because I was not a part of it but when they took them out the soldiers came and took me out also.

Presiding Officer: You must understand that we have no control over the camps. We are just an Administrative Review Board here to make a recommendation whether to keep you here, transfer you or release you. Basically what goes on in the camps has nothing to do with this Board and we have no control over it.

Detainee: *(through translator)* Thank you very much.

Presiding Officer: Mr. Gul, does that conclude your statement?

Detainee: *(through translator)* I have nothing more but to insist that I am a safe man. I am no danger, I will go home if someone releases me. I will just be a poor man working on my land and that's it.

Presiding Officer: I understand.

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: We cannot attempt to understand the difficulties that you have had in your life. You have had many difficult decisions to make and I am sure that you have made the best decisions that you could however there are many of your own people who have told stories about you.

Detainee: *(through translator)* Yes Sir.

Board Member: You said that only God knows the truth. If your own people tell stories about you we cannot know. Man-to-man what, would you say to this Board to make us believe that you are not a threat to your own Government and to the United States?

Detainee: *(through translator)* I am not angry with anyone of you. I know that there are allegations you should go by those allegations. I have to say that there are a lot of allegations about me, but none of them have any proof. That's the only hope that I have. If I am accused of 20 or 30 allegations and none of them have any proof that I have been caught with anything it is because I am innocent. I know that you also have trouble with it. I swear that I am no threat to you or to my Government.

Presiding Officer: What is your education level?

Detainee: *(through translator)* No education. I have not even been in school for one year.

Presiding Officer: How is your family being supported in Afghanistan today?

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Detainee: *(through translator)* I don't know maybe some of my sons will do it. They can work here or there and we have a little piece of land maybe they will grow something on that. I have no information about that.

Presiding Officer: Thank you Sir.

Detainee: *(through translator)* You are able to get the information. I say that I have not done it I cannot prove it because I am here but you can do it you can go and search for it. Make yourself sure that I am innocent.

Presiding Officer: Thank you.

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.

